

The Right Resources.
Right Now.





MEET THE CP STAFF





MEMBER TRAINING AGENDA

10 to 10:15 a.m.

Welcome and Introduction

10:15 to 10:30 a.m.

Choice Partners Cooperative Legal Requirements

10:30 to 11:40 a.m. *Job Order Contracting*

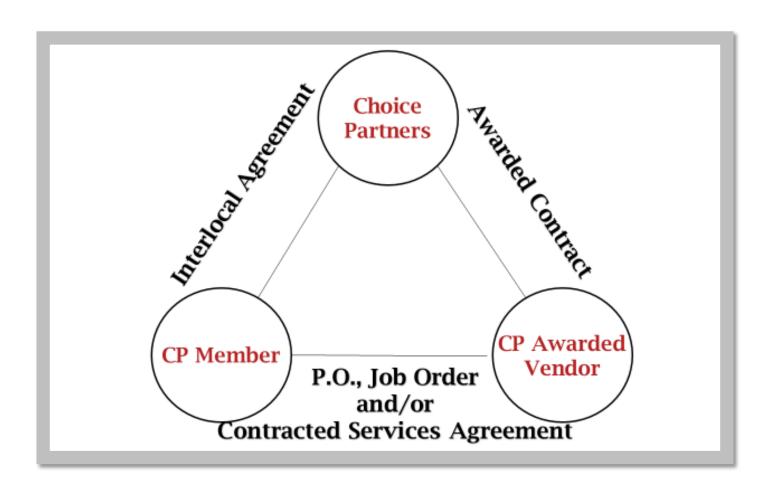
11:40 a.m. to 12:15 p.m. *Navigating the Website*

12:15 -12:30 p.m. *Closing*





WIN, WIN, WIN





HCDE, A GOVERNMENTAL ENTITY

Harris County Department of Education

HCDE is located in Harris County, Texas; it is not a County agency.

HCDE is a governmental agency serving Harris County schools since 1889.

Taxing Authority



THE 5 PILLARS WE SUPPORT







LEGAL REQUIREMENTS - TEXAS

Choice Partners provides legally-procured contracts

Local Government Code 271 - Purchasing & Contracting Authority of Municipalities, Counties, other Government

Education Code Ch. 44 - Procurement (All construction, with the exception of Performance Contracts, is in Code 2269)

Government Code 791 – Interlocal Cooperative Contracts

Government Code 2269
Construction Procurement
for all government
(except Higher Ed.)

Local Gov't Code 252/262
Purchasing & Contracting
Authority of Municipalities,
Counties, other Government

24 CFR 85.36
Housing and Urban
Development



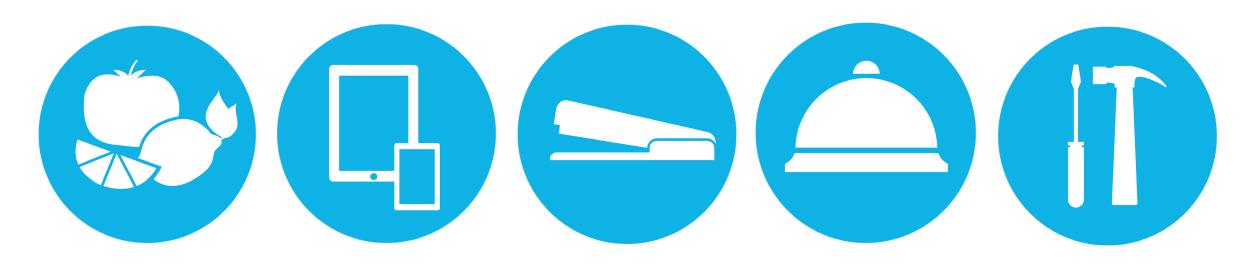
EDGAR/Uniform Guidance (2 CFR 200)

