

Board Office Use: Legislative File Info.	
File ID Number	11-3011
Committee	Facilities
Introduction Date	12-6-2011
Enactment Number	11-2525
Enactment Date	12-14-11



OAKLAND UNIFIED SCHOOL DISTRICT

Memo

To Board of Education

From Tony Smith, Ed.D., Superintendent
Timothy White, Assistant Superintendent, Facilities Planning and Management

Board Meeting Date December 14, 2011

Subject Division of Facilities Planning and Management P.O. Less than \$50,000.00

Action Requested: Ratification by the Board of Education of the attached contracts for the Division of Facilities Planning and Management.

File ID	Vendor Name	\$	Funding Source	Type	Site	Period	City
11-3006	911 Restoration	\$41,725.89	GO Bond-Measure A	P.O.	Claremont Landscaping	6-28-2011 thru 8-27-2011	Richmond
11-3007	ABC School Equipment	\$355.00	GO Bond-Measure B	P.O.	Jefferson New Building	9-16-2011	Corona
11-3008	Alarcon Bohm	\$7,949.13	Special Reserve Fund	P.O.	Claremont HVAC Replacement	9-27-2011	Oakland
11-3009	Alcal Specialty Contracting, Inc.	\$1,925.00	GO Bond-Measure B	P.O.	Madison Modernization (HVAC)	9-15-2011 thru 12-31-2011	Fremont
11-3010	AON	\$3,500.00	Special Reserve Fund	P.O.	La Escuelita Educational Complex	9-26-2011 thru 10-26-2011	Concord
11-3011	BT Mancini	\$881.00	Go Bond-Measure B	P.O.	Oakland HS Mod	12-1-2011 thru 3-30-2011	Milpitas
11-3012	Campus Security Solutions	\$4,921.08	GO Bond-Measure B	P.O.	Prescott ES Mod	10-21-2011 thru 12-31-2011	Campbell
11-3013	Chussy International	\$370.00	GO Bond-Measure A	P.O.	Division of Facilities, Planning and Management	9-21-2011 thru 9-21-2011	Oakland
11-3014	Energy Systems	\$1,950.00	Country School Facilities	P.O.	Downtown Educational Complex Relocation	9-30-2011 thru 9-30-2012	Stockton
11-3015	Graybar	\$2,958.66	GO Bond-Measure B	P.O.	Frick Wellness Center	9-26-2011 thru 9-30-2011	Dublin
11-3016	Janakes Electric Inc.	\$5,200.00	Special Reserve Fund	P.O.	Claremont HVAC Replacement	8-25-2011 thru 9-1-2011	Redwood City
11-3017	Kam Yan and	\$4,500.00	County School	P.O.	Carter	9-1-2011	Oakland



**OAKLAND UNIFIED
SCHOOL DISTRICT**

	Associates		Facilities Fund			Baseball Scoreboard thru 6-30- 2012	
11-3018	KW Engineering	\$32,720.00	GO Bond-Measure B	P.O.	Division of Facilities, Planning and Management	12-1-2011 thru 3-30- 2012	Oakland
11-3019	Noodle, Inc.	\$1,819.00	GO Bond-Measure B	P.O.	Oakland HS Health	8-12-2010 thru 8-31- 2011	Oakland
11-3020	North American Fence & Supply, Inc.	\$9,461.00	GO Bond-Measure B	P.O.	Havenscourt Interim Dining	8-30-2011 thru 12-31- 2011	Oakland
11-3021	Polk Communications	\$2,775.00	GO Bond-Measure A	P.O.	Claremont MS Landscaping	8-21-2011 thru 11-30- 2011	Oakland
11-3022	ServeSmart	\$3,275.00	GO Bond-Measure B	P.O.	Oakland HS Mod	10-1-2011 thru 10-31- 2011	El Cajon
11-3024	Sterling Environmental Corp.	\$21,160.00	Special Reserve Fund	P.O.	Claremont HVAC Replacement	7-15-2011 thru 7-22- 2011	Oakland
11-3026	Tot Turf	\$32,000.00	Special Reserve Fund	P.O.	Melrose Play Structure Repair	9-15-2011 thru 12-31- 2011	Oakland
11-3027	Tri-Net & McNamara Services Co.	\$8,412.31	GO Bond-Measure B	P.O.	Elmhurst MS Modernizatio n- Auditorium	9-29-2011 thru 12-31- 2011	Los Gatos
11-3028	Tri-Net & McNamara Services Co.	\$3,504.92	GO Bond-Measure B	P.O.	Madison MS Health Center	9-19-2011 thru 12-31- 2011	Los Gatos

