

APPROVED FOR PROCESSING
BY SUPERINTENDENT'S OFFICE
12-11-18
Date
Signature

TITLE: APPROVAL OF AGREEMENT NO. A19.239 BETWEEN SIMI VALLEY UNIFIED SCHOOL DISTRICT AND ORION STRUCTURAL GROUP, INC. FOR STRUCTURAL ENGINEERING FOR SUPPORT OF 2-WAY RADIO ANTENNAS AT ROOFS

Business & Facilities
Consent #10

December 11, 2018
Page 1 of 1

Prepared by: Ron Todo, Associate Superintendent
Business & Facilities

Background Information

Structural evaluation of proposed rooftop antenna installations is required for the 2-way radio project. Orion Structural Group, Inc. can provide these services.

Fiscal Analysis

The cost associated with Agreement No. A19.239 is a fixed fee of \$5,000.00. Said Agreement is attached as Exhibit "A". These structural engineering services will be funded with Measure X funds.

Recommendation

It is recommended that the Board of Education approve Agreement No. A19.239 for structural engineering associated with rooftop antenna installations for 2-way radios with the firm of Orion Structural Group, Inc.

On a motion # 75 by Trustee White, seconded by Trustee Blayze and carried by a vote of _____, the Board of Education approved, by roll-call-vote, Agreement A19.239 with Orion Structural Group, Inc. for structural evaluation of proposed antenna installations for the 2-way radio project.

Ayes: Blayze
White
Jubran
Truller
LeBelle Noes: 0 Absent: 0 Abstained: 0

PROJECT ASSIGNMENT AMENDMENT
AGREEMENT A19.239

STRUCTURAL EVALUATION OF PROPOSED ROOFTOP ANTENNA INSTALLATIONS FOR
2-WAY RADIO PROJECT

This Project Assignment Amendment ("PAA") is entered by and between Simi Valley Unified School District and Orion Structural Group, Inc. ("Engineer") on December 12, 2018.

Whereas, the District entered into a written Agreement entitled Agreement A18.129 for On-Going Engineering Services ("Agreement") generally establishing terms and conditions for the Engineer's design professional services for Projects assigned by the District to the Engineer.

Whereas, this PAA sets forth the specific terms and conditions applicable to the District assignment of the Assigned Project to the Engineer for completion of design professional services.

NOW THEREFORE, the District and Engineer and agree as follows:

1. Assigned Project Description. The Assigned Project is described as follows: Perform structural analysis of proposed rooftop antenna installations for the 2-way radio project at 5 sites of the District.
2. Assigned Project Construction Budget. The Construction Budget for the Assigned Project is not applicable.
3. Assigned Project Basic Services. The Basic Services for the Assigned Project are:
Review proposed rooftop antenna installations for each of the 5 sites where rooftop antennas are needed.
Review the building framing details at each proposed location for new antenna installations for suitability of proposed antenna installations.
Recommend supports, sleepers, anchorage, as necessary for proper installations.
Recommend any other structural requirements for proper installations.
Provide summary report.

Communicate and correspond with the District and Contractor as necessary or required.
4. Assigned Project Schedule. The Engineer shall expeditiously proceed and make continued progress with the structural review, with a target completion date of January 5, 2019. The Engineer shall notify the District if additional time is needed.
5. Assigned Project Contract Price. The Contract Price for completion of the Assigned Project Basic Services is a fixed fee of **Five-Thousand Dollars (\$5,000.00) per the attached Proposal from Engineer dated December 3, 2018.**
6. Agreement Terms. All terms of the Agreement are incorporated herein and applicable to the Assigned Project, except as modified by the terms of this PAA.

The District and Engineer have executed this PAA as of the date set forth above.

"District"
SIMI VALLEY UNIFIED
SCHOOL DISTRICT

"Engineer"
Orion Structural Group, Inc.

