

|   |                   |
|---|-------------------|
| <b>Board Office Use: Legislative File Info.</b> |                   |
| File ID Number                                  | 12-0715           |
| Committee                                       | Facilities        |
| Introduction Date                               | 3-28-2012         |
| Enactment Number                                | 12-0978           |
| Enactment Date                                  | 3-29-12 <i>YS</i> |



OAKLAND UNIFIED  
SCHOOL DISTRICT

Memo

To Board of Education

From Tony Smith, Ed.D., Superintendent  
Timothy White, Assistant Superintendent, Facilities Planning and Management

Board Meeting Date March 28, 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.

| File ID   | Vendor Name                           | \$          | Funding Source | Type          | Site                    | Period                 | City             |
|-----------|---------------------------------------|-------------|----------------|---------------|-------------------------|------------------------|------------------|
| 12-0705   | 911 Restorations                      | \$2,541.27  | Measure A      | P.O. Increase | Claremont Landscaping   | 6-28-11 thru 8-27-11   | Richmond         |
| 12-0706   | Associate Comfort Systems             | \$13,900.00 | Fund 35        | P.O.          | Skyline HS              | 12-12-11 thru 1-24-12  | San Leandro      |
| 12-0707   | Associate Comfort Systems             | \$11,700.00 | Fund 35        | P.O.          | MLK Jr. MS              | 11-28-11 thru 12-28-12 | San Leandro      |
| 12-0708   | Bay City Mechanical                   | \$1,051.57  | Measure B      | P.O.          | Chabot ES               | 2-27-12 thru 12-31-12  | Richmond         |
| 12-0709   | Best In the West Construction Cleanup | \$2,200.00  | Measure B      | P.O.          | Elmhurst Mod            | 1-16-12 thru 6-30-12   | Hayward          |
| 12-0710   | California Business Systems           | \$1,945.00  | Measure A      | P.O.          | Facilities              | 1-3-12 thru 1-13-14    | Oakland          |
| 12-0713   | CDW-G                                 | \$1,959.83  | Measure B      | P.O.          | Urban Promise           | 3-1-12 thru 5-1-12     | Verono Hills, IL |
| 12-0714   | Clearwire                             | \$1,285.00  | Measure B      | P.O.          | Madison Health Centger  | 2-13-12 thru 12-31-12  | San Jose         |
| ✓ 12-0715 | Diablo Boiler                         | \$2,327.39  | Measure B      | P.O.          | Chabot New Classroom    | 1-30-12 thru 12-31-12  | Antioch          |
| 12-0717   | Elation Systems                       | \$1,380.00  | Measure B      | P.O. Increase | Labor Compliance        | 6-30-11 thru 7-1-12    | Oakland          |
| 12-0718   | Eric Young                            | \$450.00    | Measure A      | P.O.          | Elmhurst                | 3-2-12 thru 3-2-12     | Oakland          |
| 12-0716   | IVS Computer Technology               | \$8,375.33  | Measure A      | P.O.          | Claremont Landscaping   | 12-19-11 thru 12-30-11 | Bakersfield      |
| 12-0719   | JDH Corrosin Consultants, Inc.        | \$5,750.00  | Measure B      | P.O.          | Montclair New Classroom | 12-21-11 thru 5-1-12   | Concord          |
| 12-0720   | Leo's Professional Audio, Inc.        | \$19,143.40 | Measure B      | P.O.          | Highland ES             | 4-1-12 thru 8-15-12    | Oakland          |
| 12-0721   | Macy Movers, Inc.                     | \$5,610.00  | Measure B      | P.O.          | Lowell Mod              | 3-1-11 thru 3-30-11    | Oakland          |



