

# LEGISLATIVE FILE

File ID No. 14-0837  
Introduction Date 5-14-2014  
Enactment No. 14-0800  
Enactment Date 5/14/14  
By [Signature]

**OAKLAND UNIFIED SCHOOL DISTRICT**  
Office of the Board of Education  
May 14, 2014

To: Board of Education

From: Dr. Gary Yee, Acting Superintendent and Secretary, Board of Education  
By: Vernon Hal, Deputy Superintendent, Business Operations *VEH*  
Timothy E. White, Associate Superintendent of Planning & Management

Subject: Change Order No. 1 with McCarthy/Turner Group JV for MetWest Educational Center Phase 2 in an amount of \$1,500,000.00 increasing the current contract from \$35,865,425.00 to \$37,365,426.00.

**ACTION REQUESTED**

Authorize the President and Secretary of the Board to enter into and execute Change Order No. 1 on behalf of the District with McCarthy/Turner Group JV for additional work due to District requested improvements and DSA or Agency requested changes to MetWest Educational Center Phase 2 in the amount not to exceed \$1,500,000.00, increasing the current contract amount from \$35,865,425.00 to \$37,365,426.00.

**BACKGROUND**

The scope of work for the original contract was to provide modernization construction services for the «Project». Funding for the project is «Funding\_Source».

All costs associated with this change order have been thoroughly monitored and documented by the Architect, Inspector of Record, and Project Manager.

All changes pertaining to this change order, amount to 4.18% of original contract sum, have been categorized as to source. Percentage figures relate amount of change (by source), to the original contract sum of \$35,865,425.00.

|                                       | Amount \$             | Percent %    |
|---------------------------------------|-----------------------|--------------|
| Changes Due to Owner Requested Change |                       |              |
| (Preliminary Change Order No. 2)      | \$1,500,000.00        | 4.18%        |
| <b>TOTAL</b>                          | <b>\$1,500,000.00</b> | <b>4.18%</b> |

**DISCUSSION**

Under a separate series of actions not related to this change order approval, the District will review and adjust the consultant fees to acknowledge costs resulting from their errors and omissions.

|  |                        |
|--|------------------------|
| Original Contract Sum:                               | \$35,865,426.00        |
| Sum of previously approved Change Orders:            | <u>\$0.00</u>          |
| Contract sum prior to this Change Order:             | \$35,865,426.00        |
| Cost of current Change Order No. 1                   | <u>\$ 1,500,000.00</u> |
| New Contract Sum:                                    | \$37,365,426.00        |
| Current Change Order(s) as % of contract             | 4.18%                  |
| Contract completion date as of this «Agreement_Type» | 8/11/2014              |

**RECOMMENDATION**

Authorize the President and Secretary of the Board to enter into and execute Change Order No. 1 on behalf of the District with McCarthy/Turner Group JV for additional work due to District requested improvements and DSA or Agency requested changes to MetWest Educational Center Phase 2 in the amount not to exceed \$1,500,000.00, increasing the current contract amount from \$35,865,425.00 to \$37,365,426.00. All remaining portions of the agreement shall remain in full force and effect as originally stated.

**FUNDING SOURCE**

The funding source for this change order is the Country School Facilities Fund. The scope of work is included in the Board of Education approved total budget for the MetWest Educational Center Phase 2 Project. The total budget for this project is \$37,365,426.00.

**ATTACHMENT**

Change Order No. 1 which includes: MetWest Educational Center Phase 2 Project PCO (Preliminary Change Order) Number: 1.

