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Introduction Date	6-28-2017
Enactment Number	17-1053
Enactment Date	6/29/17



OAKLAND UNIFIED
SCHOOL DISTRICT
Community Schools. Growing Success.

Memo

To Board of Education

From Devin Dillon, Superintendent and Secretary, Board of Education
By: Vernon Hal, Senior Business Officer
Joe Dominguez, Deputy Chief, Facilities Planning and Management

Board Meeting Date June 28, 2017

Subject Change Order No. 1 - Strawn Construction - Castlemont Intensive Support Site Project

Action Requested Approval by the Board of Education of Resolution No. 1617-0218 - Declaring the Futility of Public Bidding To Perform Mold Remediation Work, Ceiling Repair, Wiring, and Painting and Power Work and Approving a Change Order for that Work, in conjunction with the Castlemont Intensive Support Site Project, in the amount not to exceed \$650,000.00, increasing the current contract amount from \$1,312,294.00 to \$1,962,294.00.

Discussion A change order is required for change to the work with full documentation of costs per contract.

LBP (Local Business Participation Percentage) 0.00%

Procurement Method Change Order to CUPCCAA Contract / Awarded to entity following OUSD competitive solicitation process.

Recommendation Approval by the Board of Education of Resolution No. 1617-0218 - Declaring the Futility of Public Bidding To Perform Mold Remediation Work, Ceiling Repair, Wiring, and Painting and Power Work and Approving a Change Order for that Work, in conjunction with the Castlemont Intensive Support Site Project, in the amount not to exceed \$650,000.00, increasing the current contract amount from \$1,312,294.00 to \$1,962,294.00.

	Amount \$	Percent %
DSA and Agency Requested Change (Preliminary Change Order No. 1)	\$650,000.00	49.53%
TOTAL	\$650,000.00	49.53%

Under a separate series of actions not related to this change order

approval, the District will review and adjust the consultant fees to acknowledge costs resulting from their errors and omissions.

Original Contract Sum:	\$1,312,294.00
Sum of previously approved Change Orders:	<u>\$0.00</u>
Contract sum prior to this Change Order:	\$1,962,294.00
Cost of current CUPCCAA Contract	<u>\$650,000.00</u>
New Contract Sum:	\$1,962,294.00
Current Change Order(s) as % of contract	49.53%
Contract completion date as of this November 25, 2016	November 25, 2016

Fiscal Impact

Fund 01

Attachments

- Change No. 1 which includes: Castlemont ISS (Preliminary Change Order) Number: 1
- Key Codes: 3019905890

RESOLUTION NO. 1617 - 0218

OF THE OAKLAND UNIFIED SCHOOL DISTRICT

**RESOLUTION DECLARING THE FUTILITY OF PUBLIC BIDDING
TO PERFORM MOLD REMEDIATION WORK, CEILING REPAIR, WIRING,
PAINTING, AND POWER WORK
AND APPROVING A CHANGE ORDER FOR THAT WORK**

WHEREAS, the Board of Education ("Board") of the Oakland Unified School District ("District") formally and publicly opened a bid for a contract for the modernization of Castlemont High School located at 8601 MacArthur Boulevard, Oakland, California 94605, to provide electrical and plumbing improvements to FabLab and Garden and remodel library with new furniture, room layout, painting and flooring, and additional seating and planters in the courtyard ("Project"); and

WHEREAS, one bid was received, by Strawn Construction, Inc. ("Contractor") who was deemed to be the lowest responsive, responsible bidder, and on or about August 10, 2016, the Board awarded a contract to perform the work for the Project in the amount of One Million, Three Hundred Twelve Thousand, Three Hundred Seventy-Four and NO/100 Dollars (\$1,312,574.00) to the Contractor; and

WHEREAS, in the course of the Project, problems have been discovered affecting the Work of the Project; and

WHEREAS, when removing the baseboards in the alcove area of the library as part of the work to replace the carpet and vinyl flooring, damaged plywood members and mold was discovered when the Contractor; and

WHEREAS, the discovery of the mold necessitated the District retain a certified industrial hygienist to perform an investigation of the mold conditions at the Project before moving forward with the Project; and

WHEREAS, SCA Environmental, Inc. conducted an investigation of the mold conditions at the alcove area of the library and recommended mold remediation measures be performed before replacing the baseboard and closing up the impacted alcove area of the library; and

WHEREAS, the recommended mold remediation measures must be performed before the balance of the Project can be completed because replacing baseboards without addressing the underlying mold conditions could result in damage to the work of the Project as well as a recurrence of health and safety concerns; and

WHEREAS, the source of moisture resulting in the mold damage was identified as roof leaks, which also damaged the existing ceiling in the library; and

WHEREAS, extensive loose active wiring hanging in the library, presenting a safety hazard, was also discovered during the investigation of the mold damage; and

WHEREAS, the removal and replacement of the active loose wiring should be addressed at the same time the mold remediation and ceiling repair work are being performed to facilitate the completion of the Project; and

WHEREAS, the aforementioned items should be repaired to properly address identified health and safety concerns so that the rooms may be habitable; and

WHEREAS, the District plans on performing new power and data wiring, install mecoshades, perform related painting work and install power for new TV monitors to avoid destroying the newly installed repair work by reopening walls and the ceilings (collectively "Additional Work"); and

WHEREAS, by virtue of its location, the Additional Work is integral and inseparable from, and inherent to, the Work on the Project; and

WHEREAS, bringing in a new contractor to perform the Additional Work would create coordination and interference problems at the Project, for example the need to perform work in the library locations, which could negatively impact the Project; and

WHEREAS, bringing in a new contractor to perform the Additional Work would create a potential dispute over the warranty for that work and the surrounding work being performed by the Contractor; and

WHEREAS, if the District were to bid the Additional Work necessitated by the Changed Conditions, the prices of those bids would probably be more than the price of the Change Order because the Contractor is already mobilized on the Project and is familiar with the Project site; and