By: _____
Ron Todo

By: _____
Will Lambert

Title: Associate Superintendent
Business & Facilities

Title: California Structural Engineer, Lic. #5430



Orion Structural Group, Inc.
223 East Thousand Oaks Blvd., Suite 304
Thousand Oaks, CA 91360
Phone: (805) 750 - 8136 Fax: (805) 494-0418

Proposal for Structural Engineering Services

December 3, 2018

Client:

Tony Joseph
SVUSD Bond Program Manager
Simi Valley Unified School District
anthony.joseph@simivalleyusd.org

Re: SVUSD Ballasted Antenna Roof Support Check
5 SVUSD School Buildings
Simi Valley, CA

Scope:

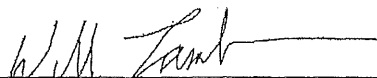
Provide structural of existing roof structures at 5 locations to support proposed ballasted antenna equipment. Review will include coordination with the district to locate the equipment where the existing roof framing can support the weight. We will provide a stamped and signed summary report with the location noted in a key plan.

The antenna and ballast system are by the manufacturer. The location is anticipated to be at least 10' away from the edge of the roof. Waterproofing and drainage at equipment and penetrations will be by the district's roofing consultant.

Fee:

\$1,000 x 5 Schools = \$5,000 total

Orion Structural Group Inc.



Will Lambert, SE
California Structural Engineer License # 5430

I acknowledge having read this letter and the proposal contained therein and agrees to its terms and conditions. I hereby authorized you to commence on this project.

Client Approval

By: _____ Date _____

APPROVED FOR PROCESSING
BY SUPERINTENDENT'S OFFICE
12-11-18
Date
Signature

TITLE: ADOPTION OF RESOLUTION NO. 20-18/19 AUTHORIZATION FOR APPROVAL OF CHANGE ORDER NO. 2 FOR ATHERWOOD ELEMENTARY SCHOOL PLAYGROUND PAVING PROJECT

Business & Facilities
Action #1

December 11, 2018
Page 1 of 1

Prepared by: Ron Todo, Associate Superintendent of Business & Facilities

Background Information

On April 17, 2018, the Board of Education ratified award of the Atherwood E.S. Playground Paving Project, Bid No. 18C20IBX295 to Lee Construction Company in the amount of \$92,987. Unforeseen conditions were encountered which necessitated removal of unsuitable wet soils and asphaltic materials. Adoption of attached Resolution No. 20-18/19 (Exhibit "A") is required for compliance with Public Contract Code 20118.4 which limits Change Orders to no more than 10% of the original contract price.

Fiscal Analysis

The total additional cost for removal of the unsuitable materials and replacement with compacted fill is \$44,946.12 as further described in attached Change Order No. 2 (Exhibit "B"). Change Order No. 2 is for 48% of the original contract amount. Change Order No. 1 in the amount of \$9,000 was for 9.7% of the original contract amount. The total amount of change orders will be \$53,946.12 or 58% of the original contract amount. The revised contract amount, including Change Orders No. 1 and No. 2 will be \$146,933.12.

This project is funded with Measure X funds.

Recommendation

It is recommended that the Board of Education adopt Resolution No. 20-18/19 for the Atherwood Elementary School Playground Paving Project.

On motion # 50 by Trustee White, seconded by Trustee Smoller and carried by a vote of 5/0, the Board of Education approved, by a roll-call vote, delegation of authority to the Associate Superintendent or such District employee designated by the Associate Superintendent authority to execute Change Order No. 2 for the Atherwood E.S. Playground Paving Project, Bid No. 18C20IBX295.

Ayes: Blay White Johnson Smoller LaBelle Noes: 0 Absent: 0 Abstained: 0

SIMI VALLEY UNIFIED SCHOOL DISTRICT
Board of Education
Resolution No. 20-18/19
Authorization for Approval of Change Order No. 2 for Atherwood Elementary School
Playground Paving, Bid No. 18C20IBX295

WHEREAS, the Board of Education of the Simi Valley Unified School District ("District") previously awarded a contract ("Contract") for the Atherwood Playground Paving ("Project") to Lee Construction Company ("Contractor").

WHEREAS, the District is required to comply with Public Contract Code §20118.4, which limits the changes or alterations that the Board of Education may authorize under the Contract, without the formality of securing bids from other contractors; the limits pursuant to Public Contract Code §20118.4 are the greater of \$15,000 or 10% of the original Contract Price under the Contract.

WHEREAS, California courts recognize that a legal exception to the statutory bidding requirements exists when a public agency determines that competitive bidding would be futile, unavailing, undesirable, impractical, impossible, and would cause additional delay and additional cost (*Meakin v. Steveland* (1977) 68 Cal.App.3d 490; *Los Angeles Dredging v. Long Beach* (1930) 210 Cal. 348).

