

<b>Board Office Use: Legislative File Info.</b>	
File ID Number	13-1175
Committee	Facilities
Introduction Date	6-12-2013
Enactment Number	13-1112
Enactment Date	6-12-13



OAKLAND UNIFIED  
SCHOOL DISTRICT

Community Schools Thriving Students

## Memo

**To** Board of Education

**From** Tony Smith, Ph.D., Superintendent  
Timothy White, Associate Superintendent, Facilities Planning and Management

**Board Meeting Date** June 12, 2013

**Subject** Amendment No. 1, Small Design Contract - HY Architects- Ralph Bunche Portable Installation Project

**Action Requested** Approval by the Board of Education of Amendment No. 1, Small Design Contract with Ralph Bunche Portable Installation for Design Services on behalf of the District at Ralph Bunche Portable Installation Project, in an amount not to exceed \$5,000.00 increasing previous contract amount from \$34,300.00 to a not to exceed amount of \$39,300.00. All remaining portions of the agreement shall remain in full force and effect as originally stated.

**Background** An additional \$5,000.00 is added to HY Architects contract to cover Division of State Architect review fees, Oakland Fire Marshall review fee and miscellaneous cost to the district.

**Local Business Participation Percentage** 100.00%

**Strategic Alignment** 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,



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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.

**Recommendation**

Approval by the Board of Education of Amendment No. 1, Small Design Contract with Ralph Bunche Portable Installation for Design Services on behalf of the District at Ralph Bunche Portable Installation Project, in an amount not to exceed \$5,000.00 increasing previous contract amount from \$34,300.00 to a not to exceed amount of \$39,300.00. All remaining portions of the agreement shall remain in full force and effect as originally stated.

**Fiscal Impact**

County School Facilities Fund

**Attachments**

- Small Design Contract including scope of work

**AMENDMENT NO. 1 TO SMALL DESIGN  
CONTRACT**

This Amendment is entered into between the Oakland Unified School District (OUSD) and **HY Architects**. OUSD entered into an Agreement with CONTRACTOR for services on **May 8, 2013**, and the parties agree to amend that Agreement as follows:

1. <b>Services:</b>	<input type="checkbox"/> The scope of work is <u>unchanged</u> .	<input checked="" type="checkbox"/> <b>The scope of work has <u>changed</u>.</b>
	<b>If scope of work changed:</b> Provide brief description of revised scope of work including description of expected final results, such as services, materials, products, and/or reports; attach additional pages as necessary. <u>Attach revised scope of work.</u> The CONTRACTOR agrees to provide the following amended services: <u>The scope of the project is to provide for contingency fees.</u>	
2. <b>Terms (duration):</b>	<input checked="" type="checkbox"/> <b>The term of the contract is <u>unchanged</u>.</b>	<input type="checkbox"/> The term of the contract has <u>changed</u> .
	<b>If term is changed:</b> The contract term is extended by an additional _____ (days/weeks/months), and the amended expiration date is _____, 20____.	
3. <b>Compensation:</b>	<input type="checkbox"/> The contract price is <u>unchanged</u> .	<input checked="" type="checkbox"/> <b>The contract price has <u>changed</u>.</b>
	<b>If the compensation is changed:</b> The contract price is amended by <input checked="" type="checkbox"/> <b>Increase of \$5,000.00 to original contract amount</b> <input type="checkbox"/> Decrease of \$ _____ to original contract amount and the new contract total is <b>Thirty-nine thousand, three hundred dollars and no cents (\$39,300.00)</b>	


4. **Remaining Provisions:** All other provisions of the Agreement, and prior Amendment(s) if any, shall remain unchanged and in full force and effect as originally stated.

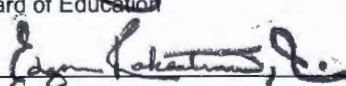
5. **Amendment History:**  
 There are no previous amendments to this Agreement.  This contract has previously been amended as follows:

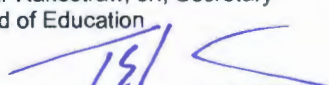
No.	Date	General Description of Reason for Amendment	Amount of Increase (Decrease)
			\$

6. **Approval:** This Agreement is not effective and no payment shall be made to Contractor until it is approved. Approval requires signature by the Board of Education, and the Superintendent as their designee.