WHEREAS, the bidding of the Additional Work would result in a delay in the completion of the Project which further delays students

WHEREAS, it is imperative to perform the Additional Work immediately to prevent further delays to the Project, which may expose the District to a significant increase in the cost; and

WHEREAS, the Contractor issued Preliminary Change Order ("PCO") No. 1 to perform the Additional Work in the amount of Six Hundred Fifty Thousand and NO/100 Dollars (\$650,000.00) and a 252-day extension; and

WHEREAS, District staff have concluded that the Change Order price to perform the Additional Work and time extension are reasonable; and

WHEREAS, there have been no other change orders for this Project; and

WHEREAS, requesting bids for the Additional Work, and having another contractor perform the Additional Work, would result in waste and delay on the Project, which would ultimately be at the expense of the District; and to access the facility; and

WHEREAS, the District has adopted the Uniform Public Construction Cost Accounting Act ("Act"), Public Contract Code section 22000 et seq., which establishes a uniform cost accounting standard and allows for an alternate method for bidding of public works projects by local public agencies; and

WHEREAS, the limits for the bidding by local public agencies under the Act provide that (a) public works projects of \$45,000 or less may be performed by District employees by force account or by negotiated contract; (b) public works projects of \$175,000 or less may be contracted by informal procedures; and (c) public works projects over \$175,000 are subject to formal bidding procedures (Pub. Cont. Code, § 22032); and

WHEREAS, change orders for formal bids follow the requirements of Public Contract Code section 20118.4; and

WHEREAS, Public Contract Code section 20118.4, provides that a school district may authorize a change order without the formality of securing bids, if the cost so agreed upon does not exceed the greater of \$15,000 or ten percent (10%) of the original contract price;" and

WHEREAS, ten percent of the original contract price is One Hundred Thirty One Thousand, Two Hundred Fifty Seven and 40/100 Dollars (\$131,257.40); and

WHEREAS, the price of the Additional Work will exceed the bid threshold of ten percent (10%) of the original contract price; and

WHEREAS, if approved, the total amount of change orders on the Project will be forty nine and one-half percent (49.5%) of the original Contract Price for the Project ("Change Order"); and

WHEREAS, California courts allow a narrow exception to the public bidding law in circumstances in which public bidding would be futile, undesirable or impractical and would cause additional delay and additional cost; (See, e.g., *Los Angeles Dredging Company v. City of Long Beach* (1930) 2 Cal. 348; *Graydon v. Pasadena Redevelopment Agency* (1980) 104 Cal.App.3d 631, 645.); and

WHEREAS, notwithstanding the requirements of Public Contract Code sections 20111(b) or 20118.4(a), 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); and

WHEREAS, bidding the Additional Work will not affect the final result to the District except to further increase the cost of the Project; and

WHEREAS, bidding the Additional Work will not produce an advantage to the District;

NOW THEREFORE, the Board of Education for the Oakland Unified Union School District hereby resolves, determines, and finds the following:

1. The foregoing recitals are true.
2. For the reasons stated above, public bidding of the Additional Work would not produce an advantage to the District, and would produce a net burden and distinct disadvantages to the District.

3. Based on the foregoing, it would be incongruous, futile, and unavailing to publicly bid the construction of the Additional Work.

4. The Board hereby approves the Change Order to perform the Additional Work, without further advertising for or inviting of bids.

5. The Board hereby authorizes the District's superintendent, or her designee, to take all steps and perform all actions necessary to execute and implement that Change Order.

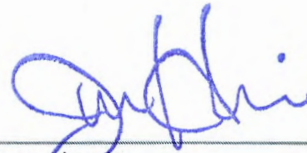
PASSED AND ADOPTED by the Board of Education of the Oakland Unified School District, City of Oakland, County of Alameda, State of California, this **28th** day of **June 2017**, by the following vote:

AYES: ~~Jody London~~, Aimee Eng, Jumoke Hinton Hodge, Roseann Torres, Shanthi Gonzales, Vice President Nina Senn, President James Harris

NOES: None _____

ABSTAIN: None _____

ABSENT: None



James Harris
President Board of Education of the
Oakland Unified School District

ATTESTED TO:



Devin Dillon
Interim Secretary, Board of
Education of the Oakland Unified
School District

DOCUMENT 00 63 63

CHANGE ORDER FORM

Oakland Unified School District
955 High Street
Oakland, CA 94601

CHANGE ORDER NO.:
01

CHANGE ORDER

OUSD Project #: 15104

Date: 5/24/17
DSA File No.: 1-29
DSA Appl. No.:01-115679

The following parties agree to the terms of this Change Order:

Owner:	OUSD / 955 High Street Oakland, CA	Contractor:	Strawn Construction / 1140 Pedro St, #1 San Jose, CA
Architect:	S. Meek Architecture /3040 24 th St. SF, CA	IOR:	Anthonio Inc /333 Hegenberger Oak, CA

Reference	Description	Cost	Days Ext.
PCO #1	(New Walls/New Wiring/New Ceiling Tile), Scope is limited to CCD 10, date 05/03/17, DSA Approved 05/15/17 and CCD 10.1, dated 05/15/17. Owner Strawn Construction Mold Remediation/Wire Removal/Demo of Ceiling	\$650,000	279
Requested by: Performed by: Reason:			
PCO #	{Description of change}	\$	
Requested by:	{Requester}		
Performed by:	{Performer}		
Reason:	{Reason}		
Contract time will be adjusted as follows:		Original Contract Amount:	\$ 1,312,294
Previous Completion Date: <u>11/25/16</u>		Amount of Previously Approved Change Order(s):	\$0.00
<u>279</u> Calendar Days Extension (zero unless otherwise indicated)		Amount of this Change Order:	\$650,000
Current Completion Date: <u>8/31/17</u>		Contract Amount:	\$1,962,294

The undersigned Contractor approves the foregoing as to the changes, if any, to the Contract Price specified for each item, and as to the extension of time allowed, if any, for completion of the entire work as stated therein, and agrees to furnish all labor, materials and services and perform all work necessary to complete any additional work specified for the consideration stated therein. Submission of sums which have no basis in fact or which Contractor knows are false are at the sole risk of Contractor and may be a violation of the False Claims Act set forth under Government Code section 12650, et seq.

