

Oakland Unified School District

Board of Education
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Agenda (Long)

Tuesday, November 10, 2009

5:00 PM

▶ **Board Room, Paul Robeson Building, 1025 2nd Avenue, Oakland,
CA 94606-2212**

Facilities Committee

Christopher Dobbins, Chairperson
Noel Gallo, Member
Jody London, Member

A. Call to Order**B. Roll Call****C. Modification(s) To Agenda**

Modification(s) to the Agenda allows for any change in the order of business including, but not limited to, an announcement that an agenda item or legislative file will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or "pulled" off of the Committee's General Consent Report for separate discussion and possible action. Additionally, all speaker cards for any item or legislative file appearing on the meeting agenda must be in the hands of the Board staff or Committee Chair by the time item "C" is reached in the agenda. Speaker cards submitted afterwards will be "filed."

D. Adoption of Committee Minutes[09-3160](#)**Minutes - Facilities Committee - October 20, 2009**

Approval by Facilities Committee of its Minutes of October 20, 2009.

Attachments: [09-3160 - Minutes - Facilities Committee - October 20, 2009](#)

E. Adoption of the Committee General Consent Report

"Adoption of the Committee General Consent Report" means that all legislative items listed under this topic are approved in one motion unless a Member of the Committee requests that an item be removed and voted on separately or otherwise acted upon. Generally, these items are routine in nature and are acted upon in one motion to conserve time and permit focus on other-than-routine legislative items on the agenda.

[09-2832](#)**Memorandum of Understanding - Oakland Housing Authority - Oakland Adult and Career Education****OE-10**

Approval by the Board of Education of a Memorandum of Understanding between District and Oakland Housing Authority, Oakland CA, for the provision of and by Oakland Adult and Career Education of class(es) on the premises of 935 Union Street, Oakland, CA, pursuant to the terms and conditions stated in said MOU, for the period of November 18, 2009 through June 30, 2012, at no cost to the District.

Attachments: [Document\(s\)](#)



09-3018

**Amendment No. 1 - Ninyo and Moore - Life Academy
Renovation/Seismic Retrofit Project**

OE-10

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and Ninyo and Moore, Oakland, CA, for the latter to provide a pipeline risk analysis, which includes fuel pipelines that are located within 1,500 feet of the school property as well as provide a railroad safety study, pursuant to attached proposal, which is incorporated into the contract to the extent that it is subordinate to and not inconsistent with the contract terms, in conjunction with the Life Academy Renovation/Seismic Retrofit Project, in an additional amount not to exceed \$18,500.00, increasing the Agreement from \$33,100.00 to a not-to-exceed amount of \$51,600.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-335

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)



09-3019

**Amendment No. 2 - Public Economics, Inc. - Division of
Facilities, Planning and Management Project**

OE-10

Approval by the Board of Education of Amendment No. 2 to Professional Services Agreement between District and Public Economics, Inc., Orange, CA, for the latter to provide additional background information to District staff and/or District's Board of Trustees about redevelopment and pass-through entitlements in general and various other items described herein in conjunction with the Division of Facilities, Planning and Management Project at no additional cost and extending the contract end date from July 1, 2008 to June 30, 2010. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-918

Funding Source: General Obligation Bond-Measure A

Attachments: [Document\(s\)](#)



09-3020

**Project Budget, Key Code and Project Number - Luther
Burbank Elementary School Roofing Replacement Project**

OE-10

Approval by the Board of Education of Resolution 0910-0095 - Authorizing and approving the New Project Budget, Key Code and Project Number for Luther Burbank Elementary School Roof Replacement Project in the amount of \$588,500.00.

Resource Code - 1414-104

Funding Source: Deferred Maintenance

Attachments: [Document\(s\)](#)



09-3021

Project Budget, Key Code and Project Number - John Marshall Elementary School Roof Replacement Project

OE-10

Approval by the Board of Education of Resolution 0910-0096 - Authorizing and approving the New Project Budget, Key Code and Project Number for John Marshall Elementary School Roof Replacement Project in the amount of \$560,700.00.