HB 1295

TEC 51.9335 Higher Education



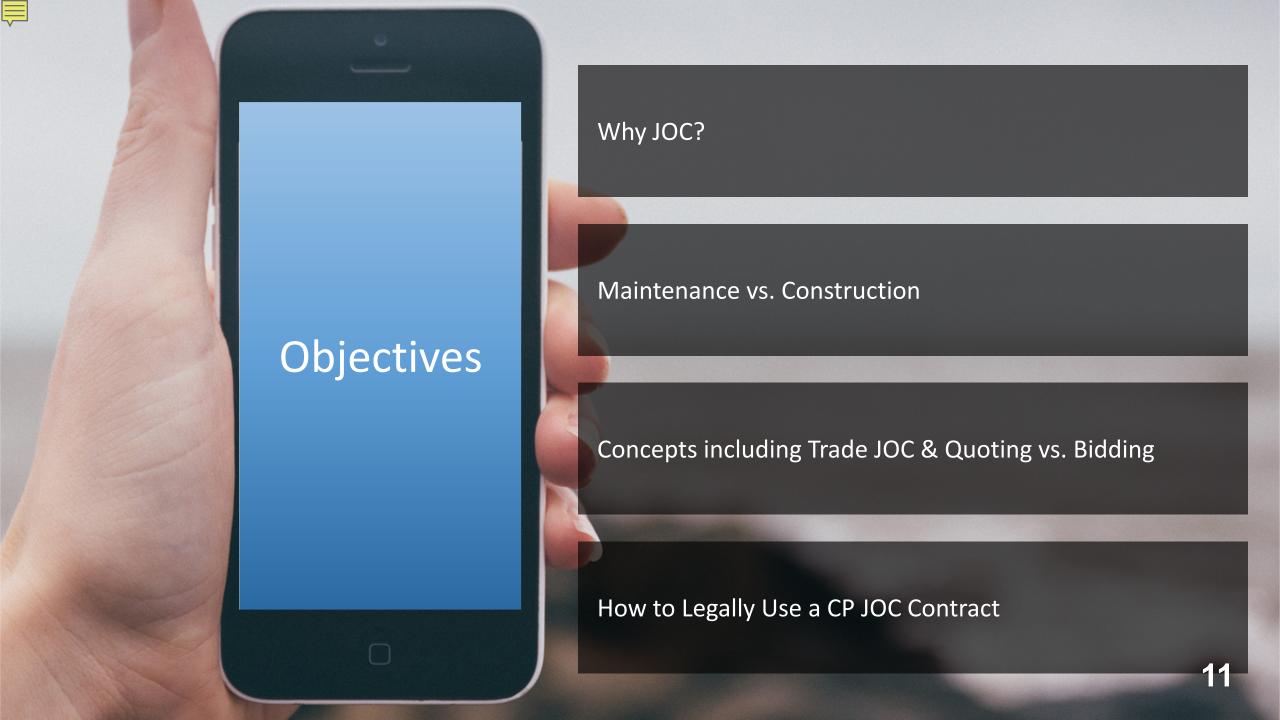
CONTRACTS



FOOD/CAFETERIA TECHNOLOGY COMMODITIES SERVICES FACILITIES



Job Order Contracting (JOC)





Why Does Legal Compliance Matter?

- Different procurement rules apply
 - Contracts not properly procured can be voided or unenforceable
 - Officials and officers who violate procurement statutes can be subject to criminal penalties
- Public works contracts may triggerbonding and prevailing wage requirements
- Legal mistakes can:
 - DELAY projects
 - Jeopardize budgets and result in cost-overruns
 - Subject gov't entity to financial liability to vendors & subcontractors



JOC/IDIQ – Why Job Order Contracting (JOC)

Time & Materials





If providing construction services

 Only method allowed to select contractors for future, undefined projects <u>Texas Education Code 44.031</u>
 (a)1-8



JOC/IDIQ – What is JOC/IDIQ Contracting

"A procurement method used for maintenance, repair, alteration, renovation remediation, or minor construction" of facilities "when the work is of a recurring nature, but the delivery times, types, and quantities of work required are indefinite."

