



Board of Education Report

ADOPTED BY BOARD
SEPTEMBER 12, 2023

File #: Rep-012-23/24, **Version:** 1

Approval of Facilities Contracts Actions

September 12, 2023

Procurement Services Division - Facilities Contracts

Action Proposed:

Ratify the Procurement Services Division (PSD) facilities contract actions taken by the Facilities Services Division under delegated authority as listed in Attachment "A" including: award of advertised construction contracts; approval of change orders; completion of contracts; award of informal contracts; award of architectural and engineering contracts; extra services/amendments for architectural and engineering contracts.

Background:

Facilities Contracts staff prepares monthly reports for contract actions necessary for the execution of projects approved by the Board and contained in the FSD Strategic Execution Plan (SEP), and for the maintenance and operation of District facilities in accordance with District policies and Board-delegated authority. As described in the November 12, 2013, Board Report #048-13/14 Informative, detailed information is provided on the Facilities Services website.

Expected Outcomes:

Approval of these items will allow services provided by these contracts to proceed in support of FSD projects, District policies and goals, and the Board-approved FSD-SEP.

Board Options and Consequences:

The Board can approve all actions presented or postpone selected actions pending receipt of additional information. Non-ratification of actions awarded under delegated authority in Attachment "A" will result in the immediate discontinuance of services. While non-ratification may be legally defensible, it will likely result in costly litigation over discontinued payments or if the District attempts to reclaim payments made to a vendor. District costs will likely increase as fewer contractors compete for future procurements.

Policy Implications:

This action does not change District policy and conforms to California Education Code section 17604 that permits the Board of Education to delegate authority for Facilities Contracts (Board Report #444-17/18), which the Board exercised on May 08, 2018.

Budget Impact:

The contract actions presented are within the budget authority previously approved by the Board. Unless indicated otherwise, all contract actions are Bond funded.

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Student Impact:

The contract actions will help ensure that the students are provided with safe and healthy environments, and up to-date facilities that promote learning.

Equity Impact:

Not Applicable.

Issues and Analysis:

There are no policy implications on these agreements.

Attachments:

Attachment “A” - Ratification of Facilities Contract Actions Awarded Under Delegated Authority

Linked Materials - Board Report No. 011-23/24

Informatives:

Not Applicable.


Submitted:

08/11/23

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RESPECTFULLY SUBMITTED,

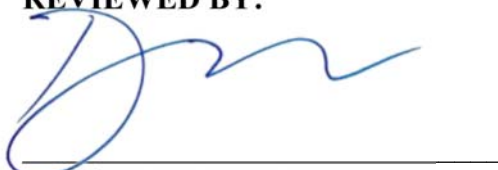
APPROVED BY:


 ALBERTO M. CARVALHO
 Superintendent


 PEDRO SALCIDO
 Deputy Superintendent,
 Business Services & Operations

REVIEWED BY:

APPROVED:


 DEVORA NAVERA REED
 General Counsel



 SUNG YON LEE
 Deputy Chief Business Officer
 Business Services and Operations

☒ Approved as to form.

REVIEWED BY:

APPROVED & PRESENTED BY:


 NOLBERTO DELGADILLO
 Deputy Chief Business Officer, Finance


 CHRISTOPHER MOUNT-BENITES
 Chief Procurement Officer
 Procurement Services Division

☒ Approved as to budget impact statement

REVIEWED BY:


 KRISZTINA TOKES
 Chief Facilities Executive

☒ Approved as to facilities impact

ATTACHMENT A

RATIFICATION OF CONTRACTS AWARDED UNDER DELEGATED AUTHORITY

A. AWARD OF ADVERTISED CONSTRUCTION CONTRACTS

Item A

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>SOURCE OF FUNDS</u>	<u>AMOUNT</u>
NSA Construction Group, Inc. (SBE)	2310037 / 4400011935	<u>Vanalden EEC</u> Outdoor Classroom and Campus Upgrade Board Member: <u>Nick Melvoin</u>	<i>Bond Funds (100%)</i>	\$3,267,000

Ratification of formally competed best value contract from four (4) bids received to deliver an outdoor classroom and campus upgrade project as approved on April 13, 2021 ([BOE #282-20/21](#)). The project will provide an outdoor classroom with at least 10 learning stations, new HVAC units, roofing, playground matting, necessary upgrades to the fire alarm system and American with Disabilities Act (ADA) upgrades. Pillar 4 is supported by this action.

The contractor has worked with the District since 1998. The evaluation committee was composed of three Facilities Services Division staff. Factors utilized to score proposals: relevant experience, demonstrated management competency, past performance, SBE, DVBE, Local Worker, We Build, Safety, Financial Condition, Labor Compliance and PSA.

Contract Term: 08/14/23 through completion

Contract Value: \$3,267,000

Requester:

Greg Garcia, Director
Project Execution
Facilities Services Division

<p>ADOPTED BY BOARD</p> <p>SEPTEMBER 12, 2023</p>

ATTACHMENT A

RATIFICATION OF CONTRACTS AWARDED UNDER DELEGATED AUTHORITY

A. AWARD OF ADVERTISED CONSTRUCTION CONTRACTS

Item B

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>SOURCE OF FUNDS</u>	<u>AMOUNT</u>
Eberhard	2310042 / 4400011944	<u>Mulholland MS</u> Roofing (PSA) Board Member: <u>Scott M. Schmerelson</u>	<i>Bond Funds</i> (100%)	\$4,950,323

Ratification of formally competed contract from three (3) bids received to deliver roofing upgrades, as approved on March 14, 2017 ([BOE #402-16/17](#))

The project will provide approximately 254,000 square feet of new roofing sitewide, including new gutters and downspouts and painting of affected areas. Pillar 4 is supported by this action; these services provide operational effectiveness and modernize infrastructure..

