

Board Office Use: Legislative File Info.	
File ID Number	19-2399
Introduction Date	12-11-2019
Enactment Number	19-1769
Enactment Date	12/11/19 If



OAKLAND UNIFIED SCHOOL DISTRICT
Community Schools. Thriving Students.

Memo

To Board of Education
From Kyla Johnson-Trammell, Superintendent
 Timothy White, Deputy Chief, Facilities Planning and Management
Board Meeting Date December 11, 2019
Subject Approval of Change Order No. 1 - to the Construction Contract with Digital Design Communications on the Fruitvale Elementary School Fire and Intrusion Alarm Replacement Project

Action Requested Approval by the Board of Change Order No.1 to the Construction Contract with Digital Design Communications for the latter to include abatement and removal of devices, conduits, boxes and all other items related to the FA/IA Systems. The quote did not include Abatement work in the original contract price, thus, the Contractor omitted the Abatement work in error, in conjunction with the Fruitvale Elementary School Fire and Intrusion Alarm Project, in the amount of \$35,346.07, increasing the current contract amount from \$796,800.00 to \$832,146.07, and authorizing the President and Secretary of the Board to sign the change order for the same Contractor with the time extension to commence on January 31, 2019 and schedule to last until December 31, 2019 pursuant to the Amendment. The revised term end date is December 31, 2019.

Discussion Change Order No. 1 scope of work includes abatement and removal of devices, conduits, boxes and all other items related to the FA/IA Systems. The quote did not include Abatement work in the original contract price. Contractor omitted the Abatement work in error. Change Order No. 1 for the Fruitvale Elementary School Fire and Intrusion Alarm Project was for \$35,346.07.

Competitive bidding is not required since the change is less than 10% of the original contract price. In addition, no competitive bidding is necessary because it would be no advantage to bidding. Competitive bidding is therefore excused under the reasoning of *Graydon v. Pasadena Redevelopment Agency (1980) 104 Cal.App.3d 631* and related case law.

LBP (Local Business Participation Percentage)
Recommendation

99.9%

Approval by the Board of Change Order No.1 to the Construction Contract with Digital Design Communications for the latter to include abatement and removal of devices, conduits, boxes and all other items related to the FA/IA Systems. The quote did not include Abatement work in the original contract price, thus, the Contractor omitted the

Abatement work in error, in conjunction with the Fruitvale Elementary School Fire and Intrusion Alarm Project, in the amount of \$35,346.07, increasing the current contract amount from \$796,800.00 to \$832,146.07, and authorizing the President and Secretary of the Board to sign the change order for the same Contractor with the time extension to commence on January 31, 2019 and schedule to last until December 31, 2019 pursuant to the Amendment. The revised term end date is December 31, 2019.

Fiscal Impact

Fund 21, Measure B

Attachments

- Change No. 1, including documentation

OAKLAND UNIFIED SCHOOL DISTRICT

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

CHANGE ORDER NO. 01



PROJECT: Fruitvale Fire Alarm	DATE: 9/24/2018
OWNER: Oakland Unified School District	DSA FILE NO.: 1-29
CONTRACTOR: Digital Design Communications 8135 Capwell Drive Oakland, CA 94621	DSA APP NO.: 117173 OUSD PROJECT#: 15125 PROJECT MGR.: Nicole Wells

The Contractor is authorized to make the changes listed in the Summary and described in Change Order Attachment when this Change Order has been approved.

Original Contract Sum	\$796,800.00
Net Change by previously authorized Change Orders	
The Contract sum prior to this change order	
The Contract sum will be increased/decreased	\$35,346.07
The New Contract Sum including the Change Order will be	\$832,146.07
Current Change Order percentage of base contract	4.44%
Total Change Order percentage	4.44%
The Contract is changed by #Error	days
Contract completion date as of this Change Order therefore is:	

Summary reference attached items : 1

Reviewed by: _____
Bond Program Director Date

Approved: Architect of Record  Signature Date: 10/9/2018	Approved: General Contractor  Signature Date: 10/08/18	Approved: OUSD  Director of Facilities Signature Date: 10/10/18  Deputy Chief Date:
Approved: Electrical or Structural Engineer _____ Signature Date:	Approved: Mechanical Engineer _____ Signature Date:	Approved: Division of the State Architect _____ Signature Date:

Aimee Eng

Aimee Eng
President, Board of Education

12/12/19

Kyla Johnson-Trammell

Kyla Johnson-Trammell
Secretary, Board of Education

12/12/19



OAKLAND UNIFIED SCHOOL DISTRICT

Division of Facilities Planning and Management - Phone 510-536-2726 - FAX 510-535-7040

PRELIMINARY CHANGE ORDER NO. 1

PROJECT: Fruitvale
Fire Alarm

DATE: 9/21/2018

DSA FILE: 1-29

CONTRACTOR: Digital Design Communications

DSA APP: 117173

PROJECT MGR: Nicole Wells

OUSD PROJ: 15125

You are hereby directed to make the indicated change(s) in the Contract. When signed by the Owner and received by the Contractor, this document becomes effective immediately and the Contractor shall proceed as with the changes described below. An official change order shall be issued to follow up on this preliminary change proposal as soon as possible.