TEX. GOV'T CODE § 2269.401



JOC/IDIQ - Maintenance VS. Construction

Factors to Consider

- Like for like NOT new or upgraded
- Scale and complexity of project
- Physical size of object being worked on

JOC contract (TGC 2269)

Maintenance Contract (TEC 44.031)

Repair & Maintenance

Construction Services

OSHA Letter to Raymond Knobb (11.18.2003)



JOC's procured by Purchasing Cooperatives

- Gov't Entity selects vendor without having to use its own competitive procurement process
- ONLY satisfies the *procurement* requirement, NOT the contracting requirement
- Statute requires a written and signed job order between the vendor and the Gov't Entity TGC 2269.410(a)
- Only construction method that allows for use of a cooperative in lieu of self-procurement
- Only method allowed to select contractors for future, undefined projects or tasks



JOC/IDIQ - What's an IDIQ/JOC Estimate?

- MUST contain:
 - CP Contract Number
 - Line item assessment based on Unit Price Book (UPB)
 - Localized by applying City Cost Index (CCI)
 - Legally bid coefficient
- Subcontractor pricing must be estimated using the UPB for ALL scope of work



JOC/IDIQ Estimate

					HVAC	Fya	mnle				
					III AO		iiipic				
/endor Na	mo										
Job Descr											
	rtners Contract #18	B/036MC-XX									
	ise : Year 2019 Quai										
Data Relea	Se . Teal 2019 Qual	I CEI Z		_		-					
					rotar						
Quantity	LineNumber	Description	Unit	O&P		Ext.	Total O&P	Labor Type	Data Release	CCI Location	Notes
									Year 2019 Quarter		Insert any notes to
									2 (Use most		describe where work
									updated available		being done, what is
		Central station air handler, up thru 15 ton, selective							at time quote is		being provided in this
10	230505100400	demolition	Ea.	\$	579.25	\$	5,792.50	RR	requested)	TEXAS / HOUSTON (770-772)	line item, etc
	ĺ	Rooftop air conditioner, single zone, electric cool,				l					
	1	gas heat, 3 ton cooling, 60 MBH heating, includes,				l			Year 2019 Quarter		
1	237433101100	standard controls, curb and economizer	Ea.	\$	4,359.00	\$	4,359.00	RR	2	TEXAS / HOUSTON (770-772)	
	ĺ	Rooftop air conditioner, single zone, electric cool,				l					
		gas heat, 7.5 ton cooling, 170 MBH heating,							Year 2019 Quarter		
3	237433101150	includes, standard controls, curb and economizer	Ea.	\$	8,213.65	\$	24,640.95	RR	2	TEXAS / HOUSTON (770-772)	
		Rooftop air conditioner, single zone, electric cool,									
		gas heat, 8.5 ton cooling, 170 MBH heating,							Year 2019 Quarter		
1	237433101156	includes, standard controls, curb and economizer	Ea.	\$	9,733.10	\$	9,733.10	RR	2	TEXAS / HOUSTON (770-772)	
		Rooftop air conditioner, single zone, electric cool,									
		gas heat, 10 ton cooling, 200 MBH heating,				١.			Year 2019 Quarter		
2	237433101160	includes, standard controls, curb and economizer	Ea.	\$	12,186.50	\$	24,373.00	RR	2	TEXAS / HOUSTON (770-772)	
		Rooftop air conditioner, single zone, electric cool,									
	007400404470	gas heat, 12.5 ton cooling, 230 MBH heating,	_		10.011.00		10 011 00	DD	Year 2019 Quarter	TEVA 0 / HOHOTON (770 770)	
11	237433101170	includes, standard controls, curb and economizer	Ea.	\$	13,614.90	\$	13,614.90	KK	2	TEXAS / HOUSTON (770-772)	
		Rooftop air conditioner, single zone, electric cool,							Year 2019 Quarter		
2	237433101180	gas heat, 15 ton cooling, 270 MBH heating,	г.	\$	16,839.60	\$	33,679.20	DD	rear 2019 Quarter	TEXAS / HOUSTON (770-772)	
	23/433101100	includes, standard controls, curb and economizer Curbs/pads prefabricated, pad, condenser,	⊏a.	ð	10,039.00	φ	33,079.20	KK	2	TEXAS / HOUSTON (770-772)	
		fiberglass reinforced concrete with polystyrene							Year 2019 Quarter		
100	239110106050	foam core, 2" thick, 20" x 38"	Ea.	\$	94.70	\$	9,470.00	DD.	2 2019 Quarter	TEXAS / HOUSTON (770-772)	
100	239110100030	Rent crane truck mounted, hydraulic, 100 ton	La.	φ	54.70	φ	9,470.00	IXIX	Year 2019 Quarter	1EAS / 1100310N (770-772)	+
1	015433602720	capacity, Incl. Hourly Oper. Cost.	Week	\$	9,898.76	•	9,898.76	DD.	2 2019 Quarter	TEXAS / HOUSTON (770-772)	
'_	01040002720	capacity, inci. Flourly Oper. Cost.	VVCCK	Ψ	3,030.70	Ψ	3,030.70	IXIX		1EXAC / 1100010N (//0-//2)	
		RS Means Unit Cost Total		\$	75,519.46	\$	135,561.41				
		Sinc Oost Total		Ψ	70,010.40		100,001.41				
	Insert what you bid	Total with Coefficient (1.0 x RS Means Total)				\$	135,561.41				
	210 Milat you blu	Additional Discount of XX% good for current project				Ť	,				
		only				\$	122,005.27	***Optional if vo	ou need to give additiona	al discount to be competitive.	
		2% Bond (Any additional Pass-Through Costs)				\$	2,440.11	., .,	<u> </u>		
		Total Project Quote				\$	124,445.37				
		1 otal 1 roject waste		+		Ψ	,				
				_							-