Discussion:

Among the key purposes of the District's Facilities Master Plan is to provide an academic environment for the Oakland community that will give every student, educator, and community member using our facilities the best possible opportunity for learning.

Through implementation of the Facilities Master Plan, the District intends to improve the District's facilities in terms of structural integrity, safety, reliability of operating (mechanical) systems, access to modern resources, number and type of appropriate laboratories and specialized instruction rooms, opportunities for physical education, and attractiveness, such that the Oakland Public Schools are second to none. Operation of the District schools under the planned approach is intended to ensure safety, cleanliness, and orderliness for all individuals participating in the learning process.

The basic facility needs of students such as proper lighting, functional roofs, noise control and well maintained buildings, not only convey the message that we value our students and teachers but may foster a sense of school pride and community ownership which may improve attitudes towards learning. The implementation of the Facilities Master Plan is our first step in that direction.

Fiscal Impact:

Various

Recommendation:

The Board of Education is requested to approve the Facilities Planning and Management to OUSD school sites.



OAKLAND UNIFIED
SCHOOL DISTRICT

**OAKLAND UNIFIED SCHOOL DISTRICT
Department of Facilities Planning and Management
AGREEMENT REQUEST FORM**

DATE SUBMITTED: 8/25/2011
SUBMITTED BY: Calvin Ransom

V059277

SECTION I. TYPE OF AGREEMENT (PLEASE CHECK ONE BOX)

1.) A/E (Architect and Engineers) Contract	<input type="checkbox"/>	5.) "Small" (under \$15,000.00) Construction Contract	<input checked="" type="checkbox"/>
2.) IOR (Inspector of Record Contract)	<input type="checkbox"/>	6.) Resolution Awarding Bid and Construction Contract	<input type="checkbox"/>
3.) Agreement for Professional Services - Testing Etc.	<input type="checkbox"/>	7.) Change Order	<input type="checkbox"/>
4.) Amendment to Agreement for Professional Services	<input type="checkbox"/>	8.) Purchase Order	<input type="checkbox"/>

Vendor Number: _____
Fiscal Year: 2011-2012
P.O. Under \$50k: _____
Date Processed: 10-6-2011
To: MB 10-4 to DR: _____

[Signature] Timothy E. White, Asst. Superintendent, Date _____
[Signature] Tadashi Nakadegawa, Facilities Director, Date 9/29/11

SECTION II. LOCAL BUSINESS PARTICIPATION PERCENTAGE:

Local Business	Small Local Business	Small Local Resident Business	Total Percentage
0.00%	0.00%	0.00%	0.00%

SECTION III. AGREEMENT INFORMATION:

Project Name:	Claremont HVAC Replacement	Project No:	07056 - <u>07114</u> <u>curr</u> <u>10/5/11</u>
Vendor Name:	Janakes Electric Inc.	Vendor Contact:	Jeff Janakes
Vendor Phone Number:	(650) 333-2527	Vendor Mailing Address:	2680 Middlefield Road, Suite 220 Redwood City, CA 94063
Agreement Start and Stop Dates:	Start Date: <u>12-6-2011</u> Stop Date: <u>11-25-25</u>	Amounts:	Current Contract Amount: \$0.00 Not to Exceed Amount: \$5,200.00 Revised Contract Amount: \$0.00
Has Work Started?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes give an explanation: Emergency repair resulting from rain damages	Has Work Been Completed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date: 8/27/2011
Certificate of Insurance Attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Date provided: _____	

