



BOND PROGRAM UPDATE

BOND PROGRAM UPDATE

BOARD OF EDUCATION

Board Meeting | September 13, 2021

JOHN M. LOPEZ

Superintendent

ESTUARDO A. SANTILLAN

Assistant Superintendent | Business Services

EDITH C. FLORENCE

Director | Facilities Planning & Construction



September 13, 2021

AGENDA

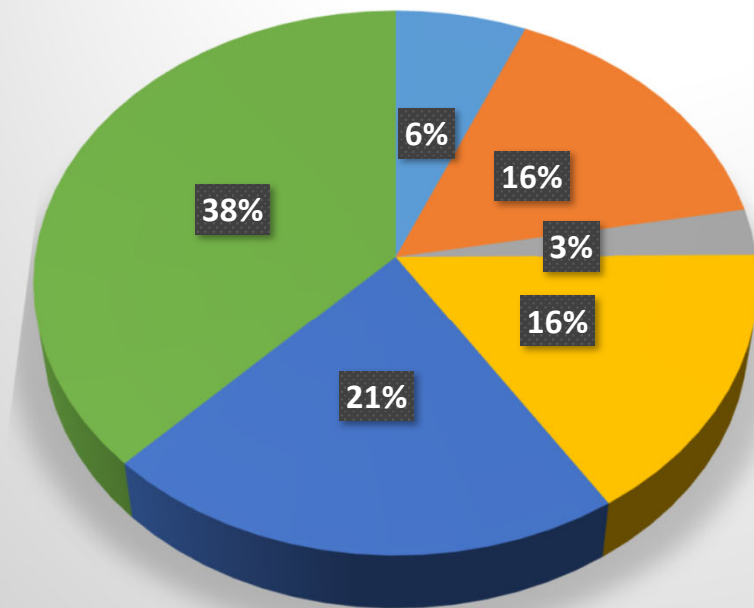
- **Measure G**
 - Update
- **Measure G Phase 1A**
 - Status Update
- **Measure G Phase 1B**
 - Status Update
- **Measure G Phase 1C**
 - Status Projects



Facilities Planning and Construction

Measure G – Update

Total Bond Issuance \$375M

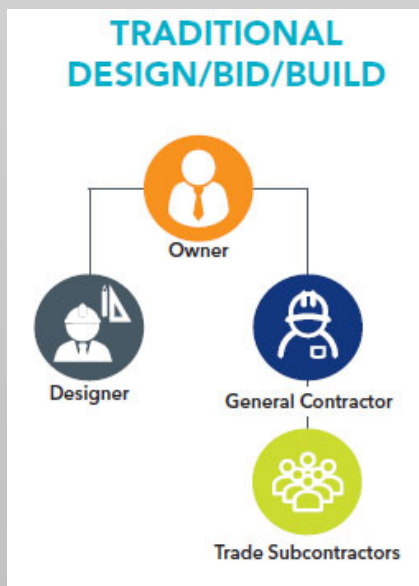


- Series A - \$24M
(Technology, Planning)
- Series B - \$59M
(PHASE 1A)
- Series C - \$10.25M
(PHASE 1A)
- Series D - \$60M
(PHASE 1B)
- Series E - \$80.545M
(PHASE 1C)
- Unallocated \$141.205M



Measure G
Building Facilities for Tomorrow's Leaders.

CONSTRUCTION DELIVERY METHODS



Phase 1A, 1B Projects



Phase 1C Projects

BIDDING AND CONTRACT DOCUMENTS – General Conditions

If the Project is not completed by the completion date,
District can impose LIQUIDATED DAMAGES.

8.4.1 Liquidated Damages

CONTRACTOR AND DISTRICT HEREBY AGREE THAT THE EXACT AMOUNT OF DAMAGES FOR FAILURE TO COMPLETE THE WORK WITHIN THE TIME SPECIFIED IS EXTREMELY DIFFICULT OR IMPOSSIBLE TO DETERMINE. IF THE WORK IS NOT SUBSTANTIALLY COMPLETED IN THE TIME SET FORTH IN THE AGREEMENT, IT IS UNDERSTOOD THAT THE DISTRICT WILL SUFFER DAMAGES. IT BEING IMPRACTICAL AND UNFEASIBLE TO DETERMINE THE AMOUNT OF ACTUAL DAMAGE, IT IS AGREED THE CONTRACTOR SHALL PAY TO THE DISTRICT THE AMOUNT LIQUIDATED DAMAGES SET FORTH IN THE AGREEMENT, FOR EACH CALENDAR DAY OF DELAY IN REACHING SUBSTANTIAL COMPLETION (SEE ARTICLE 1.1.46). CONTRACTOR AND ITS SURETY SHALL BE LIABLE FOR THE AMOUNT THEREOF PURSUANT TO GOVERNMENT CODE SECTION 53069.85.



