



Board of Education Report

ADOPTED BY BOARD

DECEMBER 8, 2020

File #: Rep-079-20/21, Version: 1

**Approval of Facilities Contract Actions**

**December 8, 2020**

**Procurement Services Division - Facilities Contracts**

**Action Proposed:**

Staff proposes that the Board of Education (Board) ratify the Procurement Services Division (PSD) contract actions taken by Facilities Contracts under delegated authority as listed in Attachment "A" including: award of advertised construction contracts; award of job order contract amendments; approval of change orders; completion of contracts; award of informal contracts; award of professional/technical services amendments; and 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.

**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.

**Issues and Analysis:**

There are no policy implications on these agreements.

**Attachments:**

Attachment "A" - Ratification of Facilities Contract Actions Awarded Under Delegated Authority.

**Informatives:**

Informative - Alliance to Save Energy

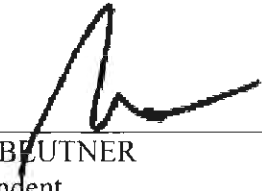
**Submitted:**

11/12/20

ADOPTED BY BOARD  
DECEMBER 8, 2020

RESPECTFULLY SUBMITTED,

APPROVED BY:



AUSTIN BEUTNER  
Superintendent



MEGAN K. REILLY  
Deputy Superintendent  
Office of the Deputy Superintendent

REVIEWED BY:

APPROVED BY:



DEVORA NAVERA REED  
Interim General Counsel



JANICE SAWYER  
Business Manager  
Business Services and Operations

Approved as to form.

REVIEWED BY:

APPROVED & PRESENTED BY:



TONY ATIENZA  
Director, Budget Services and Financial Planning



JUDITH REECE  
Chief Procurement Officer  
Procurement Services Division

Approved as to budget impact statement.

REVIEWED BY:



MARK HOVATTER  
Chief Facilities Executive  
 Approved as to facilities impact.

**RATIFICATION OF CONTRACTS AWARDED UNDER DELEGATED AUTHORITY**

**A. AWARD OF ADVERTISED CONSTRUCTION CONTRACTS \$6,558,000**

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>SCHOOL / PROJECT</u>	<u>AMOUNT</u>
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R. Brothers, Inc. (SBE)	2110002 / 4400008798	<u>Brockton ES</u>	\$265,000
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**Item A**

Install New Play Structure & Matting  
Board Member: Nick Melvojn

**Contract Term:** 10/07/20 through Division of State Architect (DSA) certification and close-out

Requester: *Robert Laughton, Director  
Maintenance & Operations  
Facilities Services Division*

C&P Construction Development, Inc. (SBE)	2110004 / 4400009044	<u>Millikan Charter MS</u>	\$4,349,000
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**Item B**

Plumbing Utilities Upgrade  
Board Member: Scott M. Schmerelson

**Contract Term:** 11/02/20 through DSA certification and close-out

Requester: *Greg Garcia, Director  
Project Execution  
Facilities Services Division*

Beta Investments & Contracts, Inc. (SBE)	2110006 / 4400009011	<u>Sun Valley Magnet MS</u>	\$1,944,000
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**Item C**

HVAC Replacement  
Board Member: Kelly Gonez

**Contract Term:** 10/26/20 through DSA certification and close-out

Requester: *Greg Garcia, Director  
Project Execution  
Facilities Services Division*

**JOB ORDER CONTRACT AWARDS \$0**

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>SCHOOL / PROJECT</u>	<u>AMOUNT</u>
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None

**JOB ORDER CONTRACT AMENDMENTS \$1,000,000**

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>SCHOOL / PROJECT</u>	<u>AMOUNT</u>
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Enterprise Construction, Inc. (SBE)	2030015 / 4400008457 (2030015.02)	Amendment to increase contract capacity of a formally competed contract to provide general contracting services District-wide.	\$1,000,000*
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**Item D**

**Contract term including this amendment:**  
05/22/20 through 05/21/21  
Two (2) OY remaining

Initial Contract Value:	\$500,000
Amendment No. 1:	Terms Revised
*Amendment No. 2:	\$1,000,000
<i>(Executed Date:10/06/20)</i>	

**Aggregate Contract Value: \$1,500,000**

Requester: *Greg Garcia, Director  
Project Execution  
Facilities Services Division*

<b>ADOPTED BY BOARD</b>
<b>DECEMBER 8, 2020</b>

\* Current Ratification

**ATTACHMENT A  
RATIFICATION OF CONTRACTS AWARDED UNDER DELEGATED AUTHORITY**

<b>B. APPROVAL OF CHANGE ORDERS</b>		<b>\$5,698,065</b>
	<u>QUANTITY</u>	<u>AMOUNT</u>
i. New Construction contract change orders that do not individually exceed 10 percent for October 2020 (Average Transaction: \$30,222):	38	\$1,148,455
ii. New Construction contract credit change orders for October 2020:	3	<\$145,340>
iii. Existing Facilities contract change orders that do not individually exceed 15 percent for October 2020 (Average Transaction: \$12,125):	396	\$4,801,688
iv. Existing Facilities contract credit change orders for October 2020:	11	<\$106,738>
v. Existing Facilities contract change orders that individually exceed 15 percent (but do not exceed 25 percent) for October 2020, requiring 75 percent approval by the Board:	0	\$0
<b>C. COMPLETION OF CONTRACTS –October 2020</b>	25	<b>\$31,667,346</b>
<b>D. AWARD OF INFORMAL CONTRACTS (Not Exceeding \$95,200)</b>		<b>\$1,833,006</b>
	<u>QUANTITY</u>	<u>AMOUNT</u>
A & B Letters for October 2020 (Average Transaction: \$43,643)	42	\$1,833,006