This change order is subject to approval by the governing board of this District and must be signed by the District. Until such time as this change order is approved by the District's governing board and executed by a duly authorized District representative, this change order is not effective and not binding.

It is expressly understood that the compensation and time, if any, granted herein represent a full accord and satisfaction for any and all time and cost impacts of the items herein, and Contractor waives any and all further compensation or time extension based on the items herein. The value of the extra work or changes expressly includes any and all of the Contractor's costs and expenses, and its subcontractors, both direct and indirect, resulting from additional time required on the project or resulting from delay to the project. Any costs, expenses, damages or time extensions not included are deemed waived.

The foregoing waiver does not apply to District-caused lead-time delays for finish selections. All other provisions of the Agreement for OUSD Project # 15104 shall remain in full force and effect and are hereby reaffirmed, including Section 17 of the General Conditions providing the procedure for submitting a proposed change order for changes in contract price, in time, or for unknown and/or unforeseen conditions.

APPROVED:

Bond Program Director:

Signature

Date

Contractor:

Signature

Date

Architect:

Signature

6/1/17

Date

Project Inspector:

Signature

6/01/17

Date

**APPROVED:
OUSD**

Director of Facilities Signature

Date

Deputy Chief of Facilities Signature

Secretary, Board of Education

James Harris
President, Board of Education

6/29/17
END OF DOCUMENT

OAKLAND UNIFIED SCHOOL DISTRICT

Division of Facilities Planning and Management - Phone 510-535-2728 - FAX 510-535-7040

Change Order 1-2 (Revised 1/19/2006)

SUMMARY OF CHANGE ORDER NO. 01

PROJECT:	Castlemont Intensive Support Site	DATE:	5/5/2017
OWNER:	Oakland Unified School District	DSA FILE NO.:	01
CONTRACTOR:	Strawn Construction 1140 Pedro Street, Suite #1 San Jose, CA 95126	DSA APP NO.:	115679
		OUSD PROJECT#:	15104
		PROJECT MGR.:	Al Anderson

1	PCO # 1	ADD	\$650,000.00
		ADD/DEDUCT	

Description: Library Renovation

Reason: Initial scope included only replacing the floor (VAT) and renovating shelving but so many additional issues arose that it seemed prudent to address them when the space was empty and work can occur unobstructed. The existing ceiling is discolored, lighting was inadequate for required task, extensive wiring exposed, mold was located at vestibule, and power cords were located across the floor.

Requested By: A2 Owner Requested Change

DSA Prelim approval date:

CO #1 (1 PCO's)

Total: \$650,000.00

Change Order 2-2 (Revised 1/19/2006)

Project Summary:

The Castlemont ISS project initially consisted primarily of electrical work on the site. Part of that scope included work in the library which was removing the vinyl asbestos tile and replacing with new flooring and providing new furniture. Any remaining improvements (lights, painting, ceiling, fire alarm, etc.) would be delayed until a later date. As this work was occurring mold was discovered in the Library Vestibule, exposed wiring whose function was undetermined existed throughout, and the electrical was inadequate (lighting, data, power). Given the nature of the deficiencies and the abatement required it seemed prudent to address these issues immediately while the building was vacated and empty of furniture. The contractor also replaced an existing electrical panel needed to increase capacity (DSA approved).

The architect revised the documents to reflect the new scope and just recently received DSA approval. The cost of that work exceeded 10% but we're asking for an exception to bidding that work for the following reasons: the contractor is presently on site and familiar with the project which would save a significant amount of time, the revised electrical is not yet documented which would require some transition between the current and new contractor, the contractor has received actual sub-contractor costs for all the new work, and it would provide the students with the shortest time before reclaiming their library.

Under these circumstances there appears no public benefit to bidding.

OAKLAND UNIFIED SCHOOL DISTRICT

Division of Facilities Planning and Management - Phone 510-636-2728 - FAX 510-636-7040

PRELIMINARY CHANGE ORDER NO. 1

PROJECT: **Castlemont
Intensive Support Site**

CONTRACTOR: **Strawn Construction**

PROJECT MGR: **Al Anderson**

DATE: **5/5/2017**

DSA FILE: **01**

DSA APP: **115679**

OUSD PROJ: **15104**

DESCRIPTION:

New work includes new suspended ceiling, new insulation above ceiling, new wiring (power, data), mold removal, mecoshades, painting, and power for new TV monitors.

NOTE: FUNDS ARE CURRENTLY IN CASTLEMONT ISS BUDGET. THIS CO INCREASES GC'S CONTRACT TO ALLOW EXECUTION OF WORK.

CODE: A2 Owner Requested Change

REASON:

Initial scope included only replacing the floor (VAT) and renovating shelving but so many additional issues arose that it seemed prudent to address them when the space was empty and work can occur unobstructed. The existing ceiling is discolored, lighting was inadequate for required task, extensive wiring exposed, mold was located at vestibule, and power cords were located across the floor.

ATTACHMENTS: OUSD and Contractor Estimate

Amount of Change:

ADD

DEDUCT

Final Price: 3650,000

Lump Sum

Time / Materials Not To Exceed

Date: _____

Contractor to proceed with work described herein, cost not to exceed \$650,000; final cost to be determined after review and negotiation.

