

**Board of Education Report****ADOPTED BY BOARD****JUNE 8, 2021****File #:** Rep-323-20/21, **Version:** 1**Approval of Facilities Contract Actions****June 8, 2021****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; extra services / amendments for architectural and engineering contracts; and approve the proposed contract actions as listed in Attachment "B" including: approval of technical services task order contracts; approval of technical services task order contract capacity increase; approval of professional / technical services contracts and authorization to enter into a design-build contract for a comprehensive modernization project.

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.

Attachment "B" - Approval of Facilities Contract Actions Not Under Delegated Authority.

Informatives:

Informative - Approval of Landscape Irrigation Repair Services Task Order Contracts

Informative - Request to Increase Task Order Contract Capacity - Waterproofing & Coating Services

Informative - Approval of Shade Structures Contracts

Informative - Authorization to Award a Design-Build Contract for a Comprehensive Modernization Project at Burroughs Middle School


Submitted:

5/21/21


JUNE 8, 2021

RESPECTFULLY SUBMITTED,

APPROVED BY:



AUSTIN BEUTNER
Superintendent



MEGAN K. REILLY
Deputy Superintendent
Office of the Deputy Superintendent

REVIEWED BY:

APPROVED BY:



DEVORA NAVERA REED
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.

ATTACHMENT A
RATIFICATION OF CONTRACTS AWARDED UNDER DELEGATED AUTHORITY

A. AWARD OF ADVERTISED CONSTRUCTION CONTRACTS **\$6,900,000**

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>SCHOOL / PROJECT</u>	<u>AMOUNT</u>
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Technion Contractors TCI, Inc.	2110014 / 4400009423	7th ES New Food Services Building Board Member: <u>Tanya Ortiz Franklin</u>	\$6,050,000
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Item A
(Best Value)

Contract Term: 05/03/21 through Division of State Architect (DSA) certification and close-out

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

D. John Roser, Inc. (SBE)	2110019 / 4400009512	Huerta ES Synthetic Field Replacement & Drain Remediation Board Member: <u>Mónica García</u>	\$850,000
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Item B

Contract Term: 05/10/21 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 **\$5,000,000**

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>SCHOOL / PROJECT</u>	<u>AMOUNT</u>
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Thomasville Construction, Inc. (SBE)	2030009 / 4400008451 (2030009.06)	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 C

Contract term including this amendment:
05/22/20 through 05/21/22
One (1) Option Year (OY) remaining

Initial Contract Value:	\$500,000
Amendment No. 1:	Terms Revised
Amendment No. 2:	\$3,000,000
Amendment No. 3:	Terms Revised
Amendment No. 4:	\$1,500,000
Amendment No. 5:	Terms Revised

	OY1
*Amendment No. 6:	\$1,000,000
<i>(Executed Date: 04/12/21)</i>	

Aggregate Contract Value: **\$6,000,000**

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

* Current Ratification

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RATIFICATION OF CONTRACTS AWARDED UNDER DELEGATED AUTHORITY

JOB ORDER CONTRACT AMENDMENTS (CONT'D)

CONTRACTOR	IDENTIFICATION NO.	SCHOOL / PROJECT	AMOUNT
Fredrick Towers, Inc. (SBE)	2030013 / 4400008455 (2030013.06) Item D	Amendment to increase contract capacity of a formally competed contract to provide general contracting services District-wide. Contract term including this amendment: 05/22/20 through 05/21/22 One (1) OY remaining Initial Contract Value: \$500,000 Amendment No. 1: Terms Revised Amendment No. 2: \$3,000,000 Amendment No. 3: Terms Revised Amendment No. 4: \$1,500,000 Amendment No. 5: Terms Revised OY1 *Amendment No. 6: \$1,000,000 (Executed Date: 04/15/21) Aggregate Contract Value: \$6,000,000 Requester: Greg Garcia, Director Project Execution Facilities Services Division	\$1,000,000*
Angeles Contractor, Inc.	2130010 / 4400009023 (2130010.01) Item E	Amendment to increase contract capacity of a formally competed contract to provide roofing and waterproofing contracting services District-wide. Contract term including this amendment: 10/29/20 through 10/28/21 Two (2) OY remaining Initial Contract Value: \$500,000 *Amendment No. 1: \$1,500,000 (Executed Date: 04/12/21) Aggregate Contract Value: \$2,000,000 Requester: Robert Laughton, Director Maintenance & Operations Facilities Services Division	\$1,500,000*
Pavewest, Inc.	2130019 / 4400009264 (2130019.01) Item F	Amendment to increase contract capacity of a formally competed contract to provide solar reflective coating and asphalt repair contracting services District-wide. Contract term including this amendment: 03/01/21 through 02/28/22 Two (2) OY remaining Initial Contract Value: \$350,000 *Amendment No. 1: \$1,500,000 (Executed Date: 04/23/21) Aggregate Contract Value: \$1,850,000 Requester: Robert Laughton, Director Maintenance & Operations Facilities Services Division	\$1,500,000*