BIDDING AND CONTRACT DOCUMENTS – General Conditions

If work is not being completed per the approved plans and specifications, District send a 48-hour Notice to the Contractor to complete the work.

If work is still not completed with 48-hours, District can complete the work and charge the Contractor for the work.

2.2 DISTRICT'S RIGHT TO CARRY OUT THE WORK DUE TO PARTIAL DEFAULT IN A SPECIFIC SEGREGATED AREA OF WORK (48 HOUR NOTICE TO CURE AND CORRECT)

If the Contractor Defaults or neglects to carry out the Work in accordance with the Contract Documents, the District may provide forty-eight (48) hour written notice to cure (a shorter period of time in the case of Emergency or a critical path delay as defined in Article 2.2.1) Contractor's Partial Default in a specific segregated area of work. The District's right to issue a Partial Default of the Contractor's Work and take over that segregated area of Work includes, but is not limited to:

1. Failure to supply adequate workers on the entire Project or any part thereof;
2. Failure to supply a sufficient quantity of materials;
3. Failure to perform any provision of this Contract;
4. Failure to comply with safety requirements, or due to Contractor is creation of an unsafe condition;
5. Cases of bona fide emergency;
6. Failure to order materials in a timely manner;
7. Failure to prepare Deferred Approval items or Shop Drawings in a timely manner;
8. Failure to comply with Contractor's Baseline or Update Schedule, meet critical Milestones which would result in a delay to the critical path, or delay the Contract Time;
9. Failure to comply with the Subletting and Subcontracting Fair Practices, Public Contract Code section 4100, et seq.
10. Failure to meet the requirements of the Americans with Disabilities Act;
11. Failure to complete Punch List work;
12. Failure to proceed on an Immediate Change Directive
13. Failure to correct a Notice of Deviation



BIDDING AND CONTRACT DOCUMENTS – General Conditions

3.10.3 Products Specified Which Are Commercially Unavailable

If the Contractor fails to make a request for substitutions for products, prior to the submission of its bid, and such products subsequently become commercially unavailable, the Contractor may request a substitution for such commercially unavailable item. The decision to grant this request is solely at the District's discretion. The written approval of the District, consistent with the procedure for Change Orders, shall be required for the use of a proposed substitute material. The District may condition its approval of the substitution upon the delivery to District of an extended warranty or other assurances of adequate performance of the substitution as well as an equitable deduction in the Contract Price should the substituted item cost less than the Specified Item. All risks of delay due the approval of a requested substitution by the DSA, or any other governmental agency having jurisdiction, shall be on the requesting party. All additional costs, DSA review costs, all procurement and construction delays, and all costs for review by the Architect or its consultants shall be the responsibility of the Contractor and will be deducted from Contractor's pay request.

If the Contractor requests and receives approval for a substitution, the Contractor is responsible for additional cost and time delays.



BIDDING AND CONTRACT DOCUMENTS – General Conditions

60 Days after the Punch List is issued, District may reject an extension.

The Contractor will cease work.

District may deduct the value of the remaining Punch List items from the contract.

GENERAL CONDITIONS

9.9.1.4 *District Rejection of Written Request for Punch List Time Extensions.* Following sixty (60) Days of Punch List under Article 9.9.1.3, the District has the option of rejecting Punch List Time Extension requests. The District may proceed under Article 2.2 and deduct the value of remaining Punch List Work pursuant to Article 2.2. If the District rejects the Punch List Time Extension request then Contractor shall cease Work on the Project and proceed to Final Inspection pursuant to Article 9.11.2.

