


Board Office Use: Legislative File Info.	
File ID Number	12-2459
Committee	Facilities
Introduction Date	10-10-2012
Enactment Number	12-2539
Enactment Date	10/19/12 <i>oa</i>



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 10, 2012

Subject Division of Facilities Planning and Management P.O.'s. Increases - 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
✓ 12-2459	Diablo Boiler	\$2,543.00	Measure B	P.O. Increase	Chabot New Classroom & MP Building	3-28-2012 thru 12-31-2012	Antioch, CA
12-2463	Kam Yan and Associates	\$500.00	Developers Fees	P.O. Increase	Oakland Tech Stadium Light Pole	12-1-2010 thru 12-31-2012	Oakland, CA
12-2463	Kam Yan and Associates	\$500.00	Developer Fees	P.O. Increase	Castlemont Stadium Light Pole	12-1-2010 thru 12-21-2012	Oakland, CA
12-2461	Kam Yan and Associates	\$0.00	Developer Fees	P.O. Increase	Skyline Stadium Light Pole	12-1-2010 thru 12-31-2012	Oakland, CA
12-2460	Kam Yan and Associates	\$0.00	Developer Fees	P.O. Increase	Carter Baseball Scoreboard	9-19-2011 thru 12-31-2012	Oakland, CA
12-2464	Neuwirth & Associates	\$10,000.00	Measure B	P.O. Increase	Madison Field	6-20-2012 thru 12-31-2012	San Francisco

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.

INCREASE
P1206585

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

DATE SUBMITTED: 2/17/2012
SUBMITTED BY: Eric Scheuermann

V060668

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. _____
 Introduction Date _____
 Enactment No. _____
 Enactment Date _____

Amendment

 Timothy E. White Date
 Asst. Superintendent

 Tadashi Nakadegawa Date
 Facilities Director

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:	Chabot New Classroom & MP Bldg	Project No:	06001-2
Vendor Name:	Diablo Boiler	Vendor Contact:	Ashley Brogden
Vendor Phone Number:	(925) 776-5089	Vendor Mailing Address:	P.O. Box 2595 Antioch, CA 94531-2595
Agreement Start and Stop Dates:	Start: 3/28/2012 Stop: 12/31/2012	Amounts:	Current Contract Amount: \$2,347.39 Not to Exceed Amount: \$2,543.00 Revised Contract Amount: \$4,809.39
Has Work Started?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes give an explanation:	Has Work Been Completed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Certificate of Insurance Attached	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date provided:	To: MB 4-2 To DR: _____

1069901830-6274

Vendor Number: _____
 Fiscal Year: **2011-2012**
 P.O. Under \$50K: _____
 Date Processed: **4-2-2012**

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

- 1) Number of Bids Received, List of Bids: _____ October 10, 2012 (Attach Bid Documents)
- 2) Date(s) of Bid Advertisements: _____
- 3) Date of Bid Opening: N/A
- 4) Name of Architect - Beverly Prior Architects, 10/10/12
- 5) Liquidated damages per day - \$0.2
- 6) Performance Bonds Attached
- 7) Payment Bonds Attached

Scope of Work: (Needed to prepare Executive Summary) Please attach separately along with Vendor's proposal.
 Supplied labor, materials, and equipment to troubleshoot motors at Chabot Elementary. Work consisted of investigating and replacing motor starters. Boiler is up and running properly.

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

Feed water pumps were locking up at 28 amps. Technician pulled motor starters in order to locate and replace (2) faulty starters.

OUSD or the District verifies that the Contractor does not appear on the Excluded Parties List at www.epls.gov/epls/search.do.

Funding Source: _____

Budget Number: _____

RECEIVED

4-2-2012

Diablo Boiler
af.com
 Edgar Rakestraw, Jr., Secretary
 Board of Education
 10/10/12

Jody London
 President, Board of Education

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>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."</p>	✓
2.)	<p>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.</p>	
3.)	<p>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.)</p>	
4.)	<p>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</p>	
5.)	<p>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</p>	
6.)	<p>Sole Source / (3) In order to obtain a necessary item that is only available from one source. PUBLIC CONTRACT CODE SECTION 3400-3410</p>	
7.)	<p>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.</p>	

Board Office Use: Legislative File Info.	
File ID Number	12-2159
Committee	Facilities
Introduction Date	October 10, 2012
Enactment Number	12-2539
Enactment Date	10/10/12



OAKLAND UNIFIED
SCHOOL DISTRICT

Community Schools, Thriving Students

Memo

To Board of Education

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

Board Meeting Date October 10, 2012

Subject Amendment No. 1, Purchase Order Increase - Diablo Boiler- Chabot New Classroom and MP Bldg. Project

Action Requested Approval by the Board of Education of Amendment No. 1, Purchase Order Increase with Diablo Boiler for Troubleshooting Services on behalf of the District at Chabot New Classroom and Multi-purpose Building Project, in an amount not-to exceed \$2,543.00 increasing previous contract amount from \$2,347.39 to a not to exceed amount of \$4,809.39. All remaining portions of the agreement shall remain in full force and effect as originally stated.