* Current Ratification

ADOPTED BY BOARD

* *Current Ratification*

ADOPTED BY BOARD

JUNE 8, 2021

ATTACHMENT A
RATIFICATION OF CONTRACTS AWARDED UNDER DELEGATED AUTHORITY

Item G

B. APPROVAL OF CHANGE ORDERS		\$3,927,230
	<u>QUANTITY</u>	<u>AMOUNT</u>
i. New Construction contract change orders that do not individually exceed 10 percent for April 2021 (Average Transaction: \$21,540):	49	\$1,055,445
ii. New Construction contract credit change orders for April 2021:	3	<\$57,688>
iii. Existing Facilities contract change orders that do not individually exceed 15 percent for April 2021 (Average Transaction: \$11,930):	271	\$3,232,930
iv. Existing Facilities contract credit change orders for April 2021:	26	<\$303,458>
v. Existing Facilities contract change orders that individually exceed 15 percent (but do not exceed 25 percent) for April 2021, requiring 75 percent approval by the Board:	0	\$0
C. COMPLETION OF CONTRACTS – April 2021	26	\$46,828,136
D. AWARD OF INFORMAL CONTRACTS (Not Exceeding \$96,700)		\$319,111
	<u>QUANTITY</u>	<u>AMOUNT</u>
A & B Letters for April (Average Transaction: \$22,794)	14	\$319,111
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		\$0
<u>CONTRACTOR</u> <u>IDENTIFICATION NO.</u> <u>SCHOOL / PROJECT</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		
K. AWARD OF TASK ORDER CONTRACTS		\$0
<u>CONTRACTOR</u> <u>IDENTIFICATION NO.</u> <u>DESCRIPTION</u>		<u>AMOUNT</u>
None		

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

L.	AWARD OF PROFESSIONAL/TECHNICAL SERVICES AMENDMENTS			\$0
	<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>NOT-TO-EXCEED</u> <u>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</u> <u>AMOUNT</u>
	None			
N.	EXTRA SERVICES /AMENDMENTS FOR ARCHITECTURAL AND ENGINEERING CONTRACTS			\$252,511
	CONTRACT NOS. 1520021/4400003235; and 1720042/4400005892			
	Item H			
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			

ADOPTED BY BOARD

JUNE 8, 2021

ATTACHMENT B
APPROVAL OF CONTRACTS NOT UNDER DELEGATED AUTHORITY

A. APPROVAL OF TECHNICAL SERVICES TASK ORDER CONTRACTS (PCC 20118.5-9) \$6,000,000

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Far East Landscape & Maintenance, Inc. (SBE) (MBE)	2180017 / 4400009524	Authorization to award two (2) formally competed task order contracts to provide landscape irrigation repair services District-wide. The authority to increase or decrease individual amounts for these contracts will be limited to \$3,000,000 each and the aggregate contract value of \$6,000,000.	\$6,000,000 100% Restricted Maintenance Funds
International Environmental Corporation (Micro-SBE) (MBE) (WBE)	2180018 / 4400009525		
	(IFB R-21010)		

Item I

Contract Term: 07/01/21 through 06/30/23
two (2) years plus three (3) one-year options