9.9.1.5 *Punch List Liquidated Damages to Compensate for Added District Project Costs.* If the total time utilized for Punch List exceeds sixty (60) days [the thirty (30) day period under Article 9.9.1.3 plus an additional thirty (30) day period that has been requested in writing], and the District grants an additional written Punch List Time Extension that exceeds sixty (60) days of Punch List, then Contractor shall be charged Liquidated Damages of at least \$750 per day for continued Punch List Work to partially compensate the Inspector, Architect, and Construction Manager's extended time on the Project. This Punch List Liquidated Damage number is based on anticipated cost for an Inspector on site and additional costs for the Architect and Construction Manager to reinspect Punch List items and perform the administration of the Close-out.

Contractor received thirty (30) days without any charges for Punch List Liquidated Damages and is placed on notice pursuant to this Article 9.9.1.5 that \$750 is due for each day of Punch List that exceeds sixty (60) days at \$750, a cost much lower than typical (and actual) costs for Inspection, Architect and Construction Manager time required during Punch List. Starting at ninety (90) days of Punch List (an excessive number of days to complete Punch List), the District shall be entitled to adjust Punch List Liquidated Damages to an estimate of the actual costs incurred to oversee, monitor and inspect the Punch List. If costs exceed \$750 per day, the anticipated extended contract charges for Inspection, Architect, Construction Manager, and any other costs that will be incurred due to the extended Punch List shall be itemized and a daily rate of Punch List Liquidated Damages shall be presented in writing to the Contractor within five (5) days following the receipt of a written request for Punch List Time Extension by the Contractor that extends the Punch List time beyond ninety (90) days. This written notice of actual Punch List Liquidated Damages may be provided to the Contractor at any time following the first written request for Punch List Time extension requested under Article 9.9.1.3. The adjusted actual Punch List Liquidated Damage amount shall be applicable as Punch List Liquidated Damages commencing on the ninetieth (90th) day of Punch List.



Measure G – Update

BOND PROGRAM UPDATE





Measure G Phase 1A – Status Update

BOND PROGRAM UPDATE

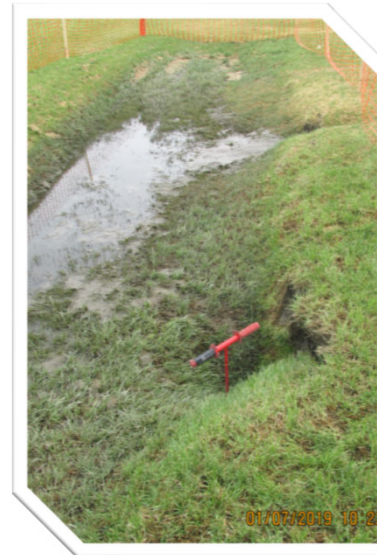
PROJECT	STATUS	TOTAL COST	SCHEDULE
BENTON MIDDLE SCHOOL Campus-Wide Landscape Renov.*	COMPLETED	\$9.6M	Delayed (LD assessed)
CORVALLIS MIDDLE SCHOOL Campus-Wide Landscape Renov.*	COMPLETED	\$8.3M	On-Schedule (Sink Hole)
GLENN HIGH SCHOOL Sports Fields, Acc Bldg, Stadium	COMPLETED	\$26.5M	Delayed (Settlement Agmt)
LA MIRADA HIGH SCHOOL Mod. of Gym, Locker Rm Bdgs	90%	\$26.5M	Delayed (Structural Upgrade, Wall, Fire)
MORRISON ELEMENTARY SCHOOL Modernization of Admin & MPR	COMPLETED	\$4.5M	On-Schedule
LOS ALISOS MIDDLE SCHOOL Modernization of MPR	COMPLETED	\$3.4M	On-Schedule
GARDENHILL ELEMENTARY SCHOOL Modernization of Admin & MPR	COMPLETED	\$3.1M	On-Schedule (GC abandoned project)
HUTCHINSON MIDDLE SCHOOL Modernization of Admin & MPR	COMPLETED	\$2.8M	On-Schedule (GC abandoned project)