Time Extension: 72 calendar days

INITIATED BY:

REVIEWED BY:

REVIEWED BY:

ACKNOWLEDGED BY:

Swannah Meek

5/5/17

Al Anderson

5/5/17

[Signature]

5/5/2017

Architect of Record

Date

Project Manager

Date

Bond prog. Director

Date

Contractor

Date

OAKLAND UNIFIED SCHOOL DISTRICT APPROVAL

Director of Facilities

Date

Deputy Chief

Date

OAKLAND UNIFIED SCHOOL DISTRICT

Division of Facilities Planning and Management - Phone 510-535-2728 - FAX 510-535-7040

CHANGE ORDER NO. 01

PROJECT:	Castlemont Intensive Support Site	DATE:	5/5/2017
OWNER:	Oakland Unified School District	DSA FILE NO.:	01
CONTRACTOR:	Strawn Construction 1140 Pedro Street, Suite #1 San Jose, CA 95126	DSA APP NO.:	115679
		OUSD PROJECT#:	15104
		PROJECT MGR.:	Al Anderson <i>AA</i>



Original Contract Sum	\$1,312,294.00
Net Change by previously authorized Change Orders	
The Contract sum prior to this change order	
The Contract sum will be increased/decreased	\$650,000.00
The New Contract Sum including the Change Order will be	\$1,962,294.00
Change Order percentage of base contract	49.53%
The Contract is changed by (0) Zero Calendar Days	0 days
Contract completion date as of this Change Order therefore is:	<i>252 M</i> <i>279</i>

Summary reference attached items : 1 Reviewed by: Bond Program Director Date

Approved: Architect of Record _____ Signature Date: 5/5/17	Approved: General Contractor _____ Signature Date: 5-5-2017	Approved: OUSD _____ Director of Facilities Signature Date: _____ Deputy Chief Date:
Approved: Electrical or Structural Engineer _____ Signature Date:	Approved: Mechanical Engineer _____ Signature Date:	Approved: Division of the State Architect _____ Signature Date:

* approved as to form w/ submission of Resolution re Futility of Public Bidding
Alan O'Brien

ESTIMATE DETAIL

PROJECT:	CASTLEMONT HS INTENSIVE SITE SUPPORT		DATE:	5/8/2017
EST. TYPE:	CONSTRUCTION DOCUMENT		ESTIMATOR:	EEV
ITEM NO.:	A-1		SCHEDULE:	
ITEM NAME & DESC.:	MODIFICATION	DSA APPROVED DRAWINGS-LIBRARY IMPROVEMENTS	AREA (SF):	3,696

CSI DIVISION	DESCRIPTION	QUANTITY		UNIT COST	TOTAL AMOUNT
		AMOUNT	UNIT		
01 00 00	GENERAL CONDITIONS/GENERAL REQUIREMENTS		\$/SF:		\$ 60,240
02 00 00	DEMOLITION		\$/SF:		\$ 25,500
03 00 00	CONCRETE		\$/SF:		\$ -0-
04 00 00	MASONRY		\$/SF:		\$ -0-
05 00 00	METALS		\$/SF:		\$ -0-
06 00 00	WOOD, PLASTICS & COMPOSITES		\$/SF:		\$ -0-
07 00 00	THERMAL & MOISTURE PROTECTION		\$/SF:		\$ -0-
08 00 00	OPENINGS		\$/SF:		\$ -0-
09 00 00	FINISHES / ACOUSTICAL		\$/SF:		\$ 141,875
			\$/SF:		
09 00 00	PAINTING		\$/SF:		\$ 18,000
			\$/SF:		
12 00 00	MOTORIZED SHADES		\$/SF:		\$ 44,829
			\$/SF:		
12 00 00	FURNITURE		\$/SF:		\$ 2,475
			\$/SF:		
	CLEAN-UP		\$/SF:		\$ 2,500
			\$/SF:		
26 00 00	ELECTRICAL/FIREALARM/ELECT DEMO		\$/SF:		\$ 199,140
SUBTOTAL					\$ 494,559
PLA/LBU PREMIUM - Included in Unit Prices					Included
OVERHEAD AND PROFIT:					\$ 73,809
BOND & INSURANCE					\$ 15,278
TOTAL BID DAY CONSTRUCTION COST				\$157.91	\$ 583,650
CONTINGENCY					\$ 66,350
TOTAL PROBABLE CONSTRUCTION COST				\$175.87	\$ 650,000

S Meek Architecture

3040 24th Street, San Francisco, CA 94110 • Tel: (415) 543-5505 • Fax: (415) 543-5585

Construction Change Document: CCD #10.1

TITLE: Add new ceiling, lighting and Misc Improvements to Library

PROJECT: Castlemont HS Intensive School Site, Phase 1
8601 MacArthur BLVD Oakland CA 94605
DSA application #01-115679

DATE: 2/7/17 3/26/17

ARCHITECT: S Meek Architecture

CONTRACTOR: Strawn Construction 1140 Pedro Street, Suite #1 San Jose, CA 95126

DISTRICT: Oakland Unified School District (OUSD) #15104

The following instructions, substitutions, alterations, changes, clarifications, additions, and/or deletions are hereby made a part of the Contract Documents and modify the original Documents dated March 29th, 2016. Please review this change and advise the owner in writing if there are anticipated cost and/or time impacts.

DESCRIPTION OF CHANGE: Revise scope of work at library; See sketches for complete scope.