2019003892-6274

RECEIVED

10-6-2011

For Construction Contracts >\$15,000, please provide or attach the following:

- Number of Bids Received, List of Bidders and Amounts (Bid Form) (Attach Bid Documents)
 - Date(s) of Bid Advertisement
 - Date of Bid Opening -
 - Name of Architect - Colland Jang
 - Liquidated damages per day
 - Performance Bonds Attached
 - Payment Bonds Attached
- (Sections 6 and 7 to be completed by Contract Administration department)

Scope of Work: (Needed to prepare Executive Summary) Please attach separately along with Vendor's proposal.
Provide and install surface mounted raceway, cabling and device brackets. Replace all broken jacks and cabling as needed.
Test & re-label existing data cables as needed.

Discussion Info: (Needed to prepare Executive Summary) (Provide detailed background - Why is contract required and what is the benefit to students) - Add additional pages as needed.
Claremont Middle School received utility damages resulting from sudden rain on 6/28/11 at the start of summer project. Emergency repair of low-voltage communication systems was necessary to open school on time while damage recovery

This company was solicited by recommendation of OUSD IT department given the tight time frame.

Funding Source: _____ Budget Number: _____

OAKLAND UNIFIED SCHOOL DISTRICT
Department of Facilities Planning and Management
AGREEMENT REQUEST FORM

SECTION IV. L/LS/LSRBE - RATIONAL FOR NON COMPLIANCE CHECK LIST

1.)	<p>Specialty Service: This contractor provides a unique / specialty service that is currently not available from a certified L/S/SLRBE. Government Code § 53060 / school districts may contract without bidding for, "special services and advice in financial, economic, accounting, . . . legal, or administrative matters if such persons are specially trained and experienced and competent to perform the special services required."</p>	
2.)	<p>District Discretion under L/SL/SLRBE due to lack of certified firms at time of bid: If at least three L/SL/SLRBEs are not certified, then the requirement may, subject to the discretion of the District, be waived, or the 20% requirement may be re-set from 19 % to 0%, depending on the particular circumstances at time of bid.</p>	
3.)	<p>Futility: It would be futile to require that the contract be subjected to the L/SL/SLRBE due to (circle one) COST / TIME CONSTRAINTS / NO CERTIFIED BIDDERS. California law provides that "[w]here competitive proposals work an incongruity and are unavailing as affecting the final result or where they do not produce any advantage...the statute requiring competitive bidding does not apply." (Hiller v. City of Los Angeles (1961) 197 Cal. App. 2d 685, 694.)</p>	
4.)	<p>Field Test / (1) In order that a field test or experiment may be made to determine the product's suitability for future use. PUBLIC CONTRACT CODE SECTION 3400-3410</p>	
5.)	<p>Product Match/(2) In order to match other products in use on a particular public improvement either completed or in the course of completion. PUBLIC CONTRACT CODE SECTION 3400-3410</p>	
6.)	<p>Sole Source / (3) In order to obtain a necessary item that is only available from one source. PUBLIC CONTRACT CODE SECTION 3400-3410</p>	
7.)	<p>Emergency Repair / (4) (A) In order to respond to an emergency declared by a local agency, but only if the declaration is approved by a four-fifths vote of the governing board of the local agency issuing the invitation for bid or request for proposals. PUBLIC CONTRACT CODE SECTION 3400-3410 / See also: Public Contract Code Section 1102. "Emergency," as used in this code, means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.</p>	✓

Janakes Electric Inc.

