

Board Office Use: Legislative File Info.	
File ID Number	12-2691
Committee	Facilities
Introduction Date	11-14-2012
Enactment Number	12-2852
Enactment Date	11-14-12



OAKLAND UNIFIED SCHOOL DISTRICT

Memo

To Board of Education

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

Board Meeting Date October 24, 2012

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

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

	Name	Amount	Funding Source	P.O.	Project	Date	City
12-2690	Logic Domain	\$16,500.00	Measure B	P.O.	Division of Facilities, Planning and Management	9-19-2012 thru 1-1-2013	Irvine, CA
12-2691	Musson Theatrical	\$49,000.00	Country School Facilities Fund	P.O.	Oakland Tech Seismic Retrofit AB300	9-17-2012 thru 12-31-2012	Santa Clara
12-2692	Reed Brothers	\$18,053.22	Measure B	P.O.	Lowell MS Modernization	9-20-2012 thru 12-31-2012	Oakland

Discussion:

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

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

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

Fiscal Impact:

Various

Recommendation:

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



OAKLAND UNIFIED
SCHOOL DISTRICT

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

1003699

DATE SUBMITTED: 9/19/2012
 SUBMITTED BY: Rocky Borton

REVIEWED BY: _____

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

Bond Program Director

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

Vendor Number: _____
 Fiscal Year: 2012-2013
 P.O. Under \$50K:
 Date Processed: 10-1-2012
 To: MB 10-1-12 To DR: _____

10/1/12 Timothy E. White Asst. Superintendent Date
11/19/12 Tadashi Nakadegawa Facilities Director Date

SECTION II. LOCAL BUSINESS PARTICIPATION PERCENTAGE:

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

SECTION III. AGREEMENT INFORMATION:

Project Name: Oakland Technical Seismic Retrofit-AB300	Project No: 12103
Vendor Name: Musson Theatrical	Vendor Contact: Daniel Brekke
Vendor Phone: (408) 986-0210	Vendor Address: 890 Walsh Ave, Santa Clara, Ca 95050
Agreement Start and Stop Dates: Start: 9/17/2012 Stop: 12/31/2012	Current Contract Amount: \$0.00 Not to Exceed Amount: \$49,000.00 Revised Contract Amount: \$49,000.00
Is Work Intended? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes give an explanation:	Is Work Being Completed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date: _____ ID No. <u>12-2691</u>

LEGISLATIVE FILE
 ID No. 12-2691

Certificate of Insurance Attached Yes No Date provided: Introduction Date 10-24-2012
 Attachment No. 12-2852
 Attachment Date 11-14-12

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

- 1) Number of Bids Received, List of Bidders and Amounts (Bid Form) (Attach Bid Documents)
- 2) Date(s) of Bid Advertisement -
- 3) Date of Bid Opening -
- 4) Name of Architect - ZFA
- 5) Liquidated damages per day - \$
- 6) Performance Bonds Attached
- 7) Payment Bonds Attached

Scope of Work: (Needed to prepare Executive Summary) -
 New stage lighting dimming package for main stage.

Please attach separately along with Vendor's proposal.

Jody London
 Jody London
 President, Board of Education

Edgar Rakestraw, Jr.
 Edgar Rakestraw, Jr., Secretary
 Board of Education

Discussion Info: (Needed to prepare Executive Summary) (Provide detailed background - Why is contract required and what is the benefit to students) - Add additional pages as needed

The existing equipment has not been working properly for years, the Parent group has raised funds to help pay for the installation. Facilities, is assisting with purchasing the equipment.

RECEIVED

Funding Source: _____

Budget Number: 10-1-2012

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

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

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

Proj# 12103

P.O.



890 Walsh Avenue
Santa Clara, CA 95050
(408)986-0210
FAX (408) 986-9552

INVOICE

INVOICE NUMBER	INVOICE DATE	PAGE
00360280	08/30/12	1

S O L E D I S T R I B U T O R	OAKLAND UNIFIED SCHOOL DISTRICT
	ATTN: ACCOUNTS PAYABLE
	1025 2ND AVENUE
	OAKLAND CA 94606

S H I P T O	OAKLAND TECHNICAL HIGH SCHOOL
	4351 BROADWAY AVE.-ATTN PTSA
	OAKLAND
	CA 94611

CUSTOMER P.O. NO.	DATE ORDERED	ORDERED BY / REL.	DATE SHIPPED	SHIPPED VIA	FREIGHT TERMS	WAREHOUSE	ENTERD BY	ACCOUNT NO.	SALESPERSON
	07/27/12	FACILITIES		MUSSON DEL	PPD		0900	006331	0900

			ORIGINAL INVOICE NO.						
--	--	--	----------------------	--	--	--	--	--	--

LINE NO.	SKU	CATALOG NUMBER AND DESCRIPTION	QUANTITY ORDERED	QUANTITY BACK ORDERED	QUANTITY SHIPPED	UNIT PRICE	U/M	EXTENDED AMOUNT
10	SO8888	OAKLAND TECH HS DIMMING PACKAGE PER	QUOTE					49,000.00
20	MESSAGE	PACKAGE PRICING INCLUDES ALL TAXES,						
30	MESSAGE	LABOR & DELIVERY WHERE APPLICABLE.						
THIS INVOICE IS DUE BY 09/29/12								

Exhibit A

<p>The merchandise delivered has been received and accepted in good order.</p> <p>Damaged claims must be filed within 5 days after receipt of goods.</p> <p>This invoice subject to terms and conditions on reverse side of original. Service charge of 1½% per month will be made to all invoices not paid within terms.</p>	<p>THANK YOU. WE APPRECIATE YOUR BUSINESS! PLEASE CONTACT OUR CUSTOMER SERVICE REPRESENTATIVE IMMEDIATELY REGARDING ANY APPARENT DISCREPANCIES ON THIS INVOICE.</p>	SUB TOTAL	49,000.00
		SALES TAX	INCLUDED
		TRANSPORTATION	INCLUDED
		<p>PLEASE REMIT PAYMENT OF THIS AMOUNT TO 890 WALSH AVENUE SANTA CLARA, CA 95050</p>	