Key Codes: 1219003825-6271

V061065

# OAKLAND UNIFIED SCHOOL DISTRICT

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

## CHANGE ORDER NO. 01

**PROJECT:** Metwest  
Educational Center Phase 2

**OWNER:** Oakland Unified School District

**CONTRACTOR:** McCarthy/Turner Group JV  
343 Sansome Street, 14th Floor  
San Francisco, CA 94104

**DATE:** 4/1/2014

**DSA FILE NO.:** 1-29

**DSA APP NO.:** 111447

**OUSD PROJECT#:** 07047-4

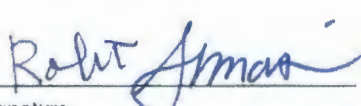

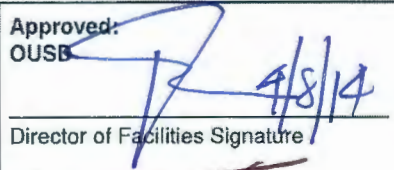

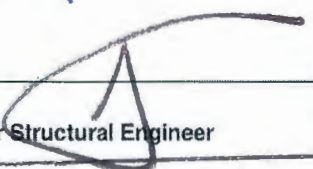
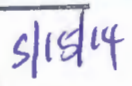

**PROJECT MGR.:** Rocky Borton

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  | \$35,865,426.00 |
| Net Change by previously authorized Change Orders              |                 |
| The Contract sum prior to this change order                    |                 |
| The Contract sum will be increased/decreased                   | \$1,500,000.00  |
| The New Contract Sum including the Change Order will be        | \$37,365,426.00 |
| Change Order percentage of base contract                       | 4.18%           |
| The Contract is changed by (0) Zero Calendar Days              | 0 days          |
| Contract completion date as of this Change Order therefore is: | 8/11/2014       |

Summary reference attached items : 1

Reviewed by:  4-9-14  
Bond Program Director Date

|   |  |   |
|---|--|---|
| <b>Approved:</b><br>Architect of Record<br><br><br>Signature<br>Date: 4.4.14   | <b>Approved:</b><br>General Contractor<br><br><br>Signature<br>Date: 4/4/14   | <b>Approved:</b><br>OUSB<br><br><br>Director of Facilities Signature<br>Date: 4/8/14<br><br><br>Asst. Superintendent Signature<br>Date: |
| <b>Approved:</b><br>Electrical or Structural Engineer<br><br>David Kakishiba<br>President, Board of Education<br><br><br>Signature<br>Date: 5/5/14<br><br>Gary Yee, Ed.D.<br>Secretary, Board of Education | <b>Approved:</b><br>Mechanical Engineer<br><br><br>Signature<br>Date: 5/15/14 | <b>Approved:</b><br>Division of the State Architect<br><br><div style="text-align: center; font-size: 2em; color: red; font-weight: bold;">RECEIVED</div> <br>Signature<br>Date: 4-5-10-2014                                 |

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

Fund 35  
Res 7710

1219003835-6271

FACILITIES PLANNING & MGMT  
ACCOUNTING DEPARTMENT  
APR 10 2014 AM 7:57

# OAKLAND UNIFIED SCHOOL DISTRICT

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

## SUMMARY OF CHANGE ORDER NO. 01

|                    |   |                       |              |
|--------------------|---|-----------------------|--------------|
| <b>PROJECT:</b>    | Metwest<br>Educational Center Phase 2   | <b>DATE:</b>          | 4/1/2014     |
| <b>OWNER:</b>      | Oakland Unified School District   | <b>DSA FILE NO.:</b>  | 1-29         |
| <b>CONTRACTOR:</b> | McCarthy/Turner Group JV<br>343 Sansome Street, 14th Floor<br>San Francisco, CA 94104 | <b>DSA APP NO.:</b>   | 111447       |
|                    |   | <b>OUSD PROJECT#:</b> | 07047-4      |
|                    |   | <b>PROJECT MGR.:</b>  | Rocky Borton |

|   |         |                   |                |
|---|---------|-------------------|----------------|
| 1 | PCO # 1 | ADD<br>ADD/DEDUCT | \$1,500,000.00 |
|---|---------|-------------------|----------------|

Description: Adjustment to the Owner's Contingency.  
Reason: The Owner's Contingency was entirely absorbed during the course of construction due to unforeseen abatement, design changes, Owner requests and Agency requests.  
Requested By: 2 Owner Requested Change  
DSA Prelim approval date:

|                        |                |
|------------------------|----------------|
| <b>CO #1 (1 PCO's)</b> |                |
| <b>Total:</b>          | \$1,500,000.00 |

OAKLAND UNIFIED SCHOOL DISTRICT

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

PRELIMINARY CHANGE ORDER NO. 1

PROJECT: Metwest Educational Center Phase 2

DATE: 4/3/2014

CONTRACTOR: McCarthy/Turner Group JV

DSA FILE: 1-29

DSA APP: 111447

PROJECT MGR: Rocky Borton

OUSD PROJ: 07047-4

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:

This additional increase is to replenish \$1,500,000 of the Owner's Contingency to cover future Unforeseen Conditions, Extended General Conditions, and Design Changes. This Contingency requires the Owner's approval and any funds not used will be entirely credited back to the Owner once the project is complete.