2680 Middlefield Road, Suite 220
Redwood City, CA 94063
janakeselectric@aol.com
Phone 650-333-2527 Fax 650-299-9473
License #736179

PROPOSAL

DIVISION I. Project Information

Date: 8/25/11

Bid Prepared For: OUSD
Plans and Specifications by: Others
Name and Location of Project: Oakland, CA

DIVISION II. Scope of Work: We will provide and install labor and material as described:

Provide and install 160' of surface mount raceway base and cover in 4 classroom.

Re-install existing data cables and device brackets.

Replaced all broken jacks and cable as needed

Test and re-label(if needed) the existing data cables.

Estimated Cost: \$5,200.00

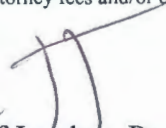
DIVISION III. Exclusions

1. No other work than listed above.
2. Overtime, unless listed as exclusive in the scope.
3. Unforeseen hazards all-inclusive.
4. Permit Fees.
5. Patching and/or painting, if needed.

DIVISION IV. General Conditions

1. This proposal is valid for thirty days from the above date.
2. This document is the contract (NO EXCEPTIONS).
3. All work is bid for normal working hours 8:00 a.m. to 4:30 p.m.

Notice. "Under the Mechanics' Lien Law (California Code of Civil Procedure, Section 1181 et seq.), any contractor, subcontractor, laborer, supplier or other person who helps to improve your property but is not paid for his work or supplies, has a right to enforce a claim against your property. This means that after a court hearing, a court officer could sell your property and the proceeds of the sale used to satisfy the indebtedness. This can happen even if you have paid your own contractor in full, if the subcontractor, laborer or supplier remains unpaid". Should litigation be necessary signature line parties to pay all attorney fees and/or court expenses.


Jeff Janakes, President
JANAKES ELECTRIC

Acceptance Signature _____, Dated _____

Print Name _____
I hereby as agent or homeowner agree to the terms listed above. All monies are due immediately upon completion.

Design Build Electrical and Lighting Contractor



Policy Number: A05102402

Date Entered: 10/10/2011

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/10/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER John Uhl Insurance Agency 1111 High Street, Suite B Auburn, CA 95603	CONTACT NAME: Theresa Tillotson	
	PHONE (A/C, No., Ext): (530) 823-8273 FAX (A/C, No.): (530) 823-8293 E-MAIL ADDRESS: theresa.juhl@farmersagency.com	
INSURED Janakes Electric ID 349984 P. O. Box 5154 Redwood City, CA 94063	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Truck Insurance Exchange	21709
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	<input checked="" type="checkbox"/>		603010483	01/30/2011	01/30/2012	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	<input checked="" type="checkbox"/>		603010483	01/30/2011	01/30/2012	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$1,000,000
A	UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$	<input checked="" type="checkbox"/>		604763959	01/30/2011	01/30/2012	EACH OCCURRENCE \$1,000,000 AGGREGATE \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	A05102400	01/30/2011	01/30/2012	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Claremont HVAC replacement project NO. 07114

Oakland Unified School District, 955 High St, Oakland, CA 94601 has been named as additional insured.

CERTIFICATE HOLDER

Oakland Unified School District
955 High Street
Oakland, CA 94601

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Theresa Tillotson

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ACORD 25 (2010/05)

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED - OWNERS, LESSEES OR
CONTRACTORS - WITH ADDITIONAL INSURED
REQUIREMENT IN CONSTRUCTION CONTRACT**

This endorsement modifies insurance provided under the following:

BUSINESSOWNERS POLICY

The following is added to Paragraph C. **Who Is An Insured** in the Businessowners Liability Coverage Form:

4. Any person or organization for whom you are performing operations is also an insured, if you and such person or organization have agreed in writing in a contract or agreement that such person or organization be included as an additional insured on your policy. Such person or organization is an additional insured only with respect to liability arising out of your ongoing operations performed for that insured. A person's or organization's status as an insured under this paragraph ends when your operations for that insured are completed or the contractor's agreement is terminated.