Aggregate Contract Value: \$6,000,000

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

B. APPROVAL OF TECHNICAL SERVICES TASK ORDER CONTRACT CAPACITY INCREASE \$2,000,000

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Best Contracting Services, Inc.	2080003/4400007887 (IFB R-20001)	Authorization to increase capacity for a formally competed task order contract to provide waterproofing & coating services District-wide. This contract will be limited to the aggregate contract value of \$3,000,000.	\$2,000,000* 100% Restricted Maintenance Funds

Item J

Contract Term: 11/06/19 to 11/05/22 including
two (2) one-year renewal options

Original Value: \$1,000,000
 *Additional Requested Value: \$2,000,000

Aggregate contract value: \$3,000,000

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

C. APPROVAL OF PURCHASE OF SHADE STRUCTURES \$5,000,000

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>NOT-TO-EXCEED AGGREGATE AMOUNT</u>
R. Brothers, Inc.	2190045 / 4400009510	Authorization to award two (2) formally competed contracts to purchase and install shade structures.	\$5,000,000
Shade Structures, Inc., dba USA Shade & Fabric Structures	2190046 / 4400009511 (IFB R-20031)	The authority to increase or decrease individual amounts for these contracts will be limited to the aggregate contract value of \$5,000,000.	

Item K

Contract Term: 07/01/21 through 06/30/26
including two (2) one-year options

Contract Value: \$5,000,000

Requester: *Aaron Bridgewater, Director*
Asset Management
Facilities Services Division

ADOPTED BY BOARD

JUNE 8, 2021

ATTACHMENT B
APPROVAL OF CONTRACTS NOT UNDER DELEGATED AUTHORITY

D. AUTHORIZATION TO ENTER INTO A DESIGN-BUILD CONTRACT FOR A COMPREHENSIVE MODERNIZATION PROJECT **\$214,949,169**

<u>CONTRACTOR</u>	<u>IDENTIFICATION NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Kemp Bros. Construction, Inc.	2010071 / 4400009544	Authorization to award a formally competed contract for a Comprehensive Modernization project at Burroughs Middle School in partnership with DLR Group, selected via design-build (Education Code 17250) procurement method. Board Member: <u>Dr. George J. McKenna III</u>	\$214,949,169 100% Bond Funds
	Item L		
		Contract Term: Contract execution through DSA certification and closeout	
		Contract Value: \$214,949,169	
		Requester: <i>Aaron Bridgewater, Director</i> <i>Asset Management</i> <i>Facilities Services Division</i>	

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Board of Education Report
No. 323-20/21
Attachment B Item I
For 6/08/21 Board Meeting

INTEROFFICE CORRESPONDENCE
Los Angeles Unified School District
Facilities Services Division

INFORMATIVE**DATE:** June 08, 2021

TO: Members, Board of Education
Austin Beutner, Superintendent

FROM: Robert Laughton, Director
Maintenance & Operations

SUBJECT: IFB R-21010 LANDSCAPE IRRIGATION REPAIR

CONTRACTOR NAMES:

FAR EAST LANDSCAPE & MAINTENANCE, INC.

INTERNATIONAL ENVIRONMENTAL CORPORATION

CONTRACT NOS.:

2180017 / 4400009524

2180018 / 4400009525

CONTRACT CAPACITY:

**TOTAL AGGREGATE VALUE \$6,000,000 FOR TWENTY-FOUR (24)
MONTHS WITH THREE (3) OPTIONAL ONE-YEAR EXTENTIONS**

REQUEST FOR APPROVAL OF TWO (2) TASK ORDER CONTRACTS.***Student Impact:***

Students benefit by having a safe, educational environment centered on academic success while retaining a high standard of learning while providing well maintained athletic and general-purpose lawn fields.

Introduction:

Maintenance and Operations is requesting the Board of Education's approval to award capacity contracts for the repair of landscape irrigation to various Districtwide sites.

Why is this necessary?

These contracts are needed to provide the overall competitive cost for irrigation repair and maintain the overall health and condition of the Districts natural general turf fields, baseball, soccer and football fields. This contract will supplement Maintenance and Operations in providing safe and healthy play/exercise environments for physical education classes, physical therapy and competitive sporting events utilizing a licensed contractor.

Why do we need to do this now?