AT MEDIA CENTER (room L-9)

- a) Provide new ceiling per plan. Ceiling to include lateral force bracing, per DSA IR 25-2.13. DSA sketches compliant with section 2.3 are attached to this CCD 10.
- b) Provide new lighting per plan, complete with occupancy and daylight sensors per T24.
- c) Replace (e) electrical panel LAP (CCD10 replaces/supersedes prior RFI #52 and CCD 05).
- d) Adjust Furniture layout and provide hardwired data and power to each table (as opposed to base scope which was to provide power only).
- e) Provide partial height partition separating reading area from computers per plan. *Structural information included with regards to the tube steel attachment, see ASK-16*
- f) Replace Fire Alarm malfunctioning strobe at Media Center.
 - 1) Replace (e) smoke detectors and provide new above and below ceiling per plan.
 - 2) Provide FA testing at completion of the project.
- g) Provide motorized shades (as opposed to base scope manual blinds only). Detail 11/A1.2 is superseded by these plans. The shades are to be motorized with wireless daylight sensor and switch and are to be multi-banded. *Structural attachment clarified per ASK-15*
- h) Repair water damage at Library Vestibule (attached plans replace RFI #37 and CCD #5)
- i) *Revise ESK-05 to be heat detectors above the ceiling, with additional information regarding OUSD standards per sketches ESK-09 and ESK-10. Heat Detector data sheet also attached.*

AT LIBRARY

- a) New painting throughout interior of Library Building, per plan (attached plans replace CCD 04)

REASON FOR CHANGE:

Request by Site to increase the effect of improvements.

DOCUMENTS ISSUED/ATTACHMENTS:

DRAWINGS (*Issued as sheet size 24"x36"*):

ASK-13, Library RCP Plans and Details, dated 2/7/17
ASK-14, Library, Plans and Details, dated 2/7/17
ESK-04, Library Electrical Plan, dated 2/6/7
ESK-05, Library Fire Alarm Plan, dated 2/6/7

DRAWINGS (*Issued as 8 ½ x 11 sketches, dated 2/7/17*):

ASK-15, revision to detail 7/ASK-14, Library Shade attachment, dated 3/26/17
ASK-16, revision to detail 4/ASK-14, Library partition attachment, dated 3/26/17

No

ESK-06, reference for existing NAC battery calculations
ESK-07, reference for existing voltage drop calculations
ESK-08, True Alarm standard sensor base detail

ESK-09, Library Fire Alarm Plan, Device point list and legend revised dated 3/23/17
ESK-10, Library Fire Alarm Plan with Heats above revised, dated 3/23/17

ASK 2.35, Suspended Ceiling, Suspension and Bracing Assembly
ASK 3.10, Suspended Acoustical Ceiling - Channel Type Strut
ASK 3.20, Suspended acoustical Ceiling – EMT Type Strut
ASK 3.21, Compression Strut Table
ASK 4.10, Hanger and Bracing Wire Connection, Typical Wire Turns
ASK 4.25, Hanger Wire Connection to Sawn Timber
ASK 4.29, Typical Saddle Tie Detail
ASK 4.35, Bracing Wire Connection to Sawn Timber
ASK 5.50, Strut Connection to Sawn Timber with Gypsum Board
ASK 5.60, Strut Connection to Sawn Timber without Gypsum Board
ASK 6.10, Ceiling Wire Splices

SPECIFICATIONS

09 5000 Acoustical Ceiling specification, dated 2/7/17

CUTSHEETS

Fire Alarm cutsheets

Heat Detector cutsheet

Mechoshade Wireless Daylight Sensor

Mechoshade Wireless Switch

Light Fixture cutsheet, downlight

Light fixture cutsheet, wrap around

REPORTS

SCA Library vestibule remediation letter dated October 16th, 2016

End of CCD 10.1

Issued By: Susannah Meek, S Meek Architect

SCA

Environmental, Inc.

Engineering and Environmental Consultants

October 6, 2016

Mr. Al Anderson
Oakland Unified School District
Division of Facilities Planning and Management
955 High Street
Oakland, CA 94601

al.anderson@ousd.org
Sent via e-mail only

Re: Mold Investigations
Castlemont High School Library Alcove
Oakland, CA
SCA Project No.: K-11955

Dear Al:

As requested, SCA Environmental, Inc. (SCA) conducted an investigation of mold conditions at the Alcove area of the Library at Castlemont High School in Oakland, CA. Mr. Glenn R. Cass, PE, CIH, a Certified Industrial Hygienist conducted the sampling using a Delmhorst Moisture Meter. The following observations and recommendations are made:

1. Library Alcove: The plywood wall assembly in the northeast corner of the alcove has sustained water damage and has visible evidence of mold growth on the inner laminate layers. Currently the moisture content is under 15%, indicating that this represents an historical leak, time period undeterminable. The source of the leak appears to come from the window assembly immediately above the door threshold on the north Alcove wall. The minimum quantity of plywood to be demolished is a 3-ft. by 8-ft. section in the northeast corner and about 3 sq. ft. above the door header.

Mold remediation measures recommended included the following:

- a. Cordon off the removal areas by closing the alcove's entry doors and minimizing any other trade activities within 20-ft. radius of the plywood removal area.
- b. Remove the damaged substrate, where it occurs, and look for signs of staining on the studs, headers, etc.
- c. Disinfect the stained structure using X-14, Tilex or similar commercial cleaners. Allow the area to sufficiently dry before reconstruction can begin.
- d. HEPA vacuum or wet wipe the surrounding area.
- e. Any visible stained area on the wooden studs scheduled to remain shall be carefully and lightly brushed with an antimicrobial solution, i.e., Anabec Surface Prep Cleaning Solution, Foster 40-20 Fungicidal Protective Coating, Fiberlock IAQ 2000, or equivalent.
- f. All treated/wetted surfaces shall then be immediately air-dried using standard air movers with air streams directed at the exposed/treated surfaces, if necessary. These surfaces shall appear dry to the touch before new wallboard is installed.
- g. Because the affected area is less than 100 sq. ft., the EPA allows for the use of a dust mask for personal protection by the demolition workers. All wastes can be disposed as non-hazardous, but precautions shall be taken to not disperse spores throughout the Library. Because the substrate area is non-asbestos, no special licensing is required to do this demolition work and the work can be done by the Contractor's standard demolition crews.

If you have any questions, please do not hesitate to contact me at (510) 517-1119 or gcass@sca-enviro.com.

Sincerely,
SCA ENVIRONMENTAL, INC.