CONTRACTOR TO COMPLETE THIS SECTION ONLY

DESCRIPTION:

Perform abatement and removal of devices, conduits, boxes and all other items related to the FA/IA Systems

CODE: 4 Omission

REASON:

Abatement work was not quoted in the original contract price. Contractor was instructed not to include it in error.

ATTACHMENTS: DDC CO#01

The proposed basis of adjustment to the Contract Price and Contract Time are as follows:

Amount of Change: ADD DEDUCT Final Price: _____
 Lump Sum Time / Materials Not To Exceed Date: _____

Contractor to proceed with work described herein, cost not to exceed \$76,346; final cost to be determined after review and negotiation.

Time Extension: calendar days

INITIATED BY: Curtis Hawke 9/25/18
Architect of Record Date
REVIEWED BY: [Signature] 9/24/18
Project Manager Date
REVIEWED BY: _____
Bond prog. Director Date
ACKNOWLEDGED BY: _____
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 510-538-2728 - FAX 510-535-7040

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

SUMMARY OF CHANGE ORDER NO. 01

PROJECT:	Fruitvale Fire Alarm	DATE:	9/24/2018
OWNER:	Oakland Unified School District	DSA FILE NO.:	1-29
CONTRACTOR:	Digital Design Communications 8135 Capwell Drive Oakland, CA 94621	DSA APP NO.:	117173
		OUSD PROJECT#:	16125
		PROJECT MGR.:	Nicole Wells

1	PCO # 1	ADD ADD/DEDUCT	\$35,348.07
Description:		Project Lead Abatement Work	
Reason:		Abatement work was not quoted in the original contract price. Contractor was instructed not to include it in error.	
Requested By:		4 Omission	
DSA Prelim approval date:			
		CO #1 (1 PCO's) Total:	\$35,348.07

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

OAKLAND UNIFIED SCHOOL DISTRICT

Division of Facilities Planning and Management - Phone 510-635-2728 - FAX 510-535-7040

ALLOWANCE EXPENDITURE DIRECTIVE NO. 1

PROJECT: **Fruitvale
Fire Alarm**

DATE: **10/2/2018**

DSA FILE: **1-29**

CONTRACTOR: **Digital Design Communications**

DSA APP: **117173**

PROJECT MGR: **Nicole Wells**

OUSD PROJ: **15125**

You are hereby directed to make the indicated change(s) in the Contract. When signed by the Owner and received by the Contractor, this document becomes effective immediately and the Contractor shall proceed as with the changes described below. An official change order shall be issued to follow up on this preliminary change proposal as soon as possible.

CONTRACTOR TO COMPLETE THIS SECTION ONLY

DESCRIPTION:

Perform abatement and removal of devices, conduits, boxes and all other items related to the FA/IA Systems.

This will used the entire \$41,000.00 Contingency remaining needed will be reflected on Change Order #1

CODE: 4 Omission

REASON:

Abatement work was not quoted in the original contract price. Contractor was instructed not to include abatement work in contract price in error.

ATTACHMENTS: **DDC CO#1
PCO No.1**

The proposed basis of adjustment to the Contract Price and Contract Time are as follows:

Amount of Change: ADD DEDUCT Final Price: \$41,000
 Lump Sum Time / Materials Not To Exceed Date: 10/9/18

Contractor to proceed with work described herein, cost not to exceed \$41,000.; final cost to be determined after review and negotiation.

Time Extension: calendar days

INITIATED BY:

REVIEWED BY:

REVIEWED BY:

ACKNOWLEDGED BY:

Architect of Record

Date

Project Manager

Date

Bond prog. Director

Date

Contractor

Date

10/9/2018

10/2/18

10/04/18

OAKLAND UNIFIED SCHOOL DISTRICT APPROVAL

Director of Facilities

Date

Deputy Chief

Date

SHEET S2 OF S2

CONTRACTOR: Digital Design Communications

PROJECT NAME: Fruitval Preschool Fire and Intrusion Alarm Replacement

PROJECT NUMBER: 15125

C.O. / QUOTE NUMBER: C.O. #01 / Quotation #18-111 **DATE:** 9/19/2018

PROJECT DESCRIPTION: Perform Abatement and Removal of devices, conduits, boxes and all other it related to the (E) FA/IA Systems