**Partially Funded by Measure S*

Measure G Phase 1A – Status Update

Benton Middle School

Site Visits completed
April 2019
May 2019
June 2019
July 2019



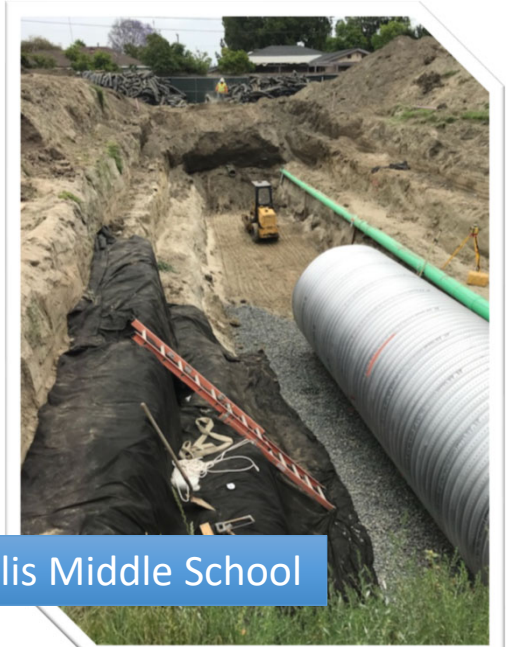
Gardenhill Elementary School



John Glenn High School



Corvallis Middle School



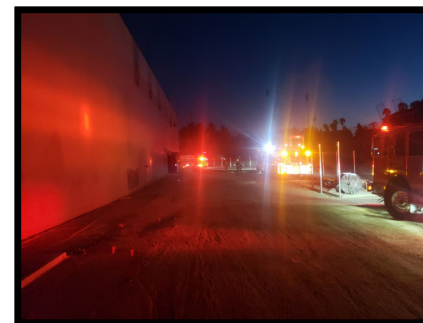
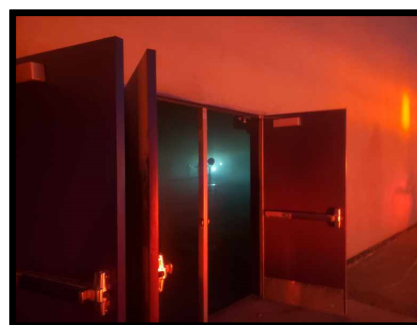
Measure G Phase 1A – Status Update

LA MIRADA HIGH SCHOOL Modernization of Gym and Locker Room Buildings

Gymnasium Fire Incident

- Fire occurred on December 21, 2021 in the early morning
- Scope of Fire Remediation included:
 - Removing and replacing all electrical, mechanical, equipment systems
 - Removing and replacing all drywall and insulation
 - Cleaning all surfaces for smoke residue
 - Installing new light fixtures, HVAC ducts
- Insurance Claim
 - Loss awarded to GC: \$5,723,260.91
 - Soft Cost Incurred by District: \$766,263.04*

*Claim response pending



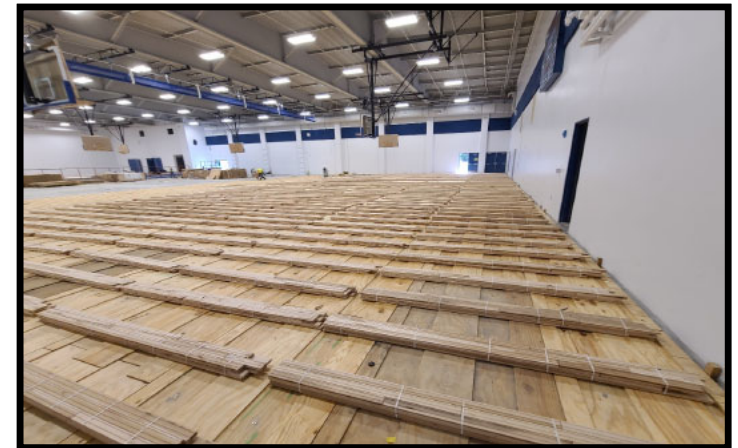
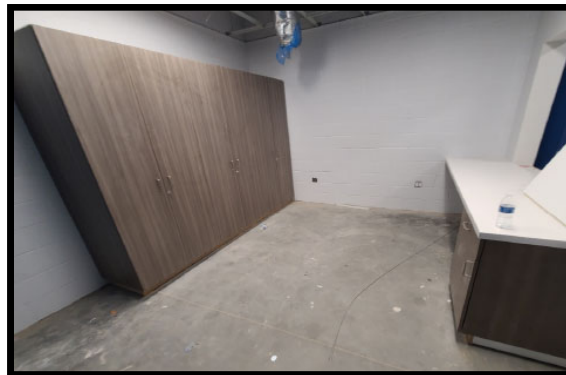
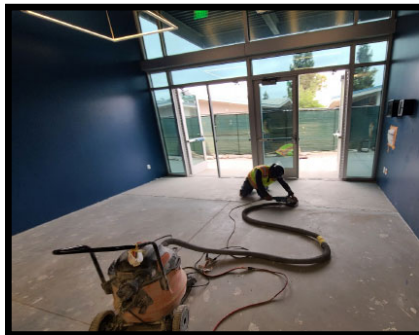
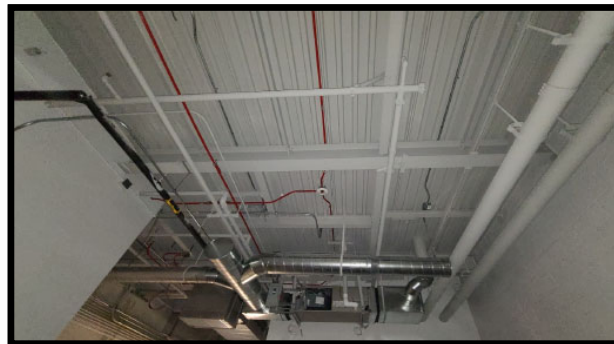
Measure G
Building Facilities for Tomorrow's Leaders.