**OAKLAND UNIFIED SCHOOL DISTRICT**

  
 David Kakashiba, President,  
 Board of Education  
 Date: 6/13/13

  
 Edgar Rakestraw, Jr., Secretary  
 Board of Education  
 Date: 6/13/13

  
 Timothy White, Associate Superintendent  
 Facilities, Planning and Management  
 Date: \_\_\_\_\_

**CONTRACTOR**

  
 Contractor Signature  
 Date: 5/8/13

Marcus Hibser, Principal  
 Print Name, Title



**EXHIBIT "A" Scope of Work**

**Contractor Name:** HY Architects

**Billing Rate:** Five thousand dollars and no cents (\$5,000.00)

**Description of Services to be Provided**

**1. Description of Services to be Provided**

The scope of the project is to provide contingency fees.

**2. Specific Outcomes:**

Provide safe, health and supportive schools.

**3. Alignment with District Strategic Plan:** Indicate the goals and visions supported by the services of this contract:

<input type="checkbox"/> Ensure a high quality instructional core	<input type="checkbox"/> Prepare students for success in college and careers
<input type="checkbox"/> Develop social, emotional and physical health	<input type="checkbox"/> Safe, healthy and supportive schools
<input type="checkbox"/> Create equitable opportunities for learning	<input type="checkbox"/> Accountable for quality
<input type="checkbox"/> High quality and effective instruction	<input type="checkbox"/> Full service community district

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion:** The District certifies to the best of its knowledge and belief, that it and its officials: Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency according to Federal Acquisition Regulation Subpart 9.4, and by signing this contract, certifies that this vendor does not appear on the Excluded Parties List. <https://www.sam.gov/portal/public/SAM>

*Susie Butler-Berkley 5-10-2013*  
**Susie Butler-Berkley**  
**Contract Analyst**

# EXHIBIT A

**Eric Sih**

---

**From:** Lee Pollard <lpollard@hy-arch.com>  
**Sent:** Monday, April 01, 2013 2:07 PM  
**To:** Eric Sih  
**Cc:** Eduardo Rivera-Garcia  
**Subject:** RE: DSA / Oakland FD Review Fees - New Portables for Vincent Academy at Bunch High School  
**Attachments:** oak030885.pdf

Eric -

I don't have an estimate yet either, but if we use your budget, we get \$1,100 for DSA fees and \$740 for Oakland Fire Department fees. If at all possible, we would prefer to have OUSD issue the checks rather than treating this as a reimbursable to the architect's agreement, given the length of time it takes to have the reimbursable approved and then paid. Below is the description for how these fees are calculated:

PROJECT NAME	BUNCHE H.S. Port INST
PROJECT NO.	13104
RES NO./BD ACTION DATE	
CO _____ OVER/UNDER TIME	
PM AUTHORIZATION	<i>[Signature]</i>
AMT. TO BE PAID \$	\$ 1100.00
SENT TO FAC B & G OTHER	4/11/13

Tracker - Plan/Field Review Fee Calculator - Mozilla Firefox

File Edit View History Bookmarks Tools Help

Tracker - Plan/Field Review Fee Calculator +

https://www.apps.dgs.ca.gov/tracker/FeeCalculator.aspx

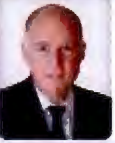
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Governor  
  
**JERRY BROWN**  
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### Plan/Field Review Fee Calculator

**Project submitted to DSA on or after 2/16/2010**  
 Yes  No

Project Type: School(K-12) ▾

Estimated Amt: 100,000

Contracted Amt:

Change Order Amt:

Project includes Access Compliance

**Calculate**

	Access Compliance	Struc/FLS	Total Due
Filing Fee	\$400.00	\$700.00	\$1,100.00
Additional Fee	\$0.00	\$0.00	\$0.00
Further Fee	\$0.00	\$0.00	\$0.00

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Please have the District issue a check in the amount of \$1,100.00 and made out to "Division of the State Architect" for the DSA review fees.