LABOR				
NAME	CLASSIFICATION	HOURS	RATE	TOTAL
DIRECT COSTS	Electrical - Journeyman	624.0	\$ 90.13	\$ 56,241.12
TOTAL LABOR COSTS (Transfers to Line 1 of Sheet S1)				\$ 56,241.12
BURDEN COSTS	Electrical - Journeyman	624.0	\$ 19.83	\$ 12,373.92
TOTAL LABOR COSTS (Transfers to Line 4 of Sheet S1)				\$ 12,373.92

MATERIALS			
DESCRIPTION			COST
Consumables i.e. drill bits, sawsall blades, etc...	1	\$ 1,000.00	\$ 1,000.00
	0	\$ -	\$ -
	0	\$ -	\$ -
	0	\$ -	\$ -
	0	\$ -	\$ -
SUBTOTAL MATERIAL COSTS (Without Sales Tax) - Line 5 of Sheet S1			\$ 1,000.00
SALES TAX ON MATERIAL - Line 8 of Sheet S1			\$ 100.00
TOTAL MATERIAL COSTS			\$ 1,100.00

EQUIPMENT				
SIZE AND TYPE	I.D. #	HOURS	RATE	TOTAL
				\$ -
				\$ -
TOTAL EQUIPMENT RENTAL COSTS (Transfers to Line 9 of Sheet S1)				\$ -

SHEET S1 OF S2

CONTRACTOR: Digital Design Communications
PROJECT NAME: Fruitvale Preschool Fire and Intrusion Alarm Replacement
PROJECT NUMBER: 15125
C.O. / QUOTE NUMBER: C.O. #01 / Quotation #18-111 **DATE:** 9/19/2018
PROJECT DESCRIPTION: Perform Abatement and Removal of devices, conduits, boxes and all other items related to the (E) FA/IA Systems.

SUMMARY OF TOTAL COSTS			
1. TOTAL DIRECT LABOR COSTS	\$	56,241.12	
2. Ten percent (10%) of Line 1	\$	5,624.11	
3. Sum of Lines 1 & 2			\$ 61,865.23
4. TOTAL BURDEN LABOR COSTS	\$		\$ 12,373.92
5. TOTAL MATERIAL COSTS	\$	1,000.00	
6. Ten percent (10%) of Line 5	\$	100.00	
7. Sum of Lines 5 & 6			\$ 1,100.00
8. Tax			\$ 16.92
9. TOTAL EQUIPMENT RENTAL COSTS	\$	900.00	
10. Ten percent (10%) of Line 9	\$	90.00	
11. Sum of Lines 9 & 10			\$ 990.00
12. TOTAL OF LOWER TIER SUBCONTRACTED COST	\$	-	
13. Five percent (5%) of line 12	\$	-	
14. Sum of Lines 12 & 13			\$ -
SUBTOTAL OF DIRECT COSTS & MARK-UP			\$ 76,346.07
COST OF BONDS			
TOTAL CHANGE ORDER			\$ 76,346.07



DIVISION OF FACILITIES PLANNING & MANAGEMENT ROUTING FORM

Project Information

Project Name	Fruitvale Elementary School Fire & Intrusion Alarm	Site	117
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Basic Directions

Services cannot be provided until the contract is awarded by the Board or is entered by the Superintendent pursuant to authority delegated by the Board.

Attachment Checklist	<input checked="" type="checkbox"/> Proof of general liability insurance, including certificates and endorsements, if contract is over \$15,000 <input checked="" type="checkbox"/> Workers compensation insurance certification, unless vendor is a sole provider
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Contractor Information

Contractor Name	Digital Design Communications	Agency's Contact	Victor Zamora				
OUSD Vendor ID #	001380	Title	Manager				
Street Address	1630 San Pablo Avenue Ste. 200	City	Oakland	State	CA	Zip	94621
Telephone	925-886-9000	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 #	15125						

Term of Original/Amended Contract

Date Work Will Begin (i.e., effective date of contract)	12-18-2018	Date Work Will End By (not more than 5 years from start date; for construction contracts, enter planned completion date)	12-20-2019
		New Date of Contract End (If Any)	4-20-2020

Compensation/Revised Compensation

If New Contract, Total Contract Price (Lump Sum)	\$	If New Contract, Total Contract Price (Not To Exceed)	\$
Pay Rate Per Hour (if Hourly)	\$	If Amendment, Change in Price	\$ 76,399.84
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
9399 9668	Fund 21, Measure B	210-9399-0-9668-8500-6274-117-9180-9901-9999-99999	6274	\$76,399.84

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.

	Division Head	Phone	510-535-7038	Fax	510-535-7082
1.	Director, Facilities Planning and Management	Signature	Date Approved 10/7/19		
2.	General Counsel, Department of Facilities Planning and Management	Signature	Date Approved 10/25/19		
3.	Deputy Chief, Facilities Planning and Management	Signature	Date Approved 10/12/19		
4.	Chief Financial Officer	Signature	Date Approved		
5.	President, Board of Education	Signature	Date Approved		