Review the JOC Quote

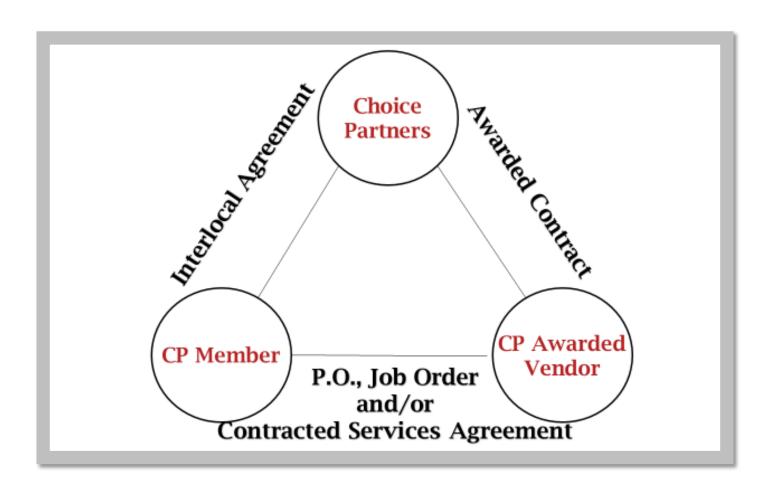
- CCI location
- Coefficient
- O & P Pricing
- Data release (most recent)

- Non pre-priced items
- Attempts to passthrough co-op fee
- Division 1
- Adjustment Factors





WIN, WIN, WIN





Use A Master Job Order Contract

- Contains Gov't Entity's project specific Scope of Work
- Includes Job Order & Prevailing Wage Rate as Attachments
- Liquidated Damages
- Retainage
- Terms & Conditions Specific to Gov't Entity
- Signed by Gov't Entity & Vendor

"An order for a job or project under a job order contract must be signed by the government entity's representative and the contractor."



JOC / IDIQ - The JOB Order

- Owner/Gov't Entity issued
- Signed by both parties
- States scope of work and price of assigned tasks
- Provides Owner's Adopted Prevailing Wage Rates



Public Works Bonds

- Performance bond required if contract is in excess of \$100,000
 - Protects the Gov't Entity from financial losses arising from default, material breach,
 termination or abandonment
- Payment bond required if a contract is in excess of:
 - \$25,000 & the Gov't Entity is not a municipality or a joint board
 - \$50,000 and the Gov't Entity is a municipality or a joint board
 - Protects the Gov't Entity from claims for nonpayment of suppliers, subcontractors,
 and sub-subcontractors

TEX. GOV'T CODE § 2253.021



JOCs and Using an Architect or Engineer

Gov't Entity must independently hire A/E if services required

TEX. GOV'T CODE § 791.011(j)

- Architect required for:
 - A new building having construction costs exceeding \$100,000
 - An alteration or addition having construction costs exceeding \$50,000

TEX. OCC CODE § 1051.703

- Exceptions to Engineering Services:
 - An engineer is NOT required for a public work project if:
 - A project <u>involving electrical or mechanical engineering</u> will cost <u>\$8,000 or less</u>
 - A project <u>not involving electrical or mechanical engineering</u> will cost **\$20,000 or less** (i.e., structural or civil)



What Must Go to the Board?