Measure G Phase 1A – Status Update

LA MIRADA HIGH SCHOOL Modernization of Gym and Locker Room Buildings

Gymnasium Status

- Original scope of work and fire remediation underway
- **Completion is scheduled for November 2021**

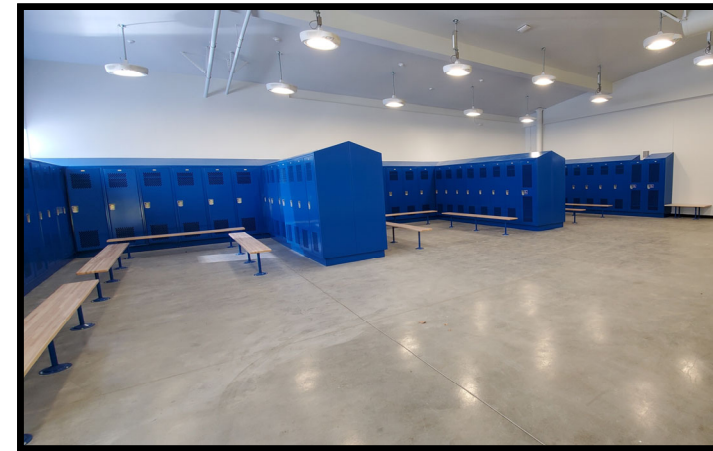


Measure G Phase 1A – Status Update

LA MIRADA HIGH SCHOOL Modernization of Gym and Locker Room Buildings

Boys and Girls Locker Room Buildings

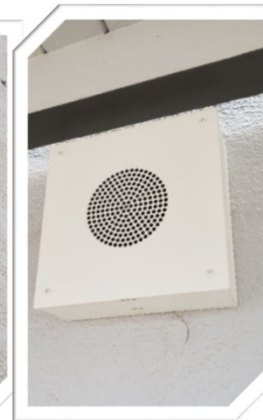
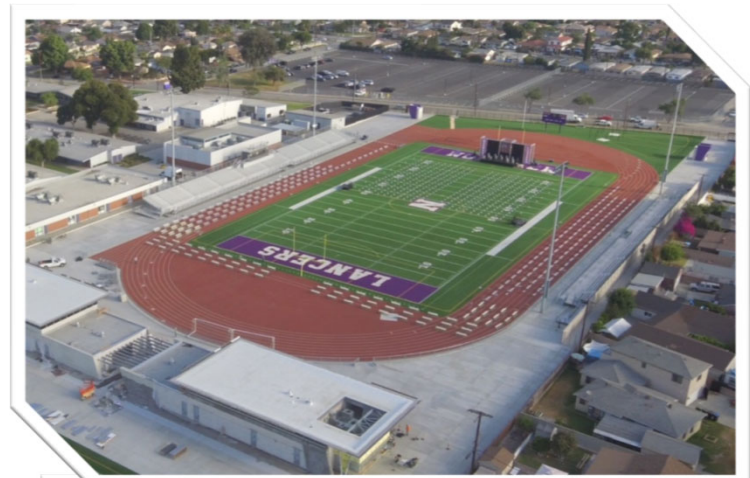
- Partial Occupancy executed on March 26, 2021
- **Fully operational and in use by school**



Measure G
Building Facilities for Tomorrow's Leaders.