We anticipate scheduling an over-the-counter appointment around May 10th and need to have the check in hand when we deliver the drawings to DSA.



**Plus**, there will be a fee for Oakland Fire Department Plan Review. OFD's Plan Review Office uses their Master Fee Schedule. See attached pages related to review fees. (The entire schedule is 144 pages long.)

Please have the District issue a check in the amount of \$740.00 and made out to "City of Oakland".

We need to have the Oakland Fire Marshal review our plans prior to submission to DSA. (Technically, this is the "Expedited Plan Review" fee; which is necessary to meet the tight schedule we have for plan review and approval by DSA.) We need to have the check in hand when we deliver the drawings to the Oakland Fire Department in mid-late April.

Lee

**W. Lee Pollard**



HIBSER YAMAUCHI Architects, Inc.

300 - 27th St.  
Oakland, CA 94612  
office 510.446.2222 ext 263  
fax 510.446.2211  
[www.hy-arch.com](http://www.hy-arch.com)

**From:** Eric Sih [<mailto:esih@sgicm.com>]

**Sent:** Monday, April 01, 2013 11:32 AM

**To:** [lpollard@hy-arch.com](mailto:lpollard@hy-arch.com)

**Cc:** Eduardo Rivera-Garcia

**Subject:** Re: DSA / Oakland FD Review Fees - New Portables for Vincent Academy at Bunch High School

I don't know your engineering estimate yet, but I have 100k budget for construction.



Eric Sih  
SGI Construction Management  
Project Manager  
925 High Street  
Oakland, CA 94601  
P: (510) 535-7077 | F: (510) 535-7160  
[www.sgicm.com](http://www.sgicm.com)

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**From:** Lee Pollard <[lpollard@hy-arch.com](mailto:lpollard@hy-arch.com)>

**To:** Eric Sih

**Cc:** Eduardo Rivera-Garcia

**Sent:** Mon Apr 01 10:55:40 2013

**Subject:** DSA / Oakland FD Review Fees - New Portables for Vincent Academy at Bunch High School

Eric -

I need to calculate the DSA and Oakland FD review fees for this project. What is the cost I should use for construction?

Lee

W. Lee Pollard

**HY** HIBSER YAMAUCHI Architects, Inc.

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office 510.446.2222 ext 263  
fax 510.446.2211  
[www.hy-arch.com](http://www.hy-arch.com)





**City of Oakland**  
**Master Fee Schedule**  
*Effective July 19, 2011*

**FIRE SERVICES**

FEE DESCRIPTION	FEE	UNIT
<b>PERMITS</b>		

**A. OPERATIONAL PERMITS as required by the Oakland Fire Code Section 105.6**

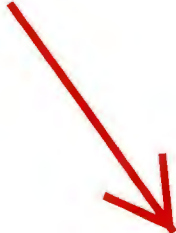
44 Refrigeration Equipment	84.00	Year
45 Repair Garages w/o Open Flame	167.00	Year
46 Roof Top Heliports	251.00	Year
47 Spraying and Dipping	84.00	Year
48 Tanks		
a. One Tank	351.00	Permit
b. Two Tanks	521.00	Permit
c. Three Tanks	693.00	Permit
d. Four Tanks	870.00	Permit
e. Five Tanks	1,007.00	Permit
f. Six Tanks	1,197.00	Permit
g. Seven Tanks	1,353.00	Permit
h. Eight Tanks	1,511.00	Permit
i. Nine Tanks	1,666.00	Permit
j. Ten Tanks	1,824.00	Permit
k. Eleven Tanks	1,970.00	Permit
l. Twelve Tanks	2,101.00	Permit
m. Thirteen Tanks	2,237.00	Permit
n. Fourteen Tanks	2,378.00	Permit
o. Fifteen Tanks	2,517.00	Permit
p. Sixteen Tanks	2,651.00	Permit
q. Seventeen Tanks	2,794.00	Permit
r. Eighteen Tanks	2,932.00	Permit
s. Nineteen Tanks	3,072.00	Permit
t. Twenty Tanks	3,208.00	Permit
u. Over Twenty Tanks	3,208.00	Permit
49 Tents, Canopies, and/or Temporary Membrane Structures	251.00	Structure
50 Tires		
a. Scrap Tires and Tire Byproducts	167.00	Year
b. Tire Rebuilding Plant	167.00	Year
51 Waste Handling Plants/Recycler	167.00	Year
52 Wood Products	167.00	Year
53 Wood Working Plants	167.00	Year
54 Welding	167.00	Year

