

<b>Board Office Use: Legislative File Info.</b>	
File ID Number	12-2636
Committee	Facilities
Introduction Date	10-10-2012
Enactment Number	12-2597
Enactment Date	10/10/2012



OAKLAND UNIFIED SCHOOL DISTRICT

Memo

To Board of Education

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

Board Meeting Date October 10, 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	Total	Fund	P.O.	Site	Date	City
Advanced Voice & Data	\$4,468.26	Measure B	P.O.	Highland New Classroom Building	6-28-2012 thru 7-6-2012	Concord
ALMA Strategies	\$14,850.00	Measure B	P.O.	Fremont HS	6-1-2012 thru 5-31-2013	San Francisco
Approved Maintenance	\$800.00	Developer Fees	P.O.	La Escuelita Educational Center	9-5-2012 thru 12-31-2012	Oakland
Associates Comfort Systems	\$9,100.00	Special Revenue Fund	P.O.	Various Move Management	7-1-2012 thru 12-31-2012	San Leandro
BA Morrison	\$2,000.00	Measure B	P.O.	Grass Valley ES Portable Installation	8-20-2012 thru 12-30-2012	Castro Valley
Bayside Pest Control	\$15,660.00	Developer Fees	P.O.	Facilities	7-1-2012 thru 6-20-2013	El Cerrito
Bobbie's Permit Service	\$5,563.00	Measure B	P.O.	Grass Valley ES Portable Installation	8-9-2012 thru 10-18-2012	Coarsegold
California Department of Education	\$8,498.89	Measure B	P.O.	Highland New Classroom Building	9-13-2012 thru 12-30-2012	Sacramento
CDW Government	\$65,859.19	Developer Fees	P.O.	La Escuelita Educational Center	8-15-2012 thru 10-15-2012	Chicago, IL
CDW Government	\$67,205.05	Measure A	P.O.	La Escuelita Educational Center	8-15-2012 thru 10-15-2012	Chicago, IL
CEL	\$6,510.00	Measure B	P.O.	Piedmont Portable Installation	7-30-2012 thru 9-1-2012	San Ramon



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Clark's Home & Garden, Inc.	\$1,988.49	County School Facilities Fund	P.O.	King Estates Seismic Retrofit AB-300	8-28-2012 thru 2-28-2013	Hayward
Comco Sheet Metal Company, Inc.	\$7,013.13	Special Revenue Reserve	P.O.	Marshall School	9-12-2012 thru 11-12-12	Oakland
Commercial Systems	\$4,388.00	Measure B	P.O.	Urban Promise Multi-Purpose Building	5-20-2012 thru 8-1-2012	San Carlos
Corovan	\$74,472.54	Special Revenue Reserve	P.O.	Lakeview (School Closure)	8-1-2012 thru 6-30-2012	Poway
Creation Engine, Inc.	\$869.73	Measure A	P.O.	Facilities	9-11-2012 thru 10-11-2012	Mountain View
Del Monte Electric Co.	\$7,500.00	Measure B	P.O.	Montera MS Modernization	8-23-2012 thru 12-30-2012	Dublin
DGC Services	\$3,200.00	Measure B	P.O.	Jefferson New Building	7-30-2012 thru 11-30-2012	Dublin
Douglas Parking	\$2,650.00	Special Revenue Fund	P.O.	Lakeview ES	5-1-2011 thru 6-30-2012	Oakland
Energy Systems	\$768.00	Developer Fees	P.O.	La Escuelita Educational Center	6-19-2012 thru 8-19-2012	Stockton
Eric Thomas & Associates	\$7,900.00	Measure A	P.O.	Facilities	8-15-2012 thru 8-15-2012	Grand Ledge, MI
Eric Young	\$375.00	Measure A	P.O.	Facilities	6-27-2012	Oakland
Eric Young	\$150.00	Measure A	P.O.	Facilities	8-3-2012 thru 8-3-2012	Oakland
Eric Young	\$1,200.00	Measure A	P.O.	Facilities	8-10-2012 thru 8-10-2012	Oakland
Fire Alarm Security Services	\$984.00	Measure B	P.O.	Grass Valley ES Portable Installation	8-27-2012 thru 8-27-2014	Aptos
First Alarm	\$2,480.00	County School Facilities	P.O.	La Escuelita Educational Center	8-1-2012 thru 10-1-2012	San Jose
First Alarm	\$3,867.00	Measure B	P.O.	La Escuelita Educational Center	9-6-2012 thru 11-6-2012	San Jose
Gary Doupnik Manufacturing	\$39,000.00	Measure B	P.O.	Lowell Modernization	6-25-2012 thru 7-2-2013	Loomis
Globe Plumbing Supply Co.	\$1,871.77	Developer Fees	P.O.	La Escuelita Educational Center	6-19-2012 thru 8-19-2012	Oakland
Graham Tree Service, Inc.	\$12,000.00	Developer Fees	P.O.	La Escuelita Educational Center	7-5-2012 thru 9-5-2012	San Leandro
High-Tech Electric	\$9,093.00	Developer Fees	P.O.	La Escuelita Educational Center	8-10-2012 thru 9-30-2012	Clovis
High-Tech Electric	\$10,350.00	Country School Facilities	P.O.	La Escuelita Educational Center	9-4-2012 thru 12-31-2012	Clovis