OAKLAND UNIFIED  
SCHOOL DISTRICT

|          |                                   |              |                |      |                               |                            |               |
|----------|-----------------------------------|--------------|----------------|------|-------------------------------|----------------------------|---------------|
| 121-0724 | Maxut                             | \$2,042.25   | Measure A      | P.O. | Facilities                    | 2-7-12 thru<br>2-16-12     | Oakland       |
| 12-0726  | North American Fence & Railing    | \$425.00     | Developer Fees | P.O. | Garfield Portable             | 10-15-2011<br>thru 2-29-12 | Oakland       |
| 12-0727  | PG&E Integrated Processing Center | \$5,000.00   | Fund 35        | P.O. | Facilities                    | 1-4-12 thru<br>2-4-12      | San Francisco |
| 12-0728  | PG&E Integrated Processing Center | \$150,000.00 | Fund 35        | P.O. | Facilities                    | 12-15-11<br>thru 2-15-12   | San Francisco |
| 12-0729  | Reed Brothers                     | \$348.86     | Measure B      | P.O. | Lowell Mod                    | 2-14-12 thru<br>2-14-12    | Oakland       |
| 12-0730  | Safeplay by Design, Inc.          | \$1,600.00   | Measure B      | P.O. | Laurel CDC                    | 5-1-12 thru<br>12-31-13    | Elk Grove     |
| 12-0731  | Safeplay by Design, Inc.          | \$900.00     | Measure B      | P.O. | Stonehurst CDC                | 5-1-12 thru<br>8-1-13      | Elk Grove     |
| 1209732  | Snader Associates                 | \$25,000.00  | Fund 35        | P.O. | La Escuelita                  | 3-1-12 thru<br>12-31-12    | San Rafael    |
| 11-3023  | Southwest Interiors               | \$45,000.00  | Measure B      | P.O. | Montera Mod                   | 8-25-11 thru<br>8-25-12    | Auburn        |
| 12-0733  | SunEnergy                         | \$6,402.63   | Fund 35        | P.O. | Chabot Caldecott Tunnel Grant | 2-13-12 thru<br>12-31-12   | 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  
Department of Facilities Planning and Management  
AGREEMENT REQUEST FORM**

**DATE SUBMITTED** 1/30/2012  
**SUBMITTED BY:** Eric Scheuermann

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

|  |                          |   |                                     |
|--|--------------------------|---|-------------------------------------|
| 1.) A/E (Architect and Engineers) Contract             | <input type="checkbox"/> | 5.) "Small" (under \$15,000.00) Construction Contract | <input type="checkbox"/>            |
| 2.) IOR (Inspector of Record Contract)                 | <input type="checkbox"/> | 6.) Resolution Awarding Bid and Construction Contract | <input type="checkbox"/>            |
| 3.) Agreement for Professional Services - Testing Etc. | <input type="checkbox"/> | 7.) Change Order                                      | <input type="checkbox"/>            |
| 4.) Amendment to Agreement for Professional Services   | <input type="checkbox"/> | 8.) Purchase Order                                    | <input checked="" type="checkbox"/> |

**LEGISLATIVE FILE**  
File ID No. 12-0715  
Introduction Date 3-28-2012  
Enactment No. 12-0978  
Enactment Date 3-29-12

TS Timothy E. White Date 4/8/12  
Asst. Superintendent  
T Tadashi Nakadegawa Date  
Facilities Director

**SECTION II. LOCAL BUSINESS PARTICIPATION PERCENTAG**

| Local Business | Small Local Business | Small Local Resident Busines | Total Percentage |
|----------------|----------------------|------------------------------|------------------|
| 0.00%          | 0.00%                | 0.00%                        | 0.00%            |

