

November 9, 2021

**C-37**

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Adopt a Resolution authorizing the City Manager, or designee, to execute a contract, and any necessary documents including subsequent amendments, with Gordian Group, Inc., of Greenville, SC, to provide Job Order Contracting program and software support, in a total amount not to exceed \$1,000,000, for a period of two years, with the option to renew for two additional one-year periods, at the discretion of the City Manager. (Citywide)

**DISCUSSION**

City Council approval is requested to enter into a contract with the Gordian Group, Inc. (Gordian), to provide Job Order Contracting (JOC) program and software support.

The Gordian JOC system, which utilizes a competitively bid firm-price master contract, is a comprehensive procurement system designed to help public agencies provide routine construction services in a more timely and cost-efficient manner than the traditional design/bid/build method of contracting. It is also used for emergency services. This contract with Gordian includes licensing for use of their proprietary system. Gordian provides these services to numerous public agencies throughout Southern California for their JOC programs on a sole source basis, including Los Angeles Department of Public Works, Orange County Department of Public Works, Los Angeles Community College District, City of Irvine, City of Fresno, City of Santa Barbara, and the Los Angeles Unified School District.

The Gordian JOC program is a highly specialized and proprietary solution consisting of:

- e-Gordian – A web-based JOC application configured to meet the City of Long Beach's (City) specific needs.
- A construction Task Catalog with over 380,000 tasks customized to the City, with task prices based on the local cost of labor, materials, and equipment.
- Implementation services and support materials to train City and construction contractor staff to properly utilize the system.
- Ongoing technical maintenance and support services during the term of the contract, including 24/7 toll-free software support. The City has a designated account representative to provide training and resolve any challenges in developing JOC proposals with the contractors.

City Charter Section 1801 requires that contracts for City purchases be awarded to the lowest responsible bidder after a competitive bid process, but allows for awards without a competitive bid process when authorized by a Resolution adopted by the City Council.

The Gordian JOC program software is highly specialized and consists of access to a web-based Construction Task Order catalog of more than 380,000 tasks. This software will allow City Capital Project Coordinators and the JOC contractors to generate a JOC proposal and track the changes in the system. The task catalogs are unique to the City's needs and are updated several times a year. A competitive procurement process for these services is not feasible because Gordian is the only company that provides JOC program support that is both comprehensive and highly integrated and no comparable level of services exists in the market.

This matter was reviewed by Deputy City Attorney Erin Weesner-McKinley on October 21, 2021, Business Services Bureau Manager Tara Mortensen on October 19, 2021, and by Budget Management Officer Nader Kaamouch on October 22, 2021.

#### TIMING CONSIDERATIONS

City Council action to adopt a Resolution and award a contract concurrently is requested on November 9, 2021, to ensure the contract is in place expeditiously.

#### FISCAL IMPACT

The total contract amount will not exceed \$1,000,000. The cost for workorders to be completed under each JOC contract, and the associated Gordian fees, will be paid by various projects utilizing the JOC contracts. No appropriation increase is necessary at this time. Any work not currently budgeted will only proceed at such time that appropriations have been approved by the City Council. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. The local job impact will not be known until each individual JOC project has commenced.

#### SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



ERIC LOPEZ  
DIRECTOR OF PUBLIC WORKS

APPROVED:



THOMAS B. MODICA  
CITY MANAGER

EL:MS:act

Attachment: Resolution

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE GORDIAN GROUP, INC., WITHOUT ADVERTISING FOR BIDS, TO PROVIDE JOB ORDER CONTRACTING PROGRAM AND SOFTWARE SUPPORT FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,000,000 FOR A PERIOD OF TWO YEARS WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS

WHEREAS, the City of Long Beach has been using the Gordian Group, Inc., ("Gordian") since 2003 to provide Job Order Contracting ("JOC") Program and Software support; and

WHEREAS, on October 18, 2016, a Resolution was adopted to enter into Contract No. 34465 with Gordian to continue using their proprietary software to operate the JOC Program; and

WHEREAS, on November 17, 2020, City Council approved a one-year extension to Contract No. 34465 to November 30, 2021; and

WHEREAS, the Gordian JOC system, which utilizes a competitively bid firm-price master contract, is a comprehensive procurement system designed to help public agencies provide routine construction services in a more timely and cost-efficient manner than the traditional design/bid/build method of contracting; and

WHEREAS, Gordian's software is highly specialized and consists of access to a web-based Construction Task Order catalog of more than 380,000 tasks. This software is used to allow City Capital Project Coordinators and the JOC Contractors to generate a JOC proposal and track the changes in the system. The task catalogs are

1 unique to Long Beach's needs and are updated several times a year; and

2 WHEREAS, Gordian is the only company that provides JOC program support  
3 that is both comprehensive and highly integrated and no comparable level of services  
4 exists in the market; and

5 WHEREAS, no useful purpose would be served by advertising for bids and  
6 to do so would constitute an idle and useless act and an unnecessary expenditure of public  
7 funds because The Gordian Group, Inc. is the only corporation, firm or individual that could  
8 or would bid to furnish and deliver Job Order Contracting program and software support;

9 NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
10 follows:

11 Section 1. The City Manager is hereby authorized to enter a contract,  
12 without advertising for bids, with The Gordian Group, Inc. for furnishing and delivering Job  
13 Order Contracting program and software support in a total contract amount not to exceed  
14 One Million Dollars (\$1,000,000), for a period of two (2) years, with the option to renew for  
15 (2) two additional one-year periods, at the discretion of the City Manager. If the sole source  
16 status of The Gordian Group, Inc. changes, City shall publicly bid instead of extending the  
17 contract.

18 Section 2. This resolution shall take effect immediately upon its adoption  
19 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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I hereby certify that the foregoing resolution was adopted by the City Council  
of the City of Long Beach at its meeting of \_\_\_\_\_, 2021  
by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

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Noes: Councilmembers: \_\_\_\_\_

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Absent: Councilmembers: \_\_\_\_\_

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Recusal(s): Councilmembers: \_\_\_\_\_

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City Clerk