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J&R Fence, Inc.	\$1,800.00	Measure B	P.O.	Grass Valley ES Portable Installation	9-6-2012 thru 12-31-2012	San Leandro
Larm's Building & Garden Supply, Inc.	\$111.73	Developer Fees	P.O.	La Escuelita Educational Center	6-20-2012 thru 8-20-2012	Oakland
Lee's Signs	\$835.20	Measure B	P.O.	Madison Football and Multi-Use Field	7-23-2012 thru 9-23-2012	Oakland
Mobile Modular Management Corp.	\$1,250.00	Measure B	P.O.	Piedmont Portable Installation for Library and Science Room	7-19-2012 thru 8-1-2012	Livermore
North American Fence & Railing, Inc.	\$750.00	Measure B	P.O.	Roosevelt MS Modernization	8-21-2012 thru 6-1-2012	Oakland
Optus, Inc.	\$164.43	Developer Fees	P.O.	La Escuelita Educational Center	6-19-2012 thru 8-19-2012	Jonesboro, AR
PG&E	\$1,165.24	Measure B	P.O.	Montclair Interim Housing	8-2-2011 thru 8-1-2012	Stockton
Ray's Electric	\$49,000.00	Measure B	P.O.	Piedmont Portable Installation for Library and Science Room	7-2-2012 thru 12-31-2012	Oakland
Ray's Mobile Modular Service	\$2,400.00	Measure B	P.O.	Grass Valley ES Portable Installation	8-1-2012 thru 9-30-2012	Bryon
Redgwick Construction	\$19,320.00	Measure B	P.O.	Sobrante Park Modernization	8-16-2012 thru 10-15-2012	Oakland
Redwood Engineering Construction	\$49,900.00	Measure B	P.O.	Grass Valley ES Portable	6-14-2012 thru 12-30-2012	Redwood City
Reed Brothers	\$675.00	Developer Fees	P.O.	Metwest Educational Center	8-15-2012 thru 10-15-2012	Oakland
Robles Communications, Inv.	\$5,037.50	Special Revenue Fund	P.O.	Melrose Leader Academy	8-2-2012 thru 10-2-2012	San Leandro
SGL Construction Mangement	\$19,999.00	Developer Fees	P.O.	Metwest Educational Center	7-20-2012 thru 9-20-2012	Pasadena
SJ General Building Maintenance Inc.	\$2,250.00	Measure B	P.O.	Grass Valley ES Portable Installation	8-1-2012 thru 12-1-2012	San Jose
Summerhill Electric	\$4,210.00	Measure B	P.O.	Jefferson CDC Fire Alarm Replacement	7-12-2012 thru 1-14-2013	Oakland
Urban Design Consulting	\$18,920.00	Measure B	P.O.	Sobrante Park Modernization	8-15-2012 thru 12-31-2012	Oakland
Urban Design Consulting	\$15,350.00	Measure B	P.O.	Washington Modernization	8-15-2012 thru 12-31-2012	Oakland



