

Clark County Job Order Contracting (JOC) Policy

Policy Number: JOC-1.0

Effective Date: April 1, 2022

Subject: Job Order Contracting Policy

SUMMARY

This policy provides Real Property Management with the authority to conduct Job Order Contracting (JOC) in accordance with these policy guidelines, Senate Bill 67 of the 2021 Nevada Legislature, and applicable Federal, State and Local codes and regulations.

This policy becomes effective upon the date of the approval by the Board of County Commissioners.

POLICY

I. POLICY OVERVIEW

The County of Clark (County), through the Board of County Commissioners (Board), will conduct all Job Order Contracting (JOC) in accordance with current Nevada Revised Statutes, Senate Bill 67 effective October 1, 2021, this Policy and applicable Federal, State and Local codes and regulations. The County's Job Order Contract program may be further guided by approved Board actions and County Management policy revisions.

II. PURPOSE AND SCOPE

The County has elected to create a pilot program to gather data on the use of job order contracts for certain public works in Clark County as a means to assist in the procurement of construction services. The County has a high volume of projects that are typically procured through the competitive bid process. Although many projects will remain competitively bid, it is anticipated that having a job order contract as an alternate procurement method will help to expedite timelines for both competitively bid projects and job order contract projects, allowing more public work to be accomplished and promote more jobs in the community. JOC can play a vital role in county contracting. The JOC process is an alternative procurement method intended to augment the current procurement processes authorized by law for the maintenance, repair, alteration, demolition, renovation, remediation, or minor construction of a public work for the County.

III. APPLICATION AND RESPONSIBILITY

This Policy applies to maintenance, repair, alteration, demolition, renovation, remediation, or minor construction projects that Real Property Management has reviewed and identified as potential JOC projects. The Board hereby authorizes the Director of Real Property Management to identify projects for the purpose of processing and executing Job Orders in

accordance with its Standard Operation Procedure and the terms and conditions of the Job Order Contract.

IV. REQUEST FOR PROPOSALS

The County will advertise and issue a Request for Proposal for JOC contractors per Senate Bill 67 effective October 1, 2021.

V. JOC OVERVIEW

JOC is an appropriate delivery method for any type of repetitive work, especially small renovation jobs. It allows for a longer relationship with the selected contractors as various job orders issued under the contract are performed during the contract term. Because the contractor has been selected and the unit price is fixed (by the unit price catalog and the contractor's adjustment factor), the JOC allows contractor input during scope development and may take on certain design responsibilities consistent with its licensing limitations, which can help expedite the work.

A. Definitions

1. Job Order Contract. A Job Order Contract (hereinafter referred to as JOC) is an indefinite quantity contract pursuant to which the Contractor will perform a variety of projects, consisting of specific construction tasks. The scope of JOC is for the maintenance, repair, alteration, demolition, renovation, remediation, and minor construction work. The JOC is publicly procured under a qualification-based selection process pursuant to NRS 338 and Senate Bill 67 as adopted October 1, 2021. The County intends to publish a unit price catalogs containing a series of construction tasks with preset unit prices prepared by a 3rd party JOC consultant and the County. All unit prices will be based on experienced labor and quality materials, specifically considering local labor, material, and equipment prices, including the current prevailing wages for the region as published by the State of Nevada Labor Commissioner. The Contractor will bid Adjustment Factors (the Contractor's competitively bid price adjustment to the Unit Prices as published in the unit price catalog) to be applied to the sum of Unit Prices for each job order. The price of an individual project will be determined by the County multiplying the preset Unit Prices and the appropriate quantities by the bid Adjustment Factors outlined in each executed JOC agreement.
2. Job Order. A Job Order is a document signed by the County's JOC Program Manager (JPM) or their designee that describes the work to be accomplished for any given project that is authorized under an awarded JOC. Each Job Order will include a detailed scope of work, a firm fixed price, a time duration for the completion of the work and any special conditions that may apply to that specific Job Order, such as liquidated damages. (collectively referred to as Job Order Documents).
3. JOC Implementation Service Provider. A 3rd party consultant contractually bound to the County for the purpose of providing services necessary to bring this JOC pilot program to execution and implementation for set fees.

B. Method of issuing Job Orders – The award of multiple JOC contracts will be used to maintain control over contractor performance, quality of work, and timely completion at controlled prices. Maintaining flexibility in the contractor selection process will optimize the County’s control.

1. County is under no obligation to award work beyond the guaranteed minimum contract value of \$25,000. County is under no obligation to award any specific number of Job Orders. However, as work and funds become available, job orders will be provided to each JOC Contractor as early in the JOC Contract period as feasible to satisfy the minimum value. The minimum value of any individual job order is at the discretion of the Department of Real Property Management.
2. To the extent feasible, Job Orders will be distributed on a rotational basis beginning with the JOC contractor achieving the highest score, keeping in mind the goal of meeting the needs of the County and rewarding good performance for contractors that consistently complete work on schedule and adhere to the terms and conditions of their JOC agreement. Staff may apply criteria such as, but not limited to, current JOC contractor workload, timely and accurate performance of JOC processes, quality construction, timely completion of Job Orders and close-out, safety record, meeting project order goals, project specific requirements, and local employment participation.

C. Contract Value. The JOC program has a maximum contract dollar value and a fixed contract term as set forth in Senate Bill 67 sections 1 through 15. The County intends to award up to five (5) JOC Contracts for a combined annual value not to exceed \$25,000,000.

D. Contract Term. The initial term of each Job Order Contract is two years with a one (1) year renewal option. JOC Contractor may continue to execute outstanding work for Job Orders issued during the previous contract period provided the work is completed by June 30, 2025.

VI. STANDARD OPERATING PROCEDURES AND GUIDELINES

Real Property Management will establish Standard Operating Procedures and Guidelines for the management of the JOC process prior to issuing any Job Orders. Standard Operating Procedures may be revised at the discretion of Real Property Management’s Director.

VII. AUDITS

Random audits will be performed on Job Orders to confirm pricing is consistent with the current market and being executed in accordance with RPM’ s departmental standard operating procedures and best practices. Random audits will also be performed on the JOC process. The number and scope of audits will be determined by the Director of Real Property Management or their designee.

VIII. PERFORMANCE REPORTING

Performance reporting will be provided as required by SB 67.