There is a continuous need to provide irrigation repair services. The ability to contract urgent demands to repair irrigation systems to regular operation at a reduced cost will help minimize disruption to the students' learning and exercise environments.

What would happen if this were not approved?

If the contract is not approved, there will be an increased administration/labor cost and burden to the Maintenance and Operations Branch for the repair of landscape irrigation.

What are the terms of the proposed agreement?

The terms of this contract will be for 24 months and three optional years. Funding will be provided on an as-needed basis utilizing an estimated 100% Restricted Maintenance Funds.

If you have any questions or require additional information, please contact me at robert.laughton@lausd.net or (213) 241-0304.

c: Devora Navera Reed
Pedro Salcido
Patricia Chambers
Jefferson Crain
Megan K. Reilly
Janice Sawyer
Mark Hovatter
Judith Reece

ADOPTED BY BOARD

JUNE 8, 2021

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Board of Education Report
No. 323-20/21
Attachment B Item J
For 6/08/21 Board Meeting

INTEROFFICE CORRESPONDENCE
Los Angeles Unified School District
Facilities Services Division

INFORMATIVE**DATE:** June 08, 2021

TO: Members, Board of Education
Austin Beutner, Superintendent

FROM: Robert Laughton, Director
Maintenance & Operations

**SUBJECT: REQUEST TO ADD CAPACITY TO WATERPROOFING & COATING
SERVICES TASK ORDER CONTRACTS**

CONTRACTS:**2080003/4400007887 - BEST CONTRACTING SERVICE, INC.****INCREASE CONTRACT CAPACITY BY: \$2,000,000****FOR A TOTAL AGGREGATE OF: \$3,000,000*****Student Impact:***

Students benefit by having a safe, educational environment centered on academic success while retaining a high standard of learning while providing well-maintained waterproofing & coating surfaces.

Introduction

Maintenance & Operations is requesting the Board of Education's approval to add funds to Task Order Contract No.: **2080003/4400007887** to provide Waterproofing & Coating Services to Districtwide sites.

Why is this necessary?

The amount of contract spent to date is reaching its previously board-approved dollar limit. With the additional funds, Maintenance & Operations will be able to sustain all on-going waterproofing & coating repair projects Districtwide.

Why do we need to do this now?

Maintenance & Operations will not be able to issue Task Orders without the additional funds added into the Task Order Contracts.

What would happen if this were not approved?

Maintenance & Operations will have to temporarily hold the waterproofing & coating repair projects until additional capacity can be added to the Task Order Contract by Board approval.

What are the terms of the proposed agreement?

The term of this Task Order Contract will remain to be for thirty-six months, with two twelve-month extension options.

Funding will be provided on as-needed basis utilizing an estimated 100% Restricted Maintenance Funds.

If you have any questions or require additional information, please contact me at robert.laughton@lausd.net or at (213) 241-0304.

c: Devora Navera Reed
Pedro Salcido
Patricia Chambers
Jefferson Crain
Megan K. Reilly
Janice Sawyer
Mark Hovatter
Judith Reece

ADOPTED BY BOARD

JUNE 8, 2021

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Board of Education Report
No. 323 -20/21
Attachment B Item K
For 6/08/21 Board Meeting

INTEROFFICE CORRESPONDENCE

Los Angeles Unified School District
Facilities Services Division

INFORMATIVE**DATE:** May 17, 2021

TO: Members, Board of Education
Austin Beutner, Superintendent

FROM: Aaron Bridgewater, Director of Facilities Planning and Development

SUBJECT: CONTRACTOR NAMES AND NOS:

R. BROTHERS, INC. - 2190045 / 4400009510 (Primary Contractor)

**SHADE STRUCTURES, INC. DBA USA SHADE & FABRIC STRUCTURES -
2190046 / 4400009511 (Secondary Contractor)**

CONTRACT CAPACITY AMOUNT: \$5,000,000

**RECOMMENDATION TO APPROVE TWO (2) CONTRACTS TO
PURCHASE AND INSTALL SHADE STRUCTURES (DIVISION OF THE
STATE ARCHITECT APPROVED)**

Student Impact:

The proposed contracts will support the creation of shaded areas at various schools throughout the Los Angeles Unified School District (Los Angeles Unified or District). Shaded areas provide various benefits to students including, but not limited to, a place to learn, play, and eat.