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	<i>Valley Carports</i>	<i>\$27,890.00</i>	<b>Measure B</b>	<i>P.O.</i>	<i>Havenscourt New Cafeteria &amp; Classroom Building</i>	<i>9-10-2012 thru 6-30- 2013</i>	<i>Tulare</i>
	<i>Your all Day Everyday Janitorial Service</i>	<i>\$16,790.00</i>	<b>Developer Fees</b>	<i>P.O.</i>	<i>La Escuelita Educational Center</i>	<i>9-4-2012 thru 12-31- 2012</i>	<i>San Francisco</i>

**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**

1060277

DATE SUBMITTED: 8/6/2012  
 SUBMITTED BY: Wil Newby

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

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

Vendor Number: \_\_\_\_\_  
 Fiscal Year: 2012-2013  
 P.O. Under \$50K:   
 Date Processed: 8/30-2012  
 To: MB 930 To DR: \_\_\_\_\_

*[Signature]* 8/6

*[Signature]* 8/7/12

Timothy E. White  
 Asst. Superintendent

Tadashi Nakadegawa  
 Facilities Director

**SECTION II. LOCAL BUSINESS PARTICIPATION PERCENTAGE:**

Local Business	Small Local Business	Small Local Resident Business	Total Percentage
100.00%	0.00%	0.00%	100.00%

**SECTION III. AGREEMENT INFORMATION:**

Project Name: Washington Modernization	Project No: 06012
Vendor Name: Urban Design Consulting	Vendor Contact: Jason Ling
Vendor Phone Number: (510) 868-1085	Vendor Mailing Address: 4400 Market Street, Suite 800 Oakland, CA 94608
Agreement Start and Stop Dates: Start: 8/15/2012 Stop: 12/31/2012	Amounts: Current Contract Amount: \$0.00 Not to Exceed Amount: \$15,350.00 Revised Contract Amount: \$0.00
Has Work Started? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes give an explanation: _____ File ID No. <u>12-2034</u> Introduction Date <u>10-10-2012</u>	Has Work Been Completed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date: _____
Certificate of Insurance Attached <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Attachment No. <u>12-2597</u> Attachment Date <u>10/10/12</u>	Date provided: _____ <i>Jody London</i> President, Board of Education

1619901882-6252

**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) | 6) Performance Bonds Attached                                            |
| 2) Date(s) of Bid Advertisement -                                                         | 7) Payment Bonds Attached                                                |
| 3) Date of Bid Opening -                                                                  | (Sections 6 and 7 to be completed by Contract Administration department) |
| 4) Name of Architect - S Meek Architecture                                                |                                                                          |
| 5) Liquidated damages per day - \$                                                        |                                                                          |

**Scope of Work:** (Needed to prepare Executive Summary)  
**Additional Services to include:**

- Geotechnical Observation, Field Density Testing and Prepare Construction Report - \$6,600
  - Submit project to DSA and coordinate - \$4,900
- Reimbursables to include:
- Printing for submission to DSA and DSA fees - \$3,850

*Jody London*  
 President, Board of Education  
 10/10/12

*Edgar Rakestraw, Jr., S.S.*  
 Board of Education  
 10/10/12

8-8-2012  
**RECEIVED**

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

**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

Per DSA Field Note, dated 8/2/12 and subsequent discussion with DSA Field Inspector (M. Fretz), UDCE will need to submit this project for Access-Only review by DSA based on the fact that the project consists of sports field and other site facility improvements at a public school site and that public funds are being expended to complete the project.