PROJECT NAME BUNCHE HS Part 1MS  
 PROJECT NO. 13109  
 RES NO./BD ACTION DATE \_\_\_\_\_  
 CO            OVER/UNDER TOP             
 PM AUTHORIZATION [Signature]  
 AMT. TO BE PAID \$ \$ 740.<sup>00</sup>  
 SENT TO CAP & R OTHER 4/11/13

**B. CONSTRUCTION PERMITS as required by the Oakland Fire Code Section 105.7**

1 Plan Review	255.00	Base Fee Per Hr
2 Expedited Review Charge	370.00	P/H - 2 Hr Minimum

*\$370 x 2  
 TOTAL = \$740 //  
 SEE ATTACHED  
 EMAIL FROM  
 HY.*



**City of Oakland**  
**Master Fee Schedule**

**Effective: July 19, 2011**

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https://www.apps.dgs.ca.gov/tracker/FeeCalculator.aspx


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**Plan/Field Review Fee Calculator**

**Project submitted to DSA on or after 2/16/2010**  
 Yes  No

Project Type: School(K-12) ▾

Estimated Amt: 100,000

Contracted Amt:

Change Order Amt:

Project includes Access Compliance

**Calculate**

	Access Compliance	Struc/FLS	Total Due
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<b>Further Fee</b>	\$0.00	\$0.00	\$0.00

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Eric Sih  
Civil Construction Management  
Project Manager  
105 High Street  
Oakland, CA 94612  
PH 510-535-0077  
[www.sgicm.com](http://www.sgicm.com)

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<b>ACORD™ CERTIFICATE OF LIABILITY INSURANCE</b>		DATE (MM/DD/YY) 3/11/2013
<b>PRODUCER</b> Dealey, Renton & Associates P. O. Box 12675 Oakland, CA 94604-2675 510 465-3090 Julie Nelson	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
<b>INSURED</b> Hibser Yamauchi Architects, Inc. 300 - 27th Street, 2nd Floor Oakland, CA 94612	<b>INSURERS AFFORDING COVERAGE</b>	
	INSURER A: <b>Hartford Casualty Insurance Co.</b>	
	INSURER B: <b>Travelers Property Casualty Co</b>	
	INSURER C: <b>U.S. Specialty Insurance Compan</b>	
	INSURER D:	
	INSURER E:	

**COVERAGES**

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. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY	57SBALZ9809	12/09/12	12/09/13	EACH OCCURRENCE <b>\$2,000,000</b>
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC				FIRE DAMAGE (Any one fire) <b>\$300,000</b> MED EXP (Any one person) <b>\$10,000</b> PERSONAL & ADV INJURY <b>\$2,000,000</b> GENERAL AGGREGATE <b>\$4,000,000</b> PRODUCTS -COMP/OP AGG <b>\$4,000,000</b>
A	AUTOMOBILE LIABILITY	57SBALZ9809	12/09/12	12/09/13	COMBINED SINGLE LIMIT (Ea accident) <b>\$2,000,000</b>
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS				BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
A	EXCESS LIABILITY	57SBALZ9809	12/09/12	12/09/13	EACH OCCURRENCE <b>\$1,000,000</b>
	<input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION <b>\$10000</b>				AGGREGATE <b>\$1,000,000</b> \$ \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	UB7086Y501	09/01/12	09/01/13	<input checked="" type="checkbox"/> WC STATUTORY LIMITS   OTH-ER
					E.L. EACH ACCIDENT <b>\$1,000,000</b>
					E.L. DISEASE - EA EMPL OYEE <b>\$1,000,000</b>
					E.L. DISEASE - POLICY LIMIT <b>\$1,000,000</b>
C	OTHER Professional Liability	USS1323784	03/07/13	03/07/14	<b>\$2,000,000 per Claim</b> <b>\$2,000,000 Annl Aggr.</b>