Resource Code - 1414-174

Funding Source: Deferred Maintenance

Attachments: [Document\(s\)](#)



09-3022

Change Order No. 1 - Duran and Venables, Inc. - Thornhill Elementary School Paving Project

OE-10

Approval by the Board of Education of Change Order No. 1 to Construction Contract between District and Duran and Venables, Inc., Milpitas, CA, for the latter to provide design changes as requested by District in conjunction with the Thornhill Elementary School Paving Project, in the additional amount of \$711.00, increasing the Agreement from \$474,000.00 to \$474,711.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 1414-157

Funding Source: Deferred Maintenance

Attachments: [Document\(s\)](#)



09-3023

Change Order No. 1 - Focon, Inc. - Stonehurst Small School Conversion Project

OE-10

Approval by the Board of Education of Change Order No. 1 to Construction Contract between District and Focon, Inc., Oakland, CA, for the latter to change pipe leading into catch basin from one 6" pipe to two 4" pipes and various other items described herein in conjunction with the Stonehurst Small School Conversion Project in the additional amount of \$13,843.00, increasing the Agreement from \$198,751.00 to \$212,594.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-155**Funding Source: General Obligation Bond-Measure B****Attachments:** [Document\(s\)](#)**09-3024****Change Order No. 1 - Ray's Electric - Jefferson Interim Housing Project****OE-10**

Approval by the Board of Education of Change Order No. 1 to Construction Contract between District and Ray's Electric, Oakland, CA, for the latter to provide reimbursement for OUSD Portable #67 being removed from site and donated to the City of Oakland Bike Project, with monies to be deducted from contract amount in conjunction with the Jefferson Interim Housing Project in the amount of -\$1,000.00, decreasing the Agreement from \$159,754.00 to \$158,754.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-128**Funding Source: General Obligation Bond-Measure B****Attachments:** [Document\(s\)](#)**09-3025****Professional Services Agreement - ACC Environmental Consultants - Highland New Classroom Building Project****OE-10**

Approval by the Board of Education of Professional Services Agreement between District and ACC Environmental Consultants, Oakland, CA, for the latter to provide environmental consulting services for the Highland New Classroom Building project, including a shallow soil characterization report which will be prepared based on the results of six borings on the site to a depth of 12 feet; secure any permits necessary to collect these samples and other services, specified in the SOW, incorporated herein by reference as though fully set forth, with the attached proposal incorporated into the contract to the extent that it is subordinate to and not inconsistent with the contract terms, in conjunction with the Highland New Classroom Building Project for the period commencing October 29, 2009 and concluding no later than December 31, 2011 in an amount not to exceed \$9,861.00.

Resource Code - 2122-126**Funding Source: General Obligation Bond-Measure B****Attachments:** [Document\(s\)](#)**09-3051****License Agreement - Fellowship Missionary Church - Oakland Career & Adult Education****OE-10**

Approval by the Board of Education of License Agreement (LA) Between District, for the Adult and Career Education Program, and Fellowship Missionary Church, Oakland California, for the mutal use by each of the parking lot spaces on the premises at 1520 8th Avenue and 750 International Blvd. Oakland, CA, pursuant to the terms and conditions stated in said LA, for the period of April 2009 through April 2010, at no cost to either party.

Resource Code - n/a

Attachments: [Document\(s\)](#)



09-3066

Memorandum of Understanding - Elder Care Alliance - Oakland Career and Adult Education

OE-10

Approval by the Board of Education of Memorandum of Understanding between District and Elder Care Alliance, Oakland California, for the latter to provide Adult and Career Education of class(es) on the owned premises of the Mercy Retirement and Care Center, 3134 Foothill Blvd, Oakland, CA, and Salem Lutheran Home, 2361 E. 29th Street., Oakland, CA, pursuant to the terms and conditions stated in said MOU, for the period of November 18, 2009 through June 30, 2012, at no cost to the District.