A handwritten signature in black ink, appearing to read "Glenn R. Cass". The signature is stylized with a large initial "G" and a long horizontal stroke extending to the right.

Glenn R. Cass, PE, CIH
Vice President

File: K-11955 Castlemont HS Library Mold



From: Glenn Cass [mailto:gcass@sca-enviro.com]
Sent: Thursday, October 20, 2016 9:40 AM
To: Susannah Meek <smeek@smarchitecture.com>
Cc: ajw95358@gmail.com; Al Anderson <al.anderson@ousd.org>
Subject: Re: Castlemont - SCA report on Mold at old leak, question gypbd removal

Susannah the alcove corner wall is not gyp board. It is plywood that has delaminated I want the 3 by 8 foot piece removed in the corner and the small segment over the door header that is delaminated. Then I want them to disinfect the studs and then reconstruct.

On Thu, Oct 20, 2016 at 7:39 AM, Susannah Meek <smeek@smarchitecture.com> wrote:

Glenn -I read the report and had a clarifying question -

do you mean for the existing gypsum type wall board to be removed along with the visibly damaged existing plywood layers? I was under the impression that the wallboard was sound, but it sounds like your recommendation is to expose the studs (which means taking off the old gypboard)?

image of report below.

please confirm.

thanks, Susannah



Al Anderson <al.anderson@ousd.org>

FW: Castlemont - SCA report on Mold at old leak, question gypbd removal, CCD 06

1 message

Susannah Meek <smEEK@smarchitecture.com>

Mon, Oct 24, 2016 at 9:44 AM

To: "ajw95358@gmail.com" <ajw95358@gmail.com>, Mike Ford <mford@scmdinc.com>

Cc: Al Anderson <al.anderson@ousd.org>, Eduardo Rivera-Garcia <Eriviera-garcia@sgicm.com>

Mike – just to follow-up on our conversation on Sat - so the SCA report in CCD 06 stands that the material should be removed to the studs.

thanks, Susannah

From: Glenn Cass [mailto:gCass@sca-enviro.com]**Sent:** Monday, October 24, 2016 9:28 AM**To:** Susannah Meek <smEEK@smarchitecture.com>**Subject:** Re: Castlemont - SCA report on Mold at old leak, question gypbd removal

Please cut out to the studs, disinfect the studs and add the anabec treatment.

On Mon, Oct 24, 2016 at 9:19 AM, Susannah Meek <smEEK@smarchitecture.com> wrote:

Glenn –

see the image below – the white part I poked into indicates the gyp board I was talking about.

From observation, it is not clear that what is behind they gyp is damaged. Can you clarify your direction?

thanks, Susannah

S Meek Architecture

415-543-5505

Hygienist conducted the sampling using a Delmhorst Moisture Meter. The following observations and recommendations are made:

- I. Library Alcove: The plywood wall assembly in the northeast corner of the alcove has sustained water damage and has visible evidence of mold growth on the inner laminate layers. Currently the moisture content is under 15%, indicating that this represents an historical leak, time period undeterminable. The source of the leak appears to come from the window assembly immediately above the door threshold on the north Alcove wall. The minimum quantity of plywood to be demolished is a 3-ft. by 8-ft. section in the northeast corner and about 3 sq. ft. above the door header.

Mold remediation measures recommended included the following:

- a. Cordon off the removal areas by closing the alcove's entry doors and minimizing any other trade activities within 20-ft. radius of the plywood removal area.
- b. Remove the damaged substrate, where it occurs, and look for signs of staining on the studs, headers, etc.
- c. Disinfect the stained structure using X-14, Tilex or similar commercial cleaners. Allow the area to sufficiently dry before reconstruction can begin.
- d. HEPA vacuum or wet wipe the surrounding area.
- e. Any visible stained area on the wooden studs scheduled to remain shall be carefully and lightly brushed with an antimicrobial solution, i.e., Anabac Surface Prep Cleaning Solution, Foster 40-20 Fungicidal Protective Coating, Fiberlock IAQ 2000, or equivalent.
- f. All treated/wetted surfaces shall then be immediately air-dried using standard air movers with air streams directed at the exposed/treated surfaces, if necessary. These surfaces shall appear dry to the touch before new wallboard is installed.
- g. Because the affected area is less than 100 sq. ft., the EPA allows for the use of a dust mask for personal protection by the demolition workers. All wastes can be disposed as non-hazardous, but precautions shall be taken to not disperse spores throughout the Library. Because the substrate area is non-asbestos, no special licensing is required to do this demolition work and the work can be done by the Contractor's standard demolition crews.

S Meek Architecture

415-543-5505

Glenn Cass - SCA Environmental, Inc.

