



Board of Education Report

File #: Rep-014-18/19, Version: 1

Approval of Facilities Contract Actions

September 11, 2018

Procurement Services Division - Facilities Contracts

**ADOPTED BY BOARD
SEPTEMBER 11, 2018**

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, including Best Value solicitation; award of job order contract amendments; approval of change orders; completion of contracts; award of informal contracts; 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:

None

Submitted:

08/24/18

**ADOPTED BY BOARD
SEPTEMBER 11, 2018**

RESPECTFULLY SUBMITTED,



AUSTIN BEUTNER
Superintendent

APPROVED & PRESENTED BY:



SCOTT S. PRICE, Ph.D.
Chief Financial Officer
Office of the Chief Financial Officer

REVIEWED BY:




DAVID HOLMQUIST
General Counsel

APPROVED & PRESENTED BY:



SUNG YON LEE
Interim Chief Procurement Officer
Procurement Services Division


 Approved as to form.

REVIEWED BY:



CHERYL SIMPSON
Director, Budget Services and Financial Planning


**ADOPTED BY BOARD
SEPTEMBER 11, 2018**

 Approved as to budget impact statement.

REVIEWED BY:



MARK HOVATTER
Chief Facilities Executive

 Approved as to facilities impact.

ATTACHMENT A
RATIFICATION OF CONTRACTS AWARDED UNDER DELEGATED AUTHORITY

62

A. AWARD OF ADVERTISED CONSTRUCTION CONTRACTS **\$54,481,161**

<u>CONTRACTOR</u>	<u>IDENTIFICATION</u> <u>NO.</u>	<u>SCHOOL / PROJECT</u>	<u>AMOUNT</u>
S J Amoroso Construction Co., Inc.	1810147 / 4400006771 (Best Value)	<u>Colfax Charter Elementary School</u> Multiple Classroom Addition Board Member: <u>Scott M. Schmerelson</u>	\$23,627,000

Item A

Contract Term: 07/30/18 through Division of State Architecture (DSA) certification and close-out

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

USS Cal Builders, Inc.	1810154 / 4400006538	<u>Webster Middle School</u> Paving, Low Impact Development & Drought Response Outreach Program for Schools Board Member: <u>Nick Melvoin</u>	\$7,048,000
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Item B

ADOPTED BY BOARD
SEPTEMBER 11, 2018

Contract Term: 07/06/18 through DSA certification and close-out

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

Eberhard	1810160 / 4400006811	<u>Belmont High School</u> Remove & Replace Roofing and HVAC Board Member: <u>Mónica García</u>	\$4,924,323
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Item C

Contract Term: 08/13/18 through DSA certification and close-out

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

AP Construction Group, Inc., dba Air Plus (SBE)	1810162 / 4400006754	<u>Sylmar Charter High School</u> HVAC Replacement in Competition Gym Board Member: <u>Kelly Gonez</u>	\$4,688,000
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Item D

Contract Term: 07/09/18 through DSA certification and close-out

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

J J J Floor Covering, Inc. (SBE)	1810164 / 4400006780	<u>Irving Magnet Middle School</u> Remove and Replace Deteriorated Flooring and Upgrade Security Screen System Board Member: <u>District 5</u>	\$290,500
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Item E

Contract Term: 07/23/18 through DSA certification and close-out

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

ATTACHMENT A
RATIFICATION OF CONTRACTS AWARDED UNDER DELEGATED AUTHORITY

AWARD OF ADVERTISED CONSTRUCTION CONTRACTS (CONT'D)

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>SCHOOL / PROJECT</u>	<u>AMOUNT</u>
Eberhard	1810169 / 4400006803 Item F	<u>Luther Burbank Middle School</u> Remove & Replace Roofing and HVAC Board Member: <u>District 5</u> Contract Term: 08/10/18 through DSA certification and close-out Requester: <i>Robert Laughton, Director</i> <i>Maintenance & Operations</i> <i>Facilities Services Division</i>	\$1,048,323
Enterprise Construction, Inc.	1810170 / 4400006687 Item G	<u>Porter Middle School</u> Deteriorated Asphalt Concrete Paving Board Member: <u>Scott M. Schmerelson</u> Contract Term: 07/11/18 to DSA certification and close-out Requester: <i>Greg Garcia, Director</i> <i>Project Execution</i> <i>Facilities Services Division</i>	\$7,495,000
Pars Arvin Construction, Inc. (SBE)	1810172 / 4400006781 Item H	<u>Menlo Avenue Elementary School</u> HVAC Replacement Board Member: <u>Dr. George J. McKenna III</u> Contract Term: 07/30/18 through DSA certification and close-out Requester: <i>Greg Garcia, Director</i> <i>Project Execution</i> <i>Facilities Services Division</i>	\$4,413,000
World Wide Construction	1810174 / 4400006790 Item I	<u>Point Fermin Elementary School</u> ADA Barrier Removal Board Member: <u>Dr. Richard A. Vladovic</u> Contract Term: 07/23/18 to DSA certification and close-out Requester: <i>Greg Garcia, Director</i> <i>Project Execution</i> <i>Facilities Services Division</i>	\$947,015