Introduction

The Facilities Services Division (Facilities) proposes that the Board of Education (Board) authorize staff to enter into contracts, on behalf of Los Angeles Unified, with R. Brothers, Inc (R. Brothers) as the primary contractor, and Shade Structures, Inc. (USA Shade) as the secondary contractor, for the design, fabrication, delivery and installation of shade structures. The design of the shade shelters shall have been pre-approved through the Division of the State Architect's (DSA) pre-check (PC) process. The contracts will support the implementation of Board-approved school construction, modernization, and repair/renovation projects that include the installation of shade structures. The contracts may also be utilized as needed, to support District and individual school needs for shade structures. For projects that do not include an interim housing component, or do not have an architect-engineer, the contractor may be responsible for developing the site-adapt design, including associated engineering work, and obtaining DSA approval.

R. Brothers and USA Shade were selected through an Invitation for Bids that was issued on February 22, 2021, the former had the lowest bid and was selected as the primary contractor, and the later was deemed the secondary contractor. R. Brothers shall be given the first choice to provide services, and if the contractor is unable to deliver in a timely manner services shall be provided by USA Shade. Staff proposes to enter into the two contracts with a total not-to-exceed capacity of \$5,000,000 over a five-year term. Purchase orders will be issued as needed to support the implementation of bond projects and/or to meet District and/or individual school needs. The costs associated with the purchase and installation of a shade structure(s) are included in the overall budget of a Board-approved school construction, modernization, and repair/renovation project. In the event it is necessary to utilize these

contracts for purposes other than the implementation of a bond project, funding will need to be identified.

Why is this necessary?

For construction, modernization and renovation projects, Facilities staff assesses and analyzes various models to best deliver the project's scope with careful consideration of the project budget and schedule. Some projects may require installation of permanent shade structures at play and lunch areas, while others may require use of shade structures on an interim basis. There is currently no contract in place for the purchase and installation of DSA-approved shade structures.

These proposed contracts will provide shade structures, which may include standard and waterproof shade structures that are versatile and can be used for learning, dining, assemblies, and playing, with optional lighting, audio, video, and other electrical integrations to accommodate a school's needs.

Why do we need to do this now?

Los Angeles Unified continues to upgrade, modernize, and replace aging and deteriorating school facilities, and the proposed contracts will support the successful completion of capital facilities projects. Various modernization projects, including improvements made to the cafeteria and lunch structure, will require the use of interim waterproof shade structures to serve as outdoor lunch areas. Approval of the proposed contracts will allow Los Angeles Unified to purchase and install shade structures as needed, which may expedite completion of construction, thus reducing any potential impact on instruction and school operations.

What would happen if this were not approved?

If staff is not authorized to enter into contracts with R. Brothers and USA Shade, the completion of school construction, modernization and repair/renovation projects may be delayed. Moreover, staff will need to explore alternative contracting methods which may reduce or eliminate any potential time or cost savings that may have occurred as a result of the proposed capacity contracts.

What are the terms of the proposed agreement?

The initial term of the contracts is for three (3) years with two (2) one-year extension options. The contracts have an aggregate not-to-exceed capacity of \$5,000,000 over the five-year term. Purchase orders will be issued on an as-needed basis. Funding will primarily be provided by a Board-approved school construction, modernization, and repair/renovation project. In the event it is necessary to utilize these contracts for purposes other than the implementation of a bond project, funding will need to be identified.