Background Feed water pumps were locking up at 28 amps. Technician pulled motor starters in order to locate and replace two (2) faulty starters.

Local Business Participation Percentage 0.00%

Strategic Alignment 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.

Recommendation

Approval by the Board of Education of Amendment No. 1, Purchase Order Increase with Diablo Boiler for Troubleshooting Services on behalf of the District at Chabot New Classroom and Multi-purpose Building Project, in an amount not-to exceed \$2,543.00 increasing previous contract amount from \$2,347.39 to a not to exceed amount of \$4,809.39. All remaining portions of the agreement shall remain in full force and effect as originally stated.

Fiscal Impact

Measure B

Attachments

- Independent Contractors Agreement including scope of work



Community Schools. Thriving Students.

File ID Number: 12-2459
 Introduction Date: 10/10/12
 Enactment Number: 12-2539
 Enactment Date: 10/10/12
 By: o.s.

AMENDMENT NO. 1 TO PURCHASE ORDER CONTRACT

This Amendment is entered into between the Oakland Unified School District (OUSD) and Diablo Boiler. OUSD entered into an Agreement with CONTRACTOR for services on January 1, 2012, and the parties agree to amend that Agreement as follows:

1. **Services:** The scope of work is unchanged. The scope of work has changed.
 If **scope of work changed**: Provide brief description of revised scope of work including description of expected final results, such as services, materials, products, and/or reports; attach additional pages as necessary. Attach revised scope of work.
 The CONTRACTOR agrees to provide the following amended services: The scope is to provide additional supplied labor, materials, and equipment to troubleshoot motors at Chabot Elementary School. Work consisted of investigating and replacing motor starters. Boiler is up and running properly.

2. **Terms (duration):** The term of the contract is unchanged. The term of the contract has changed.
 If **term is changed**: The contract term is extended by an additional _____ (days/weeks/months), and the amended expiration date is _____, 20____.

3. **Compensation:** The contract price is unchanged. The contract price has changed.
 If **the compensation is changed**: The contract price is amended by
 Increase of \$2,543.00 to original contract amount
 Decrease of \$ _____ to original contract amount
 and the new contract total is **Four thousand, eight hundred nine dollars and thirty-nine cents (\$4,809.39)**

4. **Remaining Provisions:** All other provisions of the Agreement, and prior Amendment(s) if any, shall remain unchanged and in full force and effect as originally stated.

5. **Amendment History:**

There are no previous amendments to this Agreement. This contract has previously been amended as follows:

No.	Date	General Description of Reason for Amendment	Amount of Increase (Decrease)
			\$

6. **Approval:** This Agreement is not effective and no payment shall be made to Contractor until it is approved. Approval requires signature by the Board of Education, and the Superintendent as their designee.

OAKLAND UNIFIED SCHOOL DISTRICT

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

Edgar Rakestraw, Jr. 10/10/12
 Edgar Rakestraw, Jr., Secretary Board of Education Date

Timothy White _____
 Timothy White, Associate Superintendent Facilities, Planning and Management Date

CONTRACTOR

Ashley Brogden 9/16/12
 Contractor Signature Date

Ashley Brogden - Administrative Assistant
 Print Name, Title

EXHIBIT "A" Scope of Work

Contractor Name:

Billing Rate: Two thousand, five hundred forty-three dollars and no cents (\$2,543.00)

1. Description of Services to be Provided

Feed water pumps were locking up at 28 amps. Technician pulled motor starters in order to locate and replace two (2) faulty starters.

2. Specific Outcomes:

To provide a safe and dry place for students and staff at Chabot New Classroom Project.

3. Alignment with District Strategic Plan: Indicate the goals and visions supported by the services of this contract:

<input type="checkbox"/> Ensure a high quality instructional core	<input type="checkbox"/> Prepare students for success in college and careers
<input checked="" type="checkbox"/> Develop social, emotional and physical health	<input checked="" type="checkbox"/> Safe, healthy and supportive schools
<input checked="" type="checkbox"/> Create equitable opportunities for learning	<input type="checkbox"/> Accountable for quality
<input type="checkbox"/> High quality and effective instruction	<input type="checkbox"/> Full service community district

Oakland Unified School District or the District verifies that the Contractor does not appear on the Excluded Parties List at www.epls.gov/epls/search.do.