**SECTION III. AGREEMENT INFORMATION:**

|                                  |   |                          |  |
|----------------------------------|---|--------------------------|--|
| Project Name:                    | Chabot New Classroom & MP Bldg  | Project No:              | 06001-2<br><u>1069901831-</u>  |
| Vendor Name:                     | Diablo Boiler   | Vendor Contact:          | Ashley Brogden <u>22602</u>  |
| Vendor Phone Number:             | (925) 776-5089  | Vendor Mailing Address:  | P.O. Box 2595<br>Antioch, CA 94531-2595 <u>6274</u>  |
| Agreement Start and Stop Dates:  | Start: 1/30/2012<br>Stop: 12/31/2012  | Amounts:                 | Current Contract Amount: \$0.00<br>Not to Exceed Amount: \$2,347.39<br>Revised Contract Amount: \$0.00   |
| Has Work Started?                | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><i>If yes give an explanation:</i> | Has Work Been Completed? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Date:   |
| Certificate of Insurance Attache | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                       | Date provided:           | <u>New</u><br>Vendor Number:<br>Fiscal Year: <u>2011-2012</u><br>PO. Under \$50K:<br>Date Processed: <u>2-10-2012</u><br>To: MB 2-10-12 to DR: |

**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 - N/A
  - 3) Date of Bid Opening - N/A
  - 4) Name of Architect - N/A
  - 5) Liquidated damages per day - \$
  - 6) Performance Bonds Attached
  - 7) Payment Bonds Attached
- (Sections 6 and 7 to be completed by Contract Administration department)

**Scope of Work:** *(Needed to prepare Executive Summary)* Please attach separately along with Vendor's proposal.

Replace two faulty pump motors, troubleshoot and adjust boiler to reduce boiler rumble sound.

Jody London 3/29/12  
Jody London  
Secretary, Board of Education  
Edgar Rakestraw, Jr., Sec  
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 condensate pump motors failed outside of warranty and there was a report of excessive vibration coming from the boiler.

Funding Source: \_\_\_\_\_

Budget Number: \_\_\_\_\_

**RECEIVED**  
2-10-2012

**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.) | <p><b>Specialty Service:</b> 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."</p>  | ✓ |
| 2.) | <p><b>District Discretion</b> 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.</p>  |   |
| 3.) | <p><b>Futility:</b> 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.)</p>   |   |
| 4.) | <p><b>Field Test</b> / (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</p>   |   |
| 5.) | <p><b>Product Match</b> / (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</p>  |   |
| 6.) | <p><b>Sole Source</b> / (3) In order to obtain a necessary item that is only available from one source. PUBLIC CONTRACT CODE SECTION 3400-3410</p>  |   |
| 7.) | <p><b>Emergency Repair</b> / (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.</p> |   |

Diablo Boiler  
P.O. Box 2595  
Antioch, CA 94531-2595

| Date      | Invoice # |
|-----------|-----------|
| 1/30/2012 | 9475      |

| Phone # | 925-776-5089 |
|---------|--------------|
|---------|--------------|

Oakland Unified School District

| P.O. No. | Terms  | Due Date |
|----------|--------|----------|
|          | Net 10 | 2/9/2012 |

| Description   | Amount                  |
|---|-------------------------|
| Supplied labor, materials, and equipment to remove and replace (2) faulty motors at Chabot Elementary. Work consisted of isolating and draining the tank; disconnecting both old motors; removing the impeller; installing both new pumps; brought the units back online to ensure proper operation of all newly installed parts.   | 1,381.39                |
| Supplied labor, materials, and equipment to perform troubleshooting services on the boiler located at Chabot Elementary. Work consisted of technician arriving to find the boiler pulsating and rumbling; tested and adjusted the boilers' combustion; tuned the boiler down slightly so that it would operate quieter; tested the boiler for repeatability; technician noted that a flame rod replacement may be needed.   | 483.00                  |
| Supplied labor, materials, and equipment to perform troubleshooting services regarding flame failures on the boiler located at Chabot Elementary. Work consisted of technician adjusting the air / fuel ration slightly to increase the flame signal; removed the pilot assembly and adjusted the placement of the flame sensor from the 9 o'clock position to the 12 o'clock position and increased the depth of the flame rod by 1/2"; burner achieved a much stronger flame signal; tested for repeatability to ensure proper operation. | 483.00                  |
| THANK YOU FOR YOUR PATRONAGE!   | <b>Total</b> \$2,347.39 |