If you have any questions or require additional information, please contact me via email at: aaron.bridgewater@lausd.net or at (213) 248-2279.

cc: Devora Navera Reed
Pedro Salcido
Patricia Chambers
Jefferson Crain
Megan K. Reilly
David Hart

ADOPTED BY BOARD

JUNE 8, 2021

Members, Board of Education
Austin Beutner, Superintendent

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June 8, 2021

Mark Hovatter
Krisztina Tokes
Alix O'Brien
Julia Hawkinson
Janice Sawyer
Judith Reece

ADOPTED BY BOARD

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ADOPTED BY BOARD

JUNE 8, 2021

Board of Education Report
No. 323-20/21
Attachment B Item L
For 06/08/21 Board Meeting

INTEROFFICE CORRESPONDENCE
Los Angeles Unified School District
Facilities Services Division

INFORMATIVE**DATE:** May 13, 2021

TO: Members, Board of Education
Austin Beutner, Superintendent

FROM: Aaron Bridgewater, Director of Facilities Planning and Development

**SUBJECT: BURROUGHS MIDDLE SCHOOL COMPREHENSIVE
MODERNIZATION PROJECT
KEMP BROS CONSTRUCTION, INC/DLR GROUP
CONTRACT NO.: 2010071
CONTRACT AMOUNT: \$214,949,169
AUTHORIZATION TO AWARD DESIGN-BUILD CONTRACT**

Student Impact

The project will provide safe and up-to-date facilities that promote teaching and learning for the students of Burroughs Middle School.

Introduction

Staff proposes that the Board of Education (Board) authorize the Chief Procurement Officer, and/or her designee, to enter into a design-build contract on behalf of the Los Angeles Unified School District (Los Angeles Unified or District) with the design-build entity, Kemp Bros Construction Inc (Kemp), who will partner with the architecture firm DLR Group (DLR), in the lump sum amount of \$214,949,169 for the design and construction of the Burroughs Middle School Comprehensive Modernization Project (Project) pursuant to the requirements of California Education Code Section 17250.10 et seq. (Section 17250.10).

Procurement Process

In accordance with section 17250.10, Los Angeles Unified issued a Request for Qualifications (RFQ) on June 22, 2020. The District received seven responses to the RFQ and evaluated them based on the proposers' project experience, key personnel, design-build experience, teaming and integration, technical approach, organizational approach, outreach plan, and safety. The selection panel consisting of District employees reviewed the proposals and shortlisted three design-build entities: Kemp Brothers/DLR Group, Rudolph and Sletten/CannonDesign, and Swinerton/LPA, Inc. The short-listed proposers were invited to participate in the Request for Proposal (RFP) issued on September 29, 2020. All individuals participating in the selection process were required to sign non-disclosure statements and certify that they have no conflicts of interest with potential proposers.

The proposers submitted their respective final non-priced proposals on April 19, 2021, and their

sealed price proposals on May 5, 2021. A selection panel of employees and technical advisors evaluated the three proposals based on the following criteria identified in the RFP and in accordance with Section 17250.10: price, design concept/materials/approach, design validation, schedule, phasing and logistics, technical expertise, outreach (Small Business Enterprise (SBE)/Disabled Veteran Business Enterprise/local worker/"We Build"), life-cycle costs, safety records, and work-based learning partnership.

The proposal from Kemp/DLR in the lump sum amount of \$214,949,169 was determined to be reasonable and the best value based on the proposed design concept, validation narrative, schedule, phasing, logistics, technical expertise, expected market conditions, and risks associated with completing the design and construction of the Project.

Project Scope, Schedule, and Budget

The Board approved the project definition for the Project (Board Report No. 246-15/16) on February 9, 2016. On June 9, 2020, the Board certified the Environmental Impact Report (Board Report No. 345-19/20) and approved the Project (Board Report No. 346-19/20).

The Burroughs Middle School campus has been assigned a California Historic Resources status code of "3S" and "3CS", noting that the campus appears individually eligible for the National Register of Historic Places (NRHP) through survey evaluation and is eligible for the California Register (CR) as an individual property through survey evaluation. The campus is seen as a single historical resource with the buildings, structures, and other features, such as landscaping, as either contributing or non-contributing elements, or components, of that historical resource.

The Project consists of the construction of new school facilities, improvements to existing school facilities, and the demolition of certain aging and deteriorated facilities. The Project scope also includes interim facilities, as necessary, to accommodate the temporary displacement of any facility and its associated function during construction.

New facilities consisting of 27 general, science and specialty classrooms, a student store, boys' and girls' lockers, food services, indoor dining/Multi-Purpose Room (MPR) and a new lunch shelter will be constructed. The Administrative/Library/Auditorium Building, Classroom Building No. 7, the Shop Building, and the Boys' Gymnasium Building will be seismically retrofitted and modernized. Building No. 14 will receive interior classroom improvements including paint and new window blinds. The exterior of all existing buildings will be painted to provide a uniform appearance and an attractive appearance.