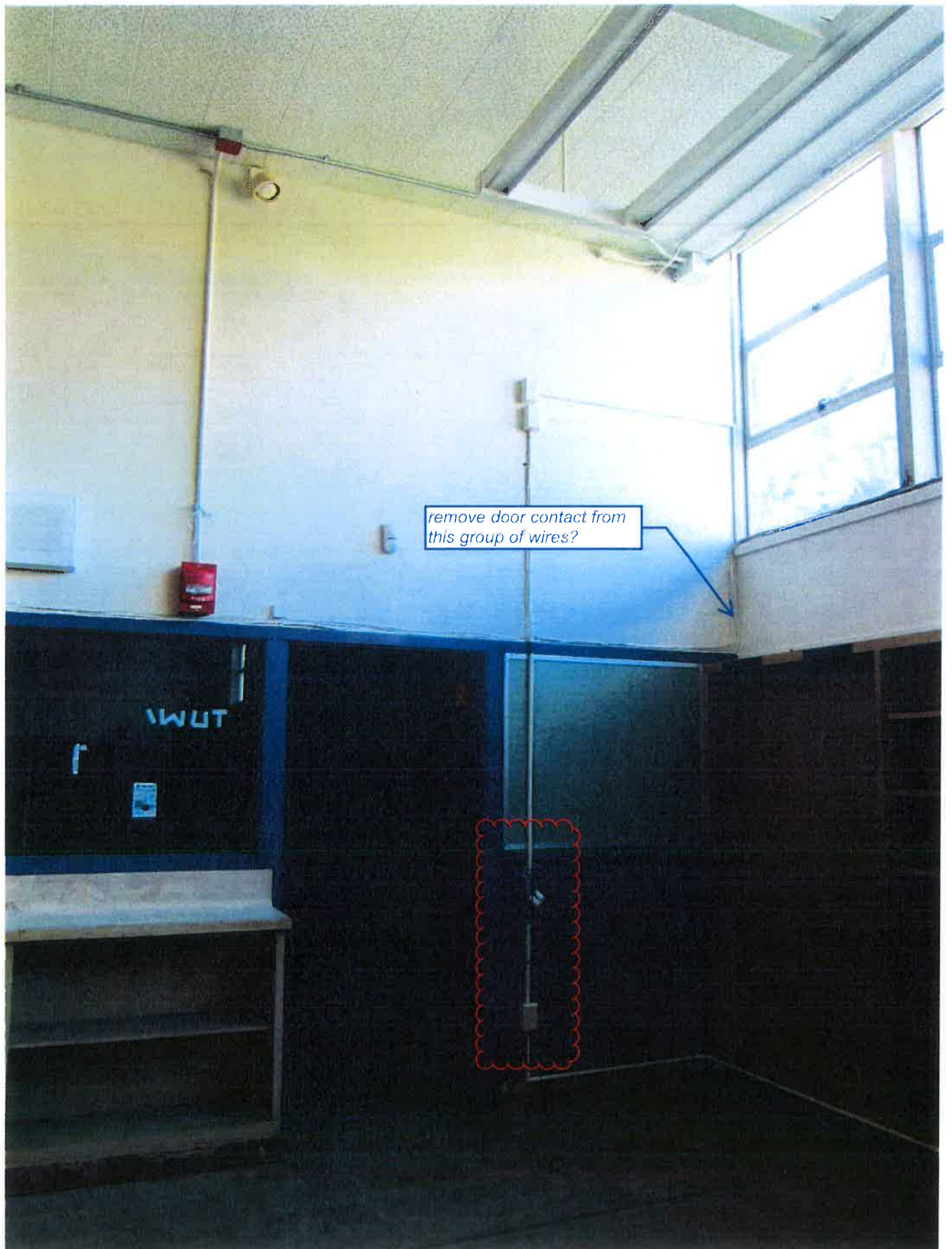
Note that my new office address is 1 Lakeside Drive, Suite 215, Oakland, CA 94612 effective 6/8/15

(510) 517-1119

Glenn Cass - SCA Environmental, Inc.

Note that my new office address is 1 Lakeside Drive, Suite 215, Oakland, CA 94612 effective 6/8/15

(510) 517-1119



remove door contact from
this group of wires?

LWUT



RESOLUTION NO. [REDACTED]

OF THE OAKLAND UNIFIED SCHOOL DISTRICT

**RESOLUTION DECLARING THE FUTILITY OF PUBLIC BIDDING
TO PERFORM MOLD REMEDIATION WORK, CEILING REPAIR, WIRING,
PAINTING, AND POWER WORK
AND APPROVING A CHANGE ORDER FOR THAT WORK**

WHEREAS, the Board of Education ("Board") of the Oakland Unified School District ("District") formally and publicly opened a bid for a contract for the modernization of Castlemont High School located at 8601 MacArthur Boulevard, Oakland, California 94605, to provide electrical and plumbing improvements to FabLab and Garden and remodel library with new furniture, room layout, painting and flooring, and additional seating and planters in the courtyard ("Project"); and

WHEREAS, one bid was received, by Strawn Construction, Inc. ("Contractor") who was deemed to be the lowest responsive, responsible bidder, and on or about August 10, 2016, the Board awarded a contract to perform the work for the Project in the amount of One Million, Three Hundred Twelve Thousand, Three Hundred Seventy-Four and NO/100 Dollars (\$1,312,574.00) to the Contractor; and

WHEREAS, in the course of the Project, problems have been discovered affecting the Work of the Project; and

WHEREAS, when removing the baseboards in the alcove area of the library as part of the work to replace the carpet and vinyl flooring, damaged plywood members and mold was discovered when the Contractor; and

WHEREAS, the discovery of the mold necessitated the District retain a certified industrial hygienist to perform an investigation of the mold conditions at the Project before moving forward with the Project; and

WHEREAS, SCA Environmental, Inc. conducted an investigation of the mold conditions at the alcove area of the library and recommended mold remediation measures be performed before replacing the baseboard and closing up the impacted alcove area of the library; and

WHEREAS, the recommended mold remediation measures must be performed before the balance of the Project can be completed because replacing baseboards without addressing the underlying mold conditions could result in damage to the work of the Project as well as a recurrence of health and safety concerns; and

WHEREAS, the source of moisture resulting in the mold damage was identified as roof leaks, which also damaged the existing ceiling in the library; and

WHEREAS, extensive loose active wiring hanging in the library, presenting a safety hazard, was also discovered during the investigation of the mold damage; and

WHEREAS, the removal and replacement of the active loose wiring should be addressed at the same time the mold remediation and ceiling repair work are being performed to facilitate the completion of the Project; and

WHEREAS, the aforementioned items should be repaired to properly address identified health and safety concerns so that the rooms may be habitable; and

WHEREAS, the District plans on performing new power and data wiring, install mecoshades, perform related painting work and install power for new TV monitors to avoid destroying the newly installed repair work by reopening walls and the ceilings (collectively "Additional Work"); and

WHEREAS, by virtue of its location, the Additional Work is integral and inseparable from, and inherent to, the Work on the Project; and