- Determination of construction services project delivery method (if other than Competitive Sealed Bids).
- Approval of competitive procurement results, where procurement is required
- Approval of all Interlocal Contracts for cooperatives
- Approval of the contract with any vendor
- Approval of all contract amendments or change orders
- All contract renewals and contract terminations
- Governing Body may act to delegate all of the above powers (CH or CV Local for ISD's)
- Job Orders (including cooperative purchases) in excess of \$500,000



Trade JOC VS. JOC

Trade JOC

- Allows the use of one trade or division
- Reduces overhead expenses when multiple trades are not needed to complete project

JOC

 Allows for the use of all divisions and is typically a general contractor

Case law has clarified that a "public work contract includes both traditional construction and contracts for repair of a building." LA Ash, Inc. v. Tex. A&M Univ., 2008 Tex. App. LEXIS 8206, 2008 WL 4742135 (Tex. App. Waco Oct. 29, 2008); see also Acratod Co. v. Housing Auth. Of Houston, 1999 Tex. App. LEXIS 889, 1999 WL 82450 (Tex. App. Houston 1st Dist. Feb. 11, 1999).



JOC / IDIQ – Bidding VS. Quoting

BID or PROPOSAL

vendor's *formal, written, sealed response* that satisfies the state's procurement requirements for a governmental entity.

QUOTE

vendor's *job-specific price in writing* based on their previously bid and awarded contract coefficient and contract specified UPB.



JOC / IDIQ – Final Thoughts

- Establish procurement method with your vendor prior to them quoting the job
- Include contract number on quote and PO
- Verify pricing by requesting the vendor's line item estimate with legally bid coefficient.
- If utilizing a coop, send a confirming copy of each JOC PO issued to Coop
- Not all coefficients are created equal
- Not all Co-ops are created equal, are in State, or are 2 CFR Part 200 (EDGAR) compliant
- Governing Body Approval



THE FOREGOING PRESENTATION WAS CREATED BY HARRIS COUNTY DEPARTMENT OF EDUCATION. THIS PRESENTATION IS INTENDED TO BE USED SOLELY FOR GENERAL INFORMATION PURPOSES AND IS NOT TO BE REGARDED AS LEGAL ADVICE. IF SPECIFIC LEGAL ADVICE IS SOUGHT, PLEASE CONSULT AN ATTORNEY

Stephen Kendrick, RTSBA

Sr. Manager of Facilities Planning

Office: 713-696-8252

Cell: 281-773-3036

skendrick@hcde-texas.org



Navigating the Website





MEMBER LOGIN

Member Login If you are already a member, select "Set Up a New Account" below and get your login so you have access to all the details of our contracts. **USERNAME PASSWORD** LOGIN TO FOOD AREA ONLY LOGIN **Helpful Links** Set Up a New Account **Available Contracts** Forgot your password?



MEMBER DASHBOARD

Contract List

Download pdf of current

contracts

Members Dashboard

Welcome

As a Choice Partners member, you can access information that saves you valuable time and money. Click on the areas to the right to make your selection.

You can:

- Get quick pricing quotes for your projects
- View available Contracts and Vendors
- Access our Supply Catalog and other pricing catalogs
- Download nutrition labels/commodity processing info.

For more information, contact our Assistant Director, Joann Nichols, or call 877-696-2122 for immediate assistance. Our goal is to support you in finding the right resources, right now!