JOB ORDER CONTRACT AWARDS

\$0

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

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SEPTEMBER 11, 2018

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64

JOB ORDER CONTRACT AMENDMENTS

\$6,500,000

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>SCHOOL / PROJECT</u>	<u>AMOUNT</u>
Bitech Construction Company, Inc. (SBE)	1830012 / 4400006253 (1830012.01) Item J	Amendment to increase contract capacity of a formally competed contract to provide general contracting services District-wide Contract term including this amendment: 01/10/18 through 01/09/19 Two (2) one-year options remaining Initial Contract Value: \$500,000 *Amendment No. 1 \$2,000,000 <i>(Executed Date: 07/18/18)</i> Aggregate Contract Value: \$2,500,000 Requester: <i>Greg Garcia, Director</i> <i>Project Execution</i> <i>Facilities Services Division</i>	\$2,000,000*
Angeles Contractor, Inc.	1830014 / 4400006255 (1830014.01) Item K	Amendment to increase contract capacity of a formally competed contract to provide general contracting services District-wide Contract term including this amendment: 01/12/18 through 01/11/19 Two (2) one-year options remaining Initial Contract Value: \$500,000 *Amendment No. 1 \$1,500,000 <i>(Executed Date: 07/26/18)</i> Aggregate Contract Value: \$2,000,000 Requester: <i>Greg Garcia, Director</i> <i>Project Execution</i> <i>Facilities Services Division</i>	\$1,500,000*
Piana Construction & Painting, Inc. (SBE)	1730002 / 4400005050 (1730002.03) Item L	Amendment to increase contract capacity of a formally competed contract to provide painting services District- wide Contract term including this amendment: 08/25/16 through 08/24/19 No Option Years (OY) remaining Initial Contract Value: \$350,000 Amendment No. 1 \$1,000,000 Terms Revised OY1 Amendment No. 2 Terms Revised *Amendment No. 3 \$200,000 <i>(Executed Date: 07/24/18)</i> Terms Revised OY2 Aggregate Contract Value: \$1,550,000 Requester: <i>Robert Laughton, Director</i> <i>Maintenance & Operations</i> <i>Facilities Services Division</i>	\$200,000*

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SEPTEMBER 11, 2018**

* Current Ratification

ATTACHMENT A
RATIFICATION OF CONTRACTS AWARDED UNDER DELEGATED AUTHORITY

JOB ORDER CONTRACT AMENDMENTS (CONT'D)

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>SCHOOL / PROJECT</u>	<u>AMOUNT</u>
Omega Construction Co., Inc. (SBE)	1730001 / 4400005009 (1730001.03) Item M	Amendment to increase contract capacity of a formally competed contract to provide painting services District- wide Contract term including this amendment: 08/25/16 through 08/24/19 No Option Years remaining Initial Contract Value: \$350,000 Amendment No. 1 \$1,000,000 Terms Revised OY1 Amendment No. 2 Terms Revised *Amendment No. 3 \$800,000 (Executed Date: 07/24/18) Terms Revised OY2 Aggregate Contract Value: \$2,150,000 Requester: Robert Laughton, Director Maintenance & Operations Facilities Services Division	\$800,000*
Community Playgrounds, Inc. (SBE)	1830001 / 4400005854 (1830001.04) Item N	Amendment to increase contract capacity of a formally competed contract to provide playground safety tile matting services District-wide Contract term including this amendment: 07/25/17 through 07/24/19 One (1) one-year option remaining Initial Contract Value: \$350,000 Amendment No. 1 \$1,000,000 Amendment No. 2 Terms Revised Amendment No. 3 \$2,000,000 *Amendment No. 4 \$2,000,000 (Executed Date: 07/18/18) Terms Revised OY1 Aggregate Contract Value: \$5,350,000 Requester: Robert Laughton, Director Maintenance & Operations Facilities Services Division	\$2,000,000*

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66

B. APPROVAL OF CHANGE ORDERS		\$1,027,725	
	<u>QUANTITY</u>	<u>AMOUNT</u>	
i. Construction contract change orders that do not individually exceed 10 percent for July 2018 (Average Transaction: \$27,215):	7	\$190,507	
ii. Construction contract credit change orders for July 2018:	2	<\$1,123,300>	
iii. Repair and modernization contract change orders that do not individually exceed 15 percent for July 2018 (Average Transaction: \$11,754):	184	\$2,162,790	
iv. Repair and modernization contract credit change orders for July 2018:	4	<\$202,272>	
v. Repair and modernization contract change orders that individually exceed 15 percent (but do not exceed 25 percent) for July 2018, requiring 75 percent approval by the Board:	0	\$0	
C. COMPLETION OF CONTRACTS – June 2018	23	\$13,578,651	
D. AWARD OF INFORMAL CONTRACTS (Not Exceeding \$90,200)		\$3,053,486	
	<u>QUANTITY</u>	<u>AMOUNT</u>	
A & B Letters for July 2018 (Average Transaction: \$28,014)	109	\$3,053,486	
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 – ARCHITECTURAL AND ENGINEERING AGREEMENT			
<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
None			
H. AWARD OF ARCHITECTURAL AND ENGINEERING CONTRACTS		\$0	
<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
None			
I. AWARD OF ARCHITECTURAL AND ENGINEERING AMENDMENTS		\$0	
<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
None			
J. MEMORANDUM OF UNDERSTANDING		\$0	
<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
None			

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K.	AWARD OF PROFESSIONAL/TECHNICAL SERVICES CONTRACTS			\$0
	<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
	None			
L.	AWARD OF PROFESSIONAL/TECHNICAL SERVICES AMENDMENTS			\$0
	<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>NOT-TO-EXCEED AMOUNT</u>
	None			
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			\$167,192
	CONTRACT NOS.	1420031/4400002659, 1520022/4400003236, 1720015/4400005061, 1820027/4400006246, and 1820027/4400006246		
	Item O			
O.	NO COST EXTRA SERVICES/AMENDMENTS FOR ARCHITECTURAL AND ENGINEERING CONTRACTS			\$0
	None			

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SEPTEMBER 11, 2018**

* Detailed information is available at <http://www.laschools.org/new-site/contracts/boe-contract-actions/>.