WHEREAS, bringing in a new contractor to perform the Additional Work would create coordination and interference problems at the Project, for example the need to perform work in the library locations, which could negatively impact the Project; and

WHEREAS, bringing in a new contractor to perform the Additional Work would create a potential dispute over the warranty for that work and the surrounding work being performed by the Contractor; and

WHEREAS, if the District were to bid the Additional Work necessitated by the Changed Conditions, the prices of those bids would probably be more than the price of the Change Order because the Contractor is already mobilized on the Project and is familiar with the Project site; and

WHEREAS, the bidding of the Additional Work would result in a delay in the completion of the Project which further delays students

WHEREAS, it is imperative to perform the Additional Work immediately to prevent further delays to the Project, which may expose the District to a significant increase in the cost; and

WHEREAS, the Contractor issued Preliminary Change Order ("PCO") No. 1 to perform the Additional Work in the amount of Six Hundred Fifty Thousand and NO/100 Dollars (\$650,000.00) and a 252-day extension; and

WHEREAS, District staff have concluded that the Change Order price to perform the Additional Work and time extension are reasonable; and

WHEREAS, there have been no other change orders for this Project; and

WHEREAS, requesting bids for the Additional Work, and having another contractor perform the Additional Work, would result in waste and delay on the Project, which would ultimately be at the expense of the District; and to access the facility; and

WHEREAS, the District has adopted the Uniform Public Construction Cost Accounting Act ("Act"), Public Contract Code section 22000 et seq., which establishes a uniform cost accounting standard and allows for an alternate method for bidding of public works projects by local public agencies; and

WHEREAS, the limits for the bidding by local public agencies under the Act provide that (a) public works projects of \$45,000 or less may be performed by District employees by force account or by negotiated contract; (b) public works projects of \$175,000 or less may be contracted by informal procedures; and (c) public works projects over \$175,000 are subject to formal bidding procedures (Pub. Cont. Code, § 22032); and

WHEREAS, change orders for formal bids follow the requirements of Public Contract Code section 20118.4; and

WHEREAS, Public Contract Code section 20118.4, provides that a school district may authorize a change order without the formality of securing bids, if the cost so agreed upon does not exceed the greater of \$15,000 or ten percent (10%) of the original contract price;" and

WHEREAS, ten percent of the original contract price is One Hundred Thirty One Thousand, Two Hundred Fifty Seven and 40/100 Dollars (\$131,257.40); and

WHEREAS, the price of the Additional Work will exceed the bid threshold of ten percent (10%) of the original contract price; and

WHEREAS, if approved, the total amount of change orders on the Project will be forty nine and one-half percent (49.5%) of the original Contract Price for the Project ("Change Order"); and

WHEREAS, California courts allow a narrow exception to the public bidding law in circumstances in which public bidding would be futile, undesirable or impractical and would cause additional delay and additional cost; (See, e.g., *Los Angeles Dredging Company v. City of Long Beach* (1930) 2 Cal. 348; *Graydon v. Pasadena Redevelopment Agency* (1980) 104 Cal.App.3d 631, 645.); and

WHEREAS, notwithstanding the requirements of Public Contract Code sections 20111(b) or 20118.4(a), 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); and

WHEREAS, bidding the Additional Work will not affect the final result to the District except to further increase the cost of the Project; and

WHEREAS, bidding the Additional Work will not produce an advantage to the District;

NOW THEREFORE, the Board of Education for the Oakland Unified Union School District hereby resolves, determines, and finds the following:

1. The foregoing recitals are true.
2. For the reasons stated above, public bidding of the Additional Work would not produce an advantage to the District, and would produce a net burden and distinct disadvantages to the District.

3. Based on the foregoing, it would be incongruous, futile, and unavailing to publicly bid the construction of the Additional Work.

4. The Board hereby approves the Change Order to perform the Additional Work, without further advertising for or inviting of bids.

5. The Board hereby authorizes the District's superintendent, or her designee, to take all steps and perform all actions necessary to execute and implement that Change Order.

PASSED AND ADOPTED by the Board of Education of the Oakland Unified School District, City of Oakland, County of Alameda, State of California, this ____ day of _____, 2017, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

James Harris
President Board of Education of the
Oakland Unified School District

ATTESTED TO:

Nina Senn
Vice President, Board of Education
of the Oakland Unified School District



CHANGE ORDER ROUTING FORM

Project Information			
Project Name	Castlemont Intensive Support Site	Site	301
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	Strawn Construction	Agency's Contact	Tim Foster
OUSD Vendor ID #	V062446	Title	Project Manager
Street Address	1140 Pedro St #1	City	San Jose State CA Zip
Telephone	408-393-0293	Policy Expires	
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 #	15104		

Term			
Date Work Will Begin	6-29-2017	Date Work Will End By (not more than 5 years from start date)	8-31-2017

Compensation			
Total Contract Amount	\$	Total Contract Not To Exceed	\$1,962,294.00
Pay Rate Per Hour (If Hourly)	\$	If Amendment, Changed Amount	\$ 650,000.00
Other Expenses		Requisition Number	

Budget Information				
If you are planning to multi-fund a contract using LEP funds, please contact the State and Federal Office before completing requisition.				
Resource #	Funding Source	Org Key	Object Code	Amount
9450	Fund 21, Measure J	3019905890	6271	\$650,000.00

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.				
1.	Division Head	Phone	510-535-7038	Fax
	Director, Facilities			510-535-7082
	Signature	Date Approved		
2.	General Counsel, Department of Facilities Planning and Management			
	Signature	Date Approved	6/7/17	
	Deputy Chief, Facilities Planning and Management	Date Approved		
3.	Signature			
	Date Approved			
4.	Senior Business Officer			
	Signature	Date Approved		
5.	President, Board of Education			
	Signature	Date Approved		

* with submission of Resolution Re Futility of Public Bidding