Attachments: [Document\(s\)](#)



09-3089

Lease Agreement - Oakland Asian Cultural Center - Oakland Adult and Career Education

OE-10

Approval by the Board of Education of Lease Agreement between District and Oakland Asian Cultural Center, Oakland, CA, for the provision by Adult and Career Education of English as a Second Language (ESL) and Citizenship classes on the owned premises at 388 Ninth Street, Oakland, CA, pursuant to the terms and conditions stated in Lease, for the period November 30, 2009 through June 30, 2010, in an amount not to exceed \$30,000.00.

Resource Code - 6390

Funding Source: General Fund Unrestricted

Attachments: [Document\(s\)](#)



09-3103

Memorandum of Understanding - Rising Sun Energy Center - Oakland Career and Adult Education

OE-10

Approval by the Board of Education of Memorandum of Understanding between District and Rising Sun Energy Center, Berkeley California, for the provision by Adult and Career Education of class(es) on the owned premises of the 2033 Center Street, Berkeley, CA, pursuant to the terms and conditions stated in said MOU, for the period of November 18, 2009 through June 30, 2011, at no cost to the District.

Resource Code - n/a

Funding Source: n/a

Attachments: [Document\(s\)](#)



09-3122

Right of Entry Agreement between Oakland Unified School District and Shell Oil Products U.S.A.

OE-10

Approval by the Board of Education of Resolution No. 0910-0098 - Right of Entry Agreement between District and Shell Oil Products U.S. ("Shell"), to allow Shell to enter District Property at 2850 West Street, Oakland, CA, commonly referred to as Marcus Foster School Site ("Property"), for the purposes of determining if remediation of the Property is required.

Attachments: [Document\(s\)](#)



09-3124

Project Budget - Edward Shands Adult School Project

OE-10

Approval by the Board of Education of Resolution 0910-0100 - Authorizing and approving the New Project Budget, Key Code and Project Number for Edward Shands Adult School Project in the amount of \$2,900,000.00.

Resource Code - 2122-404

Funding Source: General Obligation Bond-Measure A

Attachments: [Document\(s\)](#)



09-3127

Change Order No. 3 - Albay Construction Co. - Havenscourt Middle School Modernization Project

OE-10

Approval by the Board of Education of Change Order No. 3 to Construction Contract between District and Albay Construction Co., Martinez, CA, for the latter to change glazing to laminate, use existing conduit for fire alarm wire, additional cost to Simplex Grinnell, provide dedicated circuits for RPS and various other items described herein in conjunction with the Havenscourt Middle School Modernization Project in the additional amount of \$45,177.27, increasing the Agreement from \$1,876,895.64 to \$1,922,072.91. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-207

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)



09-3128

Change Order No. 2 - El Camino Paving - Skyline High School Paving Project

OE-10

Approval by the Board of Education of Change Order No. 2 to Construction Contract between District and El Camino Paving, Mt. View, CA, for the latter to provide elimination of one 1" conduit 100 linear feet on sheet 2.1 for the lower lot communication; add 900 linear feet of 2" conduit from the lower entry guardhouse to station 165, including additional trenching, in conjunction with the Skyline High School Paving Project in the additional amount of \$8,911.00, increasing the Agreement from \$633,260.82 to \$642,171.82. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 1414-306

Funding Source: Deferred Maintenance

Attachments: [Document\(s\)](#)



09-3129

**Change Order No. 5 - West Coast Contractors - Hoover
Elementary School Modernization Project**

OE-10

Approval by the Board of Education of Change Order No. 5 to Construction Contract between District and West Coast Contractors, Fairfield, CA, for the latter to remove and reinstall rooftop mechanical units, re-route roof condensates, overtime premium, add intrusion alarm contacts, install cast iron condensates on roof AHU and various other items described herein in conjunction with the Hoover Elementary School Modernization Project in the additional amount of \$78,380.00, increasing the Agreement from 3,770,967.00 to \$3,849,347.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-170

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)



09-3130

**Change Order No. 6 - West Coast Contractors - Hoover
Elementary School Modernization Project**

OE-10

Approval by the Board of Education of Change Order No. 6 to Construction Contract between District and West Coast Contractors, Fairfield, CA, for the latter to provide credit enforced by OUSD for contractors not returning the 4020 fire alarm panel as requested in conjunction with the Hoover Elementary School Modernization Project in the amount of -\$5,400.00, decreasing the Agreement from \$3,849,347.00 to \$3,843,947.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-170