**Funding Source:** Measure B

**Budget Number:**

**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) <b>COST / TIME CONSTRAINTS / NO CERTIFIED BIDDERS</b>. 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>	

# PROJECT ESTIMATE

<b>Prepared by: Urban Design Consulting Engineers, 8/1/2012</b> <b>Client: Oakland Unified School District, CA</b> <b>Project: Washington ES Landscape Improvements Phase 2 Project, Oakland, CA</b>								
			<i>Principal</i>	<i>Associate Engineer</i>	<i>Associate Designer</i>	<i>Business Coordinator</i>	<i>Subconsultant</i>	<i>Reimb. / Est.</i>
	<b>Rate   Markup</b>	\$ 180	\$ 125	\$ 115	\$ 90	10%	10%	
	<i>Task</i>	<i>Hours</i>	<i>Hours</i>	<i>Hours</i>	<i>Hours</i>			<i>Totals</i>
<b>1.</b>	<b>Additional Services</b>	<b>16.0</b>	<b>-</b>	<b>16.0</b>	<b>2.0</b>			<b>\$ - \$11,500.00</b>
1.1	Geotechnical Observation, Field Density Testing and Prepare Construction Report					\$ 6,000.00		\$6,600.00
1.2	Submit project to DSA and coordinate	16.0		16.0	2.0			\$4,900.00
	<b>Reimbursables</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>			<b>\$ 3,500.00 \$3,850.00</b>
	Printing for submission to DSA and DSA Fees.					\$ 3,500.00		\$3,850.00
							<b>TOTAL</b>	<b>\$15,350.00</b>

To be completed by the DSA Field Engineer during each visit to the job-site.  
A copy of this form must be distributed to the Design Professional in General Responsible Charge, the School District, and the Project Inspector

Are there issues on this field Trip Note that required review by the Design Professional in General Responsible Charge?  Yes  No

DSA File No.	1-29
DSA Application No.	None
Field Trip Note No.	1

Project Name Washington ES – Field Project

Inspector None Inspector on-site?  Yes  No

Date 8 - 2 - 2012 Time 11:30 Project % Complete 85 % Page 1 of 1

**Field Trip Note Comments Requiring Review:**

List Comments (by number) on this Field Trip Note that require review by the Design Professional: 4

List previous Field Trip Comments (by Field Trip Notes Number & Comment Number) resolved since last site visit (N. A.)

Number each comment for reference

1. I made a site visit to Washington/Sankofa ES and observed that work is on-going for this project without DSA approval. I spoke with Eduardo and later with Frank from McGuire & Hester. I also reviewed the unapproved plans on site.
2. After my site visit, I spoke by phone with Jason Ling from Urban Design Consulting and confirmed that the project was designed by Mr. Ling and has not been submitted to DSA for approval. He indicated that he has a pending proposal with OUSD for his additional fees to submit this project for Access-Only review by DSA. I also confirmed that the OUSD school board approved the construction contract with McGuire & Hester on May 23, 2012, using funds from the sale of school construction bonds.
3. Based on the fact that the project consists of sports field and other site facility improvements at a public school site and given that public funds are being expended to complete the project, I have made an initial determination of DSA jurisdiction over this project. Note that the applicable section of state law is:
  - California Government Code, Section 4454 (a): Where state funds are utilized for any building or facility subject to this chapter, or where funds of counties, municipalities, or other political subdivisions are utilized for the construction of elementary school, secondary school, or community college buildings and facilities subject to this chapter, no contract shall be awarded until the Department of General Services has issued written approval stating that the plans and specifications comply with the intent of this chapter.

A sports field is a "facility" as understood by DSA and a project like this cannot reasonably be considered a maintenance project. This is further clarified in IR A-22 ([http://www.documents.dgs.ca.gov/dsa/pubs/IR\\_A-22\\_corr12-17-09.pdf](http://www.documents.dgs.ca.gov/dsa/pubs/IR_A-22_corr12-17-09.pdf)).
4. I strongly advise the district to submit plans and specifications for this project to the DSA office in Oakland as soon as possible.

Field Engineer's Review of Inspector's Performance  Job File  Comprehension of Documents  Continuous Inspection  Inspection Records

Check each category reviewed (refer to DSA IR A-8):  Communication & Reporting  Monitoring T&I Program  Supervision of Assistant (s)

DSA Field Engineer

Signature  Print Name Michael Fretz Date August 3, 2012

Distribution of Field Trip Note: (Field Engineer Must indicate one of the following)

DSA Field Engineer will forward a copy of this Field Trip Note to the Design Professional in General Responsible Charge & the School District/Owner

Inspector must forward a copy of this Field Trip Notes to the Design Professional in General Responsible Charge and the School District /Owner