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS  
**GENERAL LIABILITY POLICY EXCLUDES CLAIMS ARISING OUT OF THE PERFORMANCE OF PROFESSIONAL SERVICES.**  
 All Operations of the Named Insured. BUSINESS LIABILITY, NON-OWNED and HIRED AUTOMOBILE LIABILITY ADDITIONAL INSURED: The Certificate Holder and any other person named in the written contract between the Named Insured and the Certificate Holder. The coverage afforded is pursuant to Section C., Who Is An Insured, Sub Section (See Attached Descriptions)

<b>CERTIFICATE HOLDER</b> Oakland Unified School District 1 Dept. of Facilities, Planning & Management/Ineda Adesanya 955 High Street Oakland, CA 94601-0000	<b>ADDITIONAL INSURED; INSURER LETTER:</b> _____
<b>CANCELLATION</b>	
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL <del>SEND BY MAIL</del> <b>30</b> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BY <del>THE ISSUING INSURER TO THE CERTIFICATE HOLDER</del>	
AUTHORIZED REPRESENTATIVE 	

## AMENDMENT SMALL DESIGN ROUTING FORM

Project Information			
<b>Project Name</b>	Ralph Bunche Portable Installation	<b>Site</b>	Ralph Bunche
Basic Directions			
Services cannot be provided until the contract is fully approved and a Purchase Order has been issued.			
Attachment Checklist	<input type="checkbox"/> Proof of general liability insurance, including certificates and endorsements, if contract is over \$15,000 <input type="checkbox"/> Workers compensation insurance certification, unless vendor is a sole provider		

Contractor Information			
Contractor Name	HY Architects, Inc.	Agency's Contact	Marcus Hibser
OUSD Vendor ID #	V015480	Title	Architect of Record
Street Address	300-27 <sup>th</sup> Street, 2 <sup>nd</sup> Floor	City	Oakland State CA Zip 94612
Telephone	510-446-2222	Policy Expires	12-9-2013
Contractor History	Previously been an OUSD contractor? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Worked as an OUSD employee?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
OUSD Project #	13104		

Term			
Date Work Will Begin	5-8-2013	Date Work Will End By <small>(not more than 5 years from start date)</small>	1-23-2014

Compensation			
Total Contract Amount	\$	Total Contract Not To Exceed	\$39,300.00
Pay Rate Per Hour (If Hourly)	\$	If Amendment, Changed Amount	\$ 5,000.00
Other Expenses		Requisition Number	

Budget Information				
<i>If you are planning to multi-fund a contract using LEP funds, please contact the State and Federal Office before completing requisition.</i>				
Resource #	Funding Source	Org Key	Object Code	Amount
7710	County School Facilities	3099003890	6215	\$5,000.00

Approval and Routing (in order of approval steps)				
Services cannot be provided before the contract is fully approved and a Purchase Order is issued. Signing this document affirms that to your knowledge services were not provided before a PO was issued.				
	<b>Division Head</b>	Charles Love	<b>Phone</b>	510-535-7081 Fax 510-535-7082
1.	<b>Capital Program Contract &amp; Accounting Manager</b>			
	Signature		Date Approved	5-10-13
2.	<b>General Counsel, Department of Facilities Planning and Management</b>			
	Signature		Date Approved	5-21-13
3.	<b>Associate Superintendent, Facilities Planning and Management</b>			
	Signature		Date Approved	5/31
4.	<b>President, Board of Education</b>			
	Signature		Date Approved	