CODE: 2 Owner Requested Change

REASON:

The Owner's Contingency was entirely absorbed during the course of construction due to unforeseen abatement, design changes, Owner requests and Agency requests.

ATTACHMENTS:

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

Amount of Change: [X] ADD [ ] DEDUCT Final Price: \$1,500,000
[X] Lump Sum [ ] Time / Materials Not To Exceed Date: 4/8/14

[X] Contractor to proceed with work described herein, cost not to exceed \$1,500,000; final cost to be determined after review and negotiation.

Time Extension: 0 calendar days

INITIATED BY: REVIEWED BY: REVIEWED BY: ACKNOWLEDGED BY:
Robert Juri 4.4.14 Paul BT 4.4.14 [Signature] 4.9.14 M. Borton 4/4/14
Architect of Record Date Project Manager Date Bond prog. Director Date Contractor Date

OAKLAND UNIFIED SCHOOL DISTRICT APPROVAL

[Signature] 4/9/14
Director of Facilities Date

[Signature]
Assistant Superintendent Date



## CHANGE ORDER ROUTING FORM

| Project Information  |   |      |     |
|--|---|------|-----|
| Project Name   | MetWest Educational Center Phase 11   | Site | 121 |
| Basic Directions   |   |      |     |
| Services cannot be provided until the contract is fully approved and a Purchase Order has been issued. |   |      |     |
| Attachment Checklist   | <input type="checkbox"/> Proof of general liability insurance, including certificates and endorsements, if contract is over \$15,000<br><input type="checkbox"/> Workers compensation insurance certification, unless vendor is a sole provider |      |     |

| Contractor Information |   |                  |   |
|------------------------|---|------------------|---|
| Contractor Name        | McCarthy / Turner JV  | Agency's Contact | Len Turner  |
| OUSD Vendor ID #       | V059132   | Title            | Project Manager   |
| Street Address         | 1625 Filbert Avenue   | City             | Oakland State CA Zip 94607  |
| Telephone              | 510-835-0400  | 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 #         | 07034   |                  |   |

| Term                 |           |   |           |
|----------------------|-----------|---|-----------|
| Date Work Will Begin | 6-27-2012 | Date Work Will End By<br><small>(not more than 5 years from start date)</small> | 8-11-2014 |

| Compensation                  |    |                              |                 |
|-------------------------------|----|------------------------------|-----------------|
| Total Contract Amount         | \$ | Total Contract Not To Exceed | \$37,365,426.00 |
| Pay Rate Per Hour (If Hourly) | \$ | If Amendment, Changed Amount | \$ 1,500,000.00 |
| Other Expenses                |    | Requisition Number           |                 |

| Budget Information  |                          |            |             |                |
|---|--------------------------|------------|-------------|----------------|
| <i>If you are planning to multi-fund a contract using LEP funds, please contact the State and Federal Office before completing requisition.</i> |                          |            |             |                |
| Resource #  | Funding Source           | Org Key    | Object Code | Amount         |
| 7710  | County School Facilities | 1219003835 | 6271        | \$1,500,000.00 |

| 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 | 4/6/14           |
| 2.  | General Counsel, Department of Facilities Planning and Management |       |               |                  |
|   | Signature   |       | Date Approved |                  |
| 3.  | Associate Superintendent, Facilities Planning and Management      |       |               |                  |
|   | Signature   |       | Date Approved | 4/28/14          |
| 4.  | Deputy Superintendent   |       |               |                  |
|   | Signature   |       | Date Approved |                  |
| 5.  | President, Board of Education                                     |       |               |                  |
|   | Signature   |       | Date Approved |                  |