Measure G Phase 1B – Status Update

PROJECT	STATUS
NORWALK HIGH SCHOOL New Synthetic Sports Fields, Accessory Buildings & Stadium	Construction 99% Complete
LA MIRADA HIGH SCHOOL New Football Stadium & Accessory Buildings	Agency Approval Phase
DISTRICT-WIDE Safety (Public Address & Intercom System)	Completed



Measure G
Building Facilities for Tomorrow's Leaders.

Measure G Phase 1B – Project Update

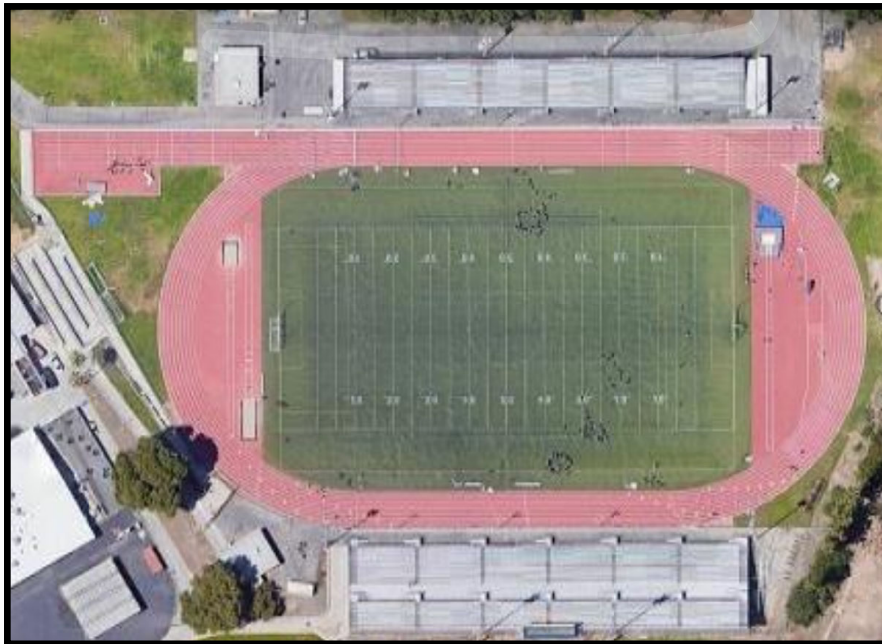
LA MIRADA HIGH SCHOOL New Football Stadium

- Original Construction of the stadium was in the 70's.
- Current synthetic turf and track installation completed without approval from the Division of the State Architect (DSA) because at the time it was considered a replacement project.
- Current synthetic turf and track project not reviewed by the Department of Toxic Substances Control (DTSC) because it was not submitted for State funding.
- Original Scope of Work consisted of Synthetic Turf Replacement ONLY, **modernizing** bleachers and new concession & restroom buildings [\(11/26/18 Board Meeting\)](#)
- Series D Bond Issuance pending to begin Phase 1B Project.
- Revised Scope of Work added CIF Regulation Track, **new** bleachers, new team room, fire access, domestic water [\(12/16/19 Board Meeting\)](#)



Measure G Phase 1B – Project Update

LA MIRADA HIGH SCHOOL New Football Stadium



Current Site Conditions

- Synthetic Football Field*
- Synthetic Track (8 lanes)
- Home Bleachers with Press Box
- Home Side Concession & Restroom Building
- Visitor Bleachers
- Visitor Side Concession & Restroom Building
- Scoreboard
- Lights