The contractor has worked with the District since 1990. Additionally, the contract was awarded to lowest responsive responsible bidder.

Contract Term: 06/06/23 through completion

Contract Value: \$4,950,323

Requester:

India Griffin, Director
Maintenance & Operations
Facilities Services Division

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ATTACHMENT A

RATIFICATION OF CONTRACTS AWARDED UNDER DELEGATED AUTHORITY

A. AWARD OF ADVERTISED CONSTRUCTION CONTRACTS

Item C

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>SOURCE OF FUNDS</u>	<u>AMOUNT</u>
Danny Letner, Inc., dba Letner Roofing Company	2310053 / 4400011937	<u>Esperanza ES</u> Roofing Board Member: <u>Dr. Rocío Rivas</u>	<i>Bond Funds (100%)</i>	\$1,389,519

Ratification of formally competed contract from three (3) bids received to deliver roofing upgrades, as approved on April 13, 2021 ([BOE #280-20/21](#)).

The project will provide approximately 50,500 square feet of new roofing sitewide, including the installation of new gutters and downspouts, skylights, gravity vents, and painting of affected areas. Pillar 4 is supported by this action.

The contractor has worked with the District since 1990. Additionally, the contract was awarded to lowest responsive responsible bidder.

Contract Term: 08/01/23 through completion

Contract Value: \$1,389,519

Requester:

India Griffin, Director
Maintenance & Operations
Facilities Services Division

<p>ADOPTED BY BOARD</p> <p>SEPTEMBER 12, 2023</p>

ATTACHMENT A

RATIFICATION OF CONTRACTS AWARDED UNDER DELEGATED AUTHORITY

Item D**B. APPROVAL OF CHANGE ORDERS****July 2023 = \$9,913,703**

		<u>QUANTITY</u>	<u>AMOUNT</u>
	i. New Construction contract change orders that do not individually exceed 10 percent for July 2023 (Average Transaction: \$41,143; Median Transaction: \$19,323)	41	\$1,686,877
	ii. New Construction contract credit change orders for July 2023:	5	<\$88,858>
	iii. Existing Facilities contract change orders that do not individually exceed 15 percent for July 2023 (Average Transaction: \$23,279; Median Transaction: \$7,514):	374	\$8,706,177
	iv. Existing Facilities contract credit change orders for July 2023:	26	<\$390,493>
	v. Existing Facilities contract change orders that individually exceed 15 percent (but do not exceed 25 percent) for July 2023, requiring 75 percent approval by the Board:	0	\$0

C.	COMPLETION OF CONTRACTS – July 2023	15	\$6,260,320
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D.	AWARD OF INFORMAL CONTRACTS (Not Exceeding \$109,300)		
	A & B Letters for July 2023 (Average Transaction: \$42,001; Median Transaction: \$14,999)	30	\$1,260,023

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SEPTEMBER 12, 2023

ATTACHMENT A

RATIFICATION OF CONTRACTS AWARDED UNDER DELEGATED AUTHORITY

H. AWARD OF ARCHITECTURAL AND ENGINEERING CONTRACTS

Item E

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>SOURCE OF FUNDS</u>	<u>AMOUNT</u>
PBK Architects, Inc.	2320033/ 4400011748	<u>Wilbur Charter for Enriched Academics</u> Services for Voluntary Barrier Removal Project Board Member: <u>Nick Melvoin</u>	<i>Bond Funds (100%)</i>	\$245,066

Ratification of design contract to provide architectural and engineering services procured via RFQ R-19012.

Architectural and engineering services will be provided for site investigation, preliminary planning, construction document, bid/proposal and award, construction, and closeout phases for the voluntary barrier removal project, as approved by the Board on June 13, 2023 ([BOE #280-22/23](#)).

Pillar 4 is supported by this action; these services provide operational effectiveness and modernize infrastructure.

Contract Term: 07/10/23 through approval

Contract Value: \$245,066

Requester:

Aaron Bridgewater, Director
Asset Management
Facilities Services Division

<p>ADOPTED BY BOARD</p> <p>SEPTEMBER 12, 2023</p>

ATTACHMENT A

RATIFICATION OF CONTRACTS AWARDED UNDER DELEGATED AUTHORITY

- O. **EXTRA SERVICES / AMENDMENTS FOR ARCHITECTURAL AND ENGINEERING CONTRACTS** **\$160,372**

Item F

CONTRACT NOS.	1620147/4400004891; 1820026/4400006211; 1820028/4400006234; 1820031/4400006280; 1920002/4400006851; 1920023/4400007774; 2020005/4400007945; 2020005/4400007945; 2320015/4400011191
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Extra services are for design work that is not covered under the original Agreement. June Extra Services are listed at the link provided.

Pillar 4 is supported by this action, these services provide operational effectiveness and modernize infrastructure.

[BOE 012 Extra Services](#)

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