Get A Quote

Quickly select a category, vendors, and submit for quotes

Food

Current Vendors

Search vendors by name, category, contract number or state

Supply Catalog

View our online supply catalog for cooperative contracts by Category and for Vendor

RECENT ACTIVITY

2020 April Press Release April 20, 2020

<u>February 2020 Press Release</u> March 5, 2020

EVENTS

TASBO Annual Conference March 2, 2020

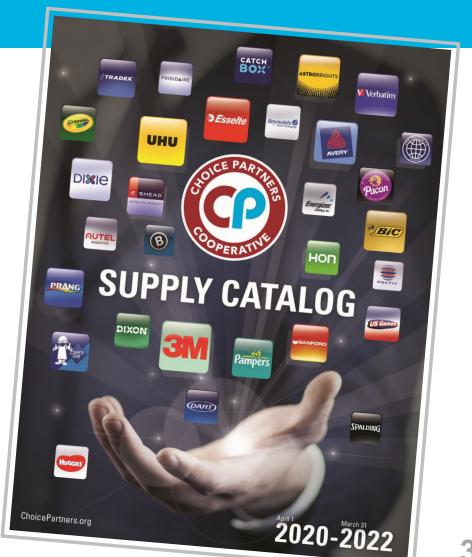
Texas Library Association March 24, 2020

CMAT March 31, 2020



SUPPLY CATALOG ORDERING

- More than 1,100 line items competitively bid
- Single awards
- Catalog Discount
 Percentage also provided
- eCatalog system allows members to create quotes & place orders







DUE DILIGENCE / PARTNERSHIP



Contract Category: Construction-

JOC (JOC-IDIQ)

Contract Number: 16/054JN-04

Contract Terms:

Initial Award Date: August 16, 2016 1st Renewal Start Date: August 16, 2018

2nd Renewal Start Date: August 16, 2019 Current Expiration Date: August 15, 2020

Renewal Options Remaining: 1

CP Contract Manager:

Joann Nichols joann@choicepartners.org 713-696-2122 Print Info.

Contract Partner: Facilities Sources



Contract Partner Web Site:

http://www.facilitiessources.com

Approved Market Area: TX

APPROVED PRODUCT OR SERVICE: Maintenance, repair, alteration, renovation, remediation, or minor construction of a facility when the work is of a recurring nature but the delivery times, type and quantities of work are indefinite.

TO PLACE AN ORDER: Contact the vendor for all your pricing needs, stating you are using CP contract and send us the confirmation only Purchase Order copy

PRICING: Coefficient on file. Email confirmation copies of all PO\'s to

ecatalog@choicepartners.org

Freight Terms: N/A

HUB Status: Yes

MWBE Status: No

SBE Status: Yes

DUE DILIGENCE: Download

ABOUT THIS PARTNER:

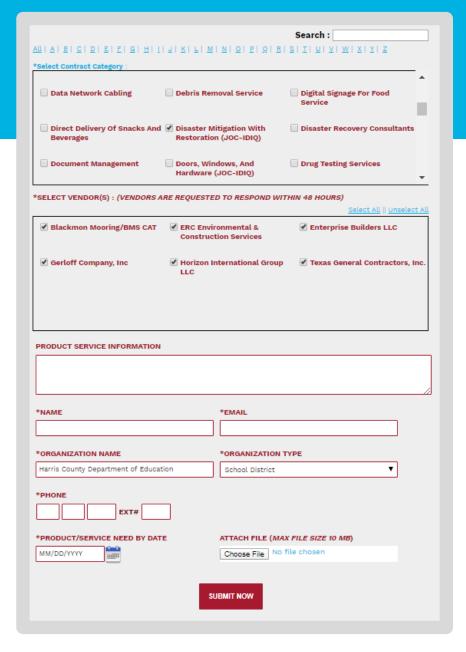
With specialty licenses for electrical, mechanical and plumbing services, DPFS, Ltd. is able to efficiently coordinate all phases of construction, providing maximum productivity, quality and safety to its customers. This unique combination of services under one roof means one team is efficiently completing the job, ensuring maximum productivity and quality, at the least possible price, adding to customer satisfaction. Dura Pier Facilities Services foundation for success is the ability to plan and manage projects within budgets and within demanding schedules.





GET A QUOTE

- Members select a category of contract.
- Then select desired vendor(s).
- Member describes product/service to be quoted.
- Member enters date product/service is needed.
- Options available to upload photos/specifications.
- NOTE: Vendors must respond to quote request within 48 hours.