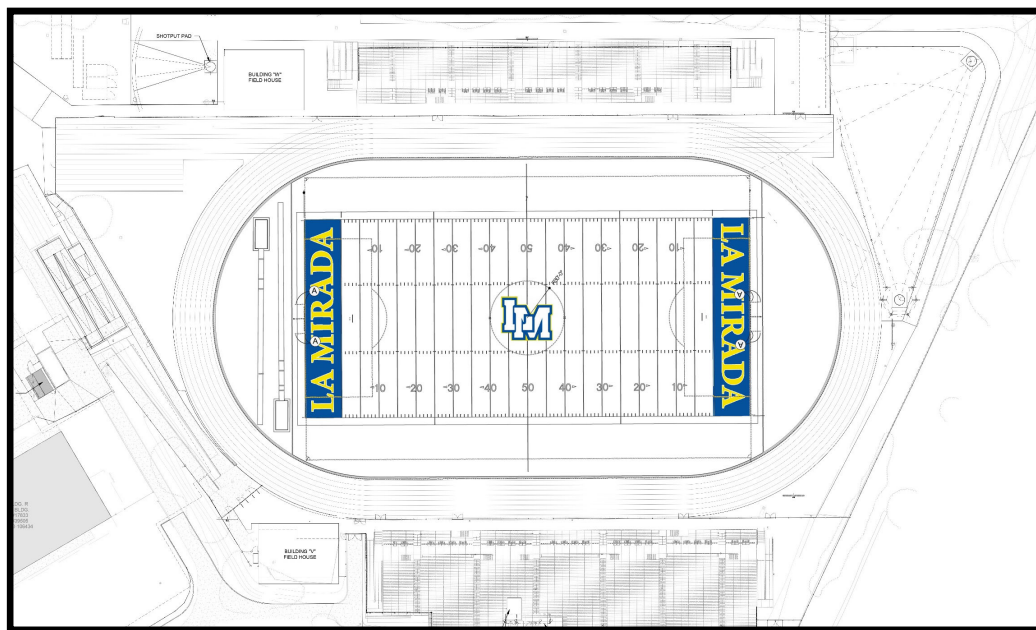
***In the Fall of 2019, it was determined that Football Field could not be used for contact sports because soft fall material no longer meets minimum requirements.**



Measure G
Building Facilities for Tomorrow's Leaders.

Measure G Phase 1B – Project Update

LA MIRADA HIGH SCHOOL New Football Stadium



After Project Completion

- **NEW** Synthetic Turf Football Field
- **NEW** Synthetic Track (9 Lanes)
- **NEW** Home Bleachers with Press Box
- **NEW** Home Side Concession, Restroom, Team Room Building
- **NEW** Visitor Bleachers
- **NEW** Visitor Side Concession, Restroom, Team Room Building
- **NEW** Scoreboard
- **NEW** Lights

BOND PROGRAM UPDATE



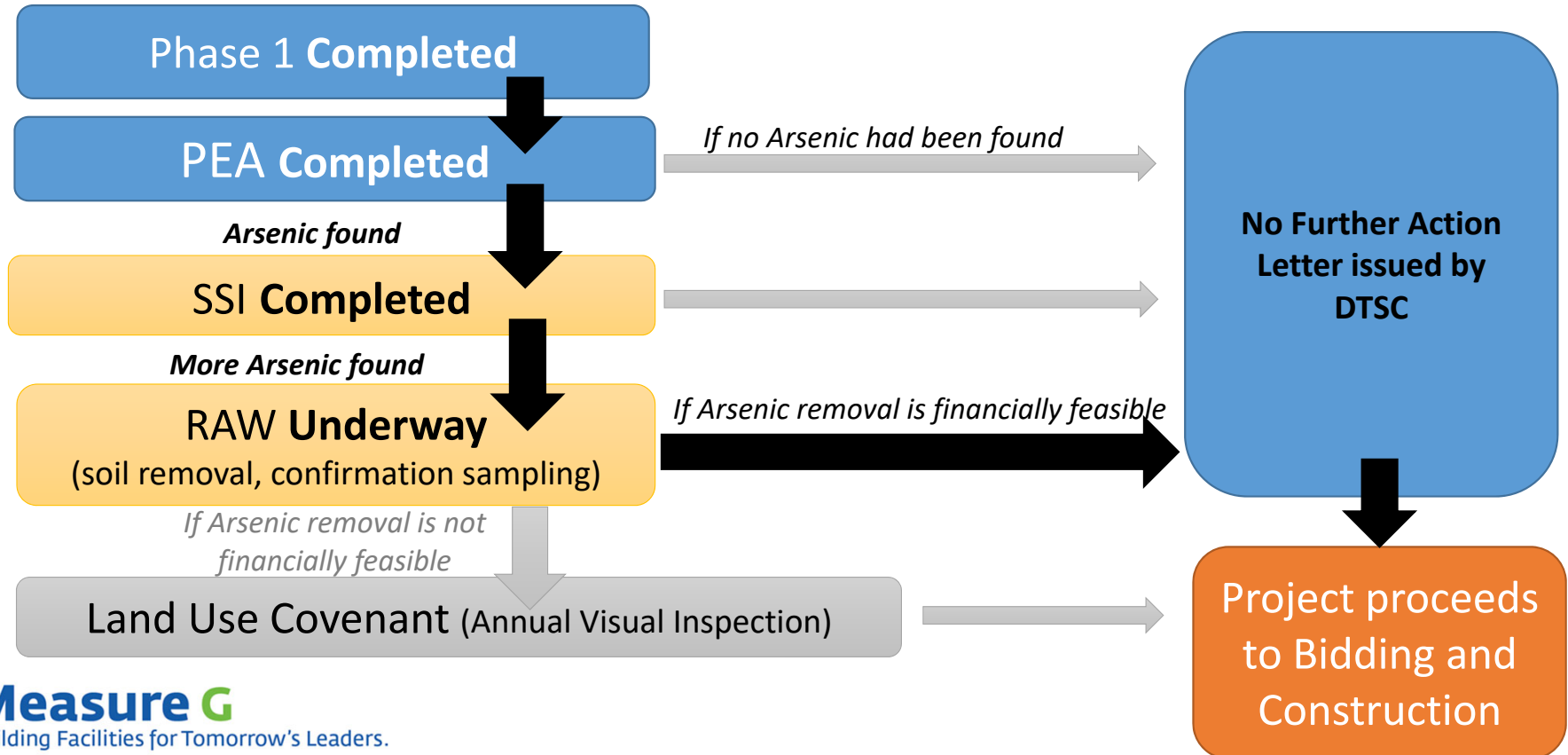
Measure G
Building Facilities for Tomorrow's Leaders.