Susie Butler Berkley 9-6-2012

 Susie Butler-Berkley
 Contract Analyst

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

Date	Invoice #
2/17/2012	9526

Phone #	925-776-5089
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PLANNING
DEPARTMENT

MAR 19 A 1: 11

Oakland Unified School District
Attn: Eric Scheuermann
955 High Street
Oakland, CA 94601

REET
94601

P.O. No.	Terms	Due Date
Verbal	Net 30	3/18/2012

Description	Amount
Supplied labor, materials, and equipment to troubleshoot motors at Chabot Elementary. Work consisted of technician investigating motors; found feed water pumps locking up; pulled the pumps to check the impeller and see what was causing the lock up; motors and pumps were moving freely; found that pumps were running fine at 7 amps and locked up at 28 amps; possible contacts in motor starters are faulty and not making good contact; pulled motor starters in order to locate (2) new starters; returned at a later date to install all new hardware; brought the boiler back online to ensure proper operation; checked the amp load and power coming in; boiler is up and running properly.	2,543.00

FACILITIES PLANNING
AND MANAGEMENT
2012 MAR 20 A 11: 30

THANK YOU FOR YOUR PATRONAGE!	Total	\$2,543.00
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Board Office Use: Legislative File Info.	
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 Center	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 2-16-12	Oakland
12-0726	North American Fence & Railing	\$425.00	Developer Fees	P.O.	Garfield Portable	10-15-2011 thru 2-29-12	Oakland
12-0727	PG&E Integrated Processing Center	\$5,000.00	Fund 35	P.O.	Facilities	1-4-12 thru 2-4-12	San Francisco
12-0728	PG&E Integrated Processing Center	\$150,000.00	Fund 35	P.O.	Facilities	12-15-11 thru 2-15-12	San Francisco
12-0729	Reed Brothers	\$348.86	Measure B	P.O.	Lowell Mod	2-14-12 thru 2-14-12	Oakland
12-0730	Safeplay by Design, Inc.	\$1,600.00	Measure B	P.O.	Laurel CDC	5-1-12 thru 12-31-13	Elk Grove
12-0731	Safeplay by Design, Inc.	\$900.00	Measure B	P.O.	Stonehurst CDC	5-1-12 thru 8-1-13	Elk Grove
1209732	Snader Associates	\$25,000.00	Fund 35	P.O.	La Escuelita	3-1-12 thru 12-31-12	San Rafael
11-3023	Southwest Interiors	\$45,000.00	Measure B	P.O.	Montera Mod	8-25-11 thru 8-25-12	Auburn
12-0733	SunEnergy	\$6,402.63	Fund 35	P.O.	Chobot Caldecott Tunnel Grant	2-13-12 thru 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	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

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

Timothy E. White Asst. Superintendent Date
 Tadashi Nakadegawa Facilities Director Date 2/8/12

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

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.

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: 2-10-2012

RECEIVED
 2-10-2012

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

SECTION IV. L/S/LSRBE - RATIONALE FOR NON COMPLIANCE CHECK LIST

1.)	<p>Specialty Service: This contractor provides a unique specialty service that is currently not available from a certified L/S/LSRBE. 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 necessarily trained and experienced and competent to perform the special services required."</p>	✓
2.)	<p>District Discretion under L/S/LSRBE due to lack of certified firms at time of bid. If at least three L/S/LSRBEs are not certified, then the requirement may, at 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>Futility: It would be futile to require that the contract be subjected to the L/S/LSRBE 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>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</p>	
5.)	<p>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</p>	
6.)	<p>Sole Source (3) In order to obtain a necessary item that is only available from one source. PUBLIC CONTRACT CODE SECTION 3400-3410</p>	
7.)	<p>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 proposal. 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>	



CERTIFICATE OF LIABILITY INSURANCE

DIABL-4

OP ID: HU

DATE (MM/DD/YYYY)

03/02/12

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Powers and Company Insurance Agents and Brokers P. O. Box 619043 Lic #0H38004 Roseville, CA 95661-9043	916-630-8643	CONTACT NAME:	
	800-783-0083	PHONE (A/C, No, Ext):	FAX (A/C, No):
		E-MAIL ADDRESS:	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A : Colony Insurance Company	NAIC # 39993
		INSURER B : American States Ins. Co.	19704
		INSURER C :	
		INSURER D :	
		INSURER E :	
		INSURER F :	

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

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATION MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> GENERAL LIABILITY			GL160176	11/12/11	11/12/12	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY \$ 1,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						GENERAL AGGREGATE \$ 2,000,000
B	<input type="checkbox"/> AUTOMOBILE LIABILITY			01C16086871	11/12/11	11/12/12	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS	<input checked="" type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS	<input checked="" type="checkbox"/> NON-OWNED AUTOS					PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB	<input type="checkbox"/> OCCUR					EACH OCCURRENCE \$
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE					AGGREGATE \$
	DED	RETENTION \$					\$
	<input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	<input type="checkbox"/> Y/N	N/A				WC STATUTORY LIMITS
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/>					OTHER
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Evidence of Insurance.

CERTIFICATE HOLDER

OAKLAND

Oakland Unified
School District
955 High Street
Oakland, CA 94601

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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