EVENTS

About Choice Partners

All-in-One Cooperative

Procurement Process

Member Reviews

FAQs

Current News

COVID-19

Vendor Spotlight

Events

Presentations

Contact Us

Events

SELECT AN EVENT

TML 2020 Annual Conference (Virtual) (October 14, 2020)

TML 2020 Annual Conference (Virtual)

(October 14 - 16, 2020)

Texas Municipal League 2020 Annual Conference October 14-16, 2020

The 2020 TML Annual Conference and Exhibition will be held as a virtual event, offering the same great content and opportunities to connect with other city officials, speakers, exhibitors, and sponsors.



FAQ's

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Frequently Asked Questions

Q: 0. What is Harris County Department of Education?

A: Harris County Department of Education is a governmental entity. Created in 1889, HCDE provides educational services for school districts and learners of all ages. It is located in Harris County but is not part of the governmental entity of Harris County, Texas. See attorney letter here. See the benefits for membership to learn more.

Q: 1. What is Choice Partners?

A: Choice Partners was created by the merger of three Harris County Department of Education procurement cooperatives, Choice Facility Partners, Gulf Coast Food Co-op and HCDE Purchasing Cooperative. Choice Partners is a national cooperative purchasing service with legally procured contracts. Using these contracts streamlines purchasing, saving time and money for governmental organizations and nonprofits. A division of Harris County Department of Education, organizations in Texas that want to use these competitively bid and legally awarded contracts, sign an interlocal, government-to-government contract. Organizations outside Texas may just sign up and follow their state procurement laws.

Q: 2. Who is eligible to use Choice Partners?

 A: Schools, colleges, universities, municipalities, counties, state agencies and other governmental entities, and nonprofits may join and use Choice Partners contracts.
 Private schools and higher education organizations that operate as nonprofit organizations may also become members.





VENDOR CONTACT INFORMATION

Balfour Company

Contract Category: Graduation Items, Yearbooks & Commemorative

Items

Contract Number: 19/012KC-01

Contract Terms:

Initial Award Date: February 27, 2019 1st Renewal Start Date: February 27, 2020 Current Expiration Date: February 26, 2021 Renewal Options Remaining: 2

CP Contract Manager:

Steve Gibson steve@choicepartners.org 713-681-6052 Print Info.

Contract Partner: Balfour Company

balfour.

Contract Partner Web Site: http://www.aaljackets.com

Approved Market Area: National

CONTACT INFO

For SALES

Butch Milks

8525 Westland West Blvd Houston, Texas 77041 **Phone:** 832-912-8000 **Cell Phone:** 713-882-3222

Fax: 832-912-8005

butchm@balfourhouston.c

om

For SALES

Matt Milks

8525 Westland West Blvd. Houston, Texas 77041 **Phone:** 832-912-8000 **Fax:** 832-912-8005

mattm@balfourhouston.co

m

For SALES

Butch Milks

8525 Westland West Blvd. Houston, Texas 77041 Phone: 832-912-8000 Fax: 832-912-8005 butchm@balfourhouston.c

<u>om</u>



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Joann Nichols, RTSBAAssistant Director/Construction & Commodities877-696-2122Trisha Prestigiacomo, RTSBAAssistant Director/Food713-696-0742Stephen Kendrick, RTSBASr. Mgr. Facility Planning713-696-8252Kristi Nichols, RTSBAContract Manager713-696-1337Michael Robles, RTSBAContract Manager713-316-4254Monique JosephContract Manager713-316-4259Steve GibsonContract Manager713-681-6052Laura SpreheContract Manager/Food713-696-8213Janet WachsCE Asst. Director832-808-0055Jan Arnold, CPAClient Services Manager713-696-0746Mary Causey, MS, RTSBAContract Compliance Specialist713-696-8270Cora DayContract Coordinator713-696-8208Arlita Kyles, CTSBOContract Specialist713-696-8241Yvonne JohnsonGeneral Office Clerk II713-696-1886Kay Vorish, CTSBOContract Assistant713-696-0743Shandra PowellClerk - General Office713-696-1389Fred CalhounField Representative713-203-5365Ann Marie HarbourField Representative817-703-7901Jeff DruryDirector713-696-0786			
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