WHEREAS, the original Contract Price of the Contract was \$92,987; the Board of Education has previously approved Change Order No. 1 to the Contract in the amount of \$9,000, which resulted in a 9.7% increase to the Contract Price.

WHEREAS, after approval of Change Order No. 1, unforeseeable and unanticipated field conditions consisting of: (i) additional layers of asphalt pavement containing Petromat; and (ii) removal of unsuitable wet soil materials and replacement with compacted aggregate base; the scope of this additional work is described in the attached Change Order No. 2 ("Pending Change Order").

WHEREAS, the Contractor is intimately familiar with the Project and is ready, willing and able to perform the additional work set forth in the Pending Change Order.

WHEREAS, the Pending Change Order will increase the Contract Price by \$44,946.12; the increased Contract Price on account of the additional work described in the Pending Change Order is fair and reasonable.

WHEREAS, the Contract Price adjustment of the Pending Change Order along with the prior Contract Price adjustments resulting from Change Order No. 1 will result in an aggregate Contract Price adjustment of \$53,946.12, which exceeds 10% of the original Contract Price.

WHEREAS, it would be costlier and more time-consuming to bid the additional work subject to the Pending Change Order since it is integral to the Project and the work being performed by the Contractor.

WHEREAS, competitively bidding the additional work covered by the Pending Change Order would result in the delay of the completion of the Project.

WHEREAS, the additional work of the Pending Change Order must be performed to complete the project and failure to complete the Project will disrupt or delay delivery of education services.

EXHIBIT "A"

WHEREAS, the open excavation containing wet soils at the playground which was scheduled to be backfilled and paved prior to the resumption of school, would have to be surrounded with temporary fencing, rendering the playground unavailable for use while the additional work is bid out.

WHEREAS, it would cause an incongruity and not produce any advantage to the District to competitively bid the Pending Change Order since such competitive bid work could result in multiple contractors being required to perform work less efficiently and effectively than by one contractor.

NOW, THEREFORE, the Board of Education of the Simi Valley Unified School District hereby finds, determines, resolve as follows:

RESOLVED, the Board of Education does hereby find and determine that the foregoing recitals and determinations are true and correct and are hereby incorporated by this reference.

FURTHER RESOLVED, that it would cause an incongruity and not produce any advantage to the District to competitively bid the completion of the additional work required to complete the Project as set forth in the Pending Change Order.

FURTHER RESOLVED, that the District approves completion of the additional work described in the Pending Change Order without competitively bidding such work and approves the District's payment to the Contractor in accordance with the terms and conditions set forth in the Pending Change Order.

FURTHER RESOLVED, that the Board of Education delegates to the District's Associate Superintendent Business & Facilities or such District employee the Associate Superintendent Business & Facilities may designate, authority to execute the Pending Change Order and all other associated agreements or documents for the additional work described in the Pending Change Order and to otherwise fulfill the intent of this Resolution.

FURTHER RESOLVED, that this Resolution shall be effective as of its adoption.

The Board of Education takes the following action on these Resolutions: #80 while/Smille

AYES 8 NOES 0 ABSTAIN 0

The foregoing Resolutions are adopted by the Board of Education of the Simi Valley Unified School District at a Board of Education meeting conducted on this ___ day of _____, 2018 by the foregoing vote.

AP E La Belle
President of the Board of Education,
Simi Valley Unified School District

**ATHERWOOD ELEMENTARY SCHOOL PLAYGROUND PAVING, BID # 18C20IBX295
Change Order No. 2**

CHANGE ORDER REQUEST	DESCRIPTION	Costs	Comments
COR 5	Remove and replace wet soils with suitable fill.	\$ 33,258.97	
COR 6	Remove and properly dispose of Petromat.	\$ 16,687.15	
	Negotiated cost reduction	\$ (5,000.00)	
TOTAL OF CHANGE ORDER NO. 2		\$ 44,946.12	

The original contract sum was:..... \$ 92,987.00
Change by previously authorized Change Order(s)..... \$ 9,000.00
The contract sum prior to this change..... \$ 101,987.00
The contract sum will be increased by this Change Order by..... \$ 44,946.12
The new contract sum including this Change Order will be..... \$ 146,933.12
The contract days will be increased by..... 125 days
The date of completion as of the date of this Change Order therefore is..... 8/20/2018

Business & Facilities, Action #1

EXHIBIT "B"