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)

[09-3132](#)**Professional Services Agreement - Michael Willis Architect - Luther Burbank Elementary School Roofing Replacement Project**

OE-10

Approval by the Board of Education of Professional Services Agreement between District and Michael Willis Architect, Oakland, CA, for the latter to provide written specifications and drawings sufficient to solicit bids for roof replacements, help conduct roofing pre-bid meeting, conduct roof re-construction meeting, provide quality assurance inspections during the project and various other times described herein in conjunction with the Luther Burbank Elementary School Roofing Replacement Project for the period commencing November 19, 2009 and concluding no later than June 30, 2010 in an amount not to exceed \$51,000.00.

Resource Code - 1414-104**Funding Source: Deferred Maintenance****Attachments:** [Document\(s\)](#)[09-3133](#)**Amendment No. 2 - Sandis - Thornhill Paving Replacement Project**

OE-10

Approval by the Board of Education of Amendment No. 2 to Professional Services Agreement between District and Sandis, Oakland, CA, for the latter to provide additional field compaction testing, due to unforeseen conditions, whereas there were a number of wet conditions at the upper level due to the drainage from the hillside and existing soil conditions at the lower playground in conjunction with the Thornhill Paving Replacement Project in an additional amount not to exceed \$2,370.00, increasing the Agreement from \$37,475.00 to a not-to-exceed amount of \$39,845.00, and extending the end date from July 9, 2010 to October 15, 2010. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 1414-157**Funding Source: Deferred Maintenance****Attachments:** [Document\(s\)](#)**F. Unfinished Business***None***G. New Business**

[09-3123](#)**Agreement of Purchase - Temporary Right of Property Entry (Easement) Between District and Bay Area Rapid Transit District ("BART")**

OE-10

Approval by the Board of Education of Resolution 0910-0099 - Agreement of Purchase - Temporary Right of Property Entry (Easement) Between District and Bay Area Rapid Transit District ("BART") to allow BART to perform construction work and seismic repairs to the its track line above A.S.C.E.N.D. Elementary School.

Attachments: [Document\(s\)](#)
[09-3123 - Agreement of Purchase - Temporary Right of Property Entry \(Easement\) Between District and Bay Area Rapid Transit District \(BART\).pdf](#)

[09-3145](#)**District Facility and Real Property Asset Management Study**

OE-10

Presentation by the Facilities Department of District Facility and Real Property Asset Management Study as of October 28, 2009.

Attachments: [Document\(s\)](#)
[09-3145 - District Facility and Real Property Asset Management Study.pdf](#)

[09-3180](#)**Contracts - CUPCCA - Roof Systems Emergency Repairs Burbank and Marshall Elementary Schools**

OE-10

Approval by the Board of Education of Resolution No. 0910-0123 - Contracts - CUPCCA - Roof Systems Emergency Repairs Burbank and Marshall Elementary Schools.

*Pursuant to California Public Contract Code Section 22035, this item is required to be approved by a 5 member (4/5's) affirmative vote of the Board.

Attachments: [Document\(s\)](#)
[09-3180 - Contracts - CUPCCA - Roof Systems Emergency Repairs Burbank and Marshall Elementary Schools.pdf](#)

H. Report of the Assistant Superintendent, Facilities Planning and Management, Buildings and Grounds and Custodial Services

This is an oral report to the Public by the Assistant Superintendent, Facilities Planning and Management, Buildings and Grounds and Custodial Services of any information that he/she wishes to share regarding his/her past, present or future personal or official activities.

I. Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the Committee

This section of the agenda provides an opportunity for members of the public, for three minutes per person, to directly address the Committee on any item of interest to the public not on current Agenda that is within the subject matter jurisdiction of the Committee. The time allocated for this item is not to exceed one hour.

J. Introduction of New Legislative Matter

This section of the Agenda is devoted to the introduction of new legislative matter within the subject matter jurisdiction of the committee by a Committee member.

K. Adjournment