The Project includes demolition of 11 aging and deteriorated relocatable classroom buildings, four ancillary relocatable buildings, the Cafeteria-Classroom Building, and the Girls' Locker Room Building. Two uncertified relocatable buildings consisting of four classrooms will be replaced in kind with relocatable buildings, either new or from the District's inventory.

The Project also includes various site-wide upgrades. Improvements to meet programmatic access requirements of the Americans with Disabilities Act (ADA) will be made throughout the school site. Aging and outdated site infrastructure (i.e. utilities, stormwater/sewer lines, Internet Protocol convergence systems, CCTV, and other systems serving the entire school site) will also be upgraded. Various safety conditions will be improved including site lighting, fencing, and

gates as needed. Landscaping and hardscape improvements will also be made, including outdoor learning/performance areas, new parking areas, hardcourt play areas with cool coating, a natural turf play area, the removal and replacement of trees, and paving improvements throughout the site.

Staff anticipates issuing the Notice to Proceed (NTP) for preconstruction services in the second quarter of 2021. The Project will be constructed in phases, with construction of interim housing and site utilities anticipated to begin in the third quarter of 2021, and the modernization of existing historic buildings and the construction of new buildings to begin in the second quarter of 2022. The project is anticipated to be completed in totality in the third quarter of 2026.

The Board previously authorized funding for the Project when it adopted the project definition (Board Report No. 246-15/16). The current budget is \$207,637,124 (Project No. 10366806). The winning bid from Kemp/DLR was higher than the internal estimate, which necessitates an increase in the project budget. The budget is also being increased to reflect an updated forecast of all anticipated project costs, including for testing, inspection and management fees, and current pricing for the purchase of furniture and equipment. A budget modification in the amount of \$55,341,506 will be required to support the implementation of the Project, increasing the project budget to \$262,978,630. The Project is funded by bond program funds earmarked in the School Upgrade Program for major renovations, modernizations and/or reconfigurations to school buildings. There is no impact to the General Fund.

The budget for a comprehensive modernization project is greatly influenced by the condition of the school's facilities, the amount and size of the school's facilities, the existence of seismically vulnerable buildings, and a historic designation. Burroughs Middle School is located on a 10.69-acre site, and as of the 2020-2021 Electronic Capacity Assessment Review (E-CAR), served 1,591 students in sixth through eighth grades. There are six seismically vulnerable buildings on site, and the school has been identified as a historical resource. These factors attribute greatly to the amount of the project budget.

Why is this necessary?

This action is necessary to facilitate implementation of the Project and the Facilities Services Division Strategic Execution Plan. The Administrative/Library/Auditorium Building, Classroom Building No. 7, the Shop Building, and the Boys' Gymnasium Building require structural strengthening due to seismic concerns. The Cafeteria-Classroom Building and Girls' Locker Room Building require replacement due to seismic concerns. The portable buildings are outdated, deteriorated, and require replacement. This Project is needed to address seismic vulnerabilities, failing and/or broken building and site systems and infrastructure, barriers to program accessibility, and various other deteriorated conditions.

Why do we need to do this now?

The initial planning, design, and environmental evaluation phase of the Project has been completed. The Project is ready to progress to the next stage of project development. For the Burroughs Middle School Comprehensive Modernization Project this means the authorization of a design-build contract to deliver the Project. Delaying the proposed action will likely result in schedule delays and may lead to increased costs.

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What would happen if this were not approved?

If authorization to enter into a contract with Kemp/DLR is not granted, the Project schedule and benefits to the students, staff and community would be delayed. Staff would need to re-evaluate the Project and determine whether to advertise and issue a new design-build RFP or utilize an entirely different project delivery method.

What are the terms of the proposed agreement?

Kemp/DLR proposes to complete the Project in the third quarter of 2026, in the lump sum amount of \$214,949,169.

If you have any questions or require additional information, please contact me at aaron.bridgewater@lausd.net or at (213) 248-2279.

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