**E. REJECTION OF BIDS**

<u>BID NO.</u>	<u>SCHOOL/PROJECT</u>	<u>REASON</u>
None		

**F. TERMINATION OF CONTRACTS FOR CONVENIENCE**

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>SCHOOL / PROJECT</u>
None		

**G. ASSIGNMENT AND ASSUMPTION OF RIGHTS AND DELEGATION OF DUTIES – PROFESSIONAL / TASK ORDER SERVICES AGREEMENT**

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
None			

**H. AWARD OF ARCHITECTURAL AND ENGINEERING CONTRACTS**

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>SCHOOL / PROJECT</u>	<u>AMOUNT</u>
None			

**I. AWARD OF ARCHITECTURAL AND ENGINEERING AMENDMENTS**

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
None			

**J. MEMORANDUM OF UNDERSTANDING**

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
None			

**K. AWARD OF TASK ORDER CONTRACTS**

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
None			

<p><b>ADOPTED BY BOARD</b></p> <p><b>DECEMBER 8, 2020</b></p>
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**ATTACHMENT A  
RATIFICATION OF CONTRACTS AWARDED UNDER DELEGATED AUTHORITY**

**1257**

**L. AWARD OF PROFESSIONAL/TECHNICAL SERVICES AMENDMENTS \$160,325**

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>NOT-TO-EXCEED AMOUNT</u>
Alliance to Save Energy	1880028 / 4400006220 (1880028.02) <b style="color: red;">Item E</b>	Amendment to increase contract capacity of a pilot program to provide online energy education program via distance learning.  <b>Contract term including this amendment:</b> 09/30/20 through 08/31/21  Initial Contract Value: <span style="float: right;">\$294,845</span> Amendment No. 1: <span style="float: right;">\$0</span> *Amendment No. 2: <span style="float: right;">\$160,325</span> <i>(Executed Date: 09/30/20)</i>  <b>Aggregate Contract Value: <span style="float: right;">\$455,170</span></b>  Requester: <i>Robert Laughton, Director Maintenance &amp; Operations Facilities Services Division</i>	\$160,325* <i>100% LADWP Grant</i>

**M. AWARD OF GOODS AND SERVICES CONTRACTS \$0**

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>NOT-TO-EXCEED AMOUNT</u>
None			

**N. EXTRA SERVICES /AMENDMENTS FOR ARCHITECTURAL AND ENGINEERING CONTRACTS \$566,168**

CONTRACT NOS. <b style="color: red;">Item F</b>	1420029/4400002653; 1520027/4400003330; 1520031/4400003434; 1620147/4400004891; 1620147/4400004891; 1620147/4400004891; 1720022/4400005394; 1720048/4400005973; 1820027/4400006246; 1820035/4400006554; 1920012/4400007431; 1920020/4400007540; and 2020005/4400007945
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**O. NO COST EXTRA SERVICES/AMENDMENTS FOR ARCHITECTURAL AND ENGINEERING CONTRACTS \$0**

None

**P. ASSIGNMENT AND ASSUMPTION OF RIGHTS AND DELEGATION OF DUTIES – ARCHITECTURAL AND ENGINEERING AGREEMENT**

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
None			

\* *Current Ratification*

**ADOPTED BY BOARD  
DECEMBER 8, 2020**



ADOPTED BY BOARD

DECEMBER 8, 2020

Board of Education Report  
Attachment A Item E  
No. 079-20/21  
For 12/08/20 Board Meeting

INTEROFFICE CORRESPONDENCE  
Los Angeles Unified School District  
Facilities Services Division

**INFORMATIVE****DATE:** December 8, 2020

**TO:** Members, Board of Education  
Austin Beutner, Superintendent

**FROM:** Robert Laughton  
Director of Maintenance and Operations

**SUBJECT: CONTRACTOR NAME: Alliance to Save Energy (ASE)**  
**CONTRACT NO.: 1880028.02/4400006220**  
**AMENDMENT AMOUNT:** The Amendment will increase the Agreement Amount from \$294,845 to \$455,170 (an increase of \$160,325)  
**REQUEST TO AMEND THE PROFESSIONAL SERVICES CONTRACT**

***Student Impact:***

This program includes participation of 40 schools comprised of approximately 800 students. The ASE “EmPowered” Program provides an opportunity to integrate energy efficiency and sustainability concepts into the Science, Technology, Engineering, Arts, and Mathematics (STEAM) curriculum. It will provide the students with activity-based, hands-on education and technical training combined with leadership experience to prepare them for higher education and the workforce. This web-based platform format is also accommodating to remote learning requirements. This model can continue to be used at other sites District-wide.

***Introduction******Why is this necessary?***

The District utility bill in FY 2019-20 was approximately \$142 million, 72% of which was for electricity costs. Educating students about saving energy at their schools and encouraging them to be informed environmental stewards are important factors in LAUSD’s conservation efforts.

***Why do we need to do this now?***

As our energy consumption expenses continue to increase, we need to explore possible ways to reduce these costs and the burden on the District’s General Fund.

***What would happen if this were not approved?***

The students at the selected schools would miss a valuable educational and workforce development opportunity. The District would also miss the opportunity to benefit from the analysis, findings, and recommendations provided by this program which would help shape future energy conservation program development.

***What are the terms of the proposed agreement?***

The contract expiration date has been amended to August 31, 2021. The total contract amount has been amended from \$294,845 to \$455,170, which is fully reimbursable under the LADWP MOU.

If you have any questions or require additional information, please contact me at [christos.chrysiliou@lausd.net](mailto:christos.chrysiliou@lausd.net) or at 213-241-0482.

c: David Holmquist  
Pedro Salcido  
Patricia Chambers  
Jefferson Crain  
Megan K. Reilly  
Janice Sawyer  
Judith Reece  
Christos Chrysiliou

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