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Measure G Phase 1B – Project Update

BOND PROGRAM UPDATE

LA MIRADA HIGH SCHOOL New Football Stadium





Measure G Phase 1B – Project Update

LA MIRADA HIGH SCHOOL New Football Stadium

ENVIRONMENTAL REVIEW OVERVIEW of the Completed Phase I + PEA Process

1/27/20	District submits Phase I Environment Report to DTSC
4/3/20	DTSC determines that a Preliminary Environmental Assessment (PEA) must be completed
5/11/20	District submits PEA Work Plan to DTSC
5/27/20	DTSC requires additional sampling approach to PEA Work Plan
6/10/20	District submits revised PEA Work Plan to DTSC
7/3/20	DTSC issues conditional approval of PEA Work Plan
7/13/20, 7/17/20	District completes required sampling and testing
8/14/20	District reports to DTSC elevated levels of arsenic found on site
9/4/20	DTSC requires additional sampling at areas arsenic was found on site
9/16/20, 9/17/20	District completes required sampling and testing
10/9/20	District submits Draft PEA to DTSC
11/18/20	DTSC determines Removal Action Workplan (RAW) and School Cleanup Agreement (SCA) is required, and requests additional testing/samples and preparation of Supplemental Site Investigation (SSI)

BOND PROGRAM UPDATE



Measure G

Building Facilities for Tomorrow's Leaders.



Measure G Phase 1B – Project Update

LA MIRADA HIGH SCHOOL New Football Stadium *(Unplanned activities causing the delay of the start of construction)*

ENVIRONMENTAL REVIEW OVERVIEW of the SSI & RAW Process

12/2/20	District submits SCA request to DTSC
1/19/21	District submits Supplemental Site Investigation (SSI) Work Plan to DTSC
2/22/21	DTSC issues approval of SSI Work Plan
3/8/21, 3/11/21, 3/12/21	District completes required sampling and testing
3/24/21	District's environmental consultant recommends additional sampling due to continued detection of elevated arsenic
4/16/21, 4/20/21	District completes additional sampling and testing
5/14/21	District submits SSI report to DTSC
6/18/21	DTSC determines further delineation of arsenic impacted area is required. DTSC requires additional testing/samples as part of the Removal Action Workplan (RAW).
7/8/21	RAW Process begins
September	Coordination with DTSC for RAW currently underway. Estimated completion is scheduled for May 2022. To expedite, District is coordinating an Amendment to the CEQA document. Also, if public meeting is not required, completion date will be sooner.

BOND PROGRAM UPDATE



Measure G

Building Facilities for Tomorrow's Leaders.

Measure G Phase 1B – Project Update

LA MIRADA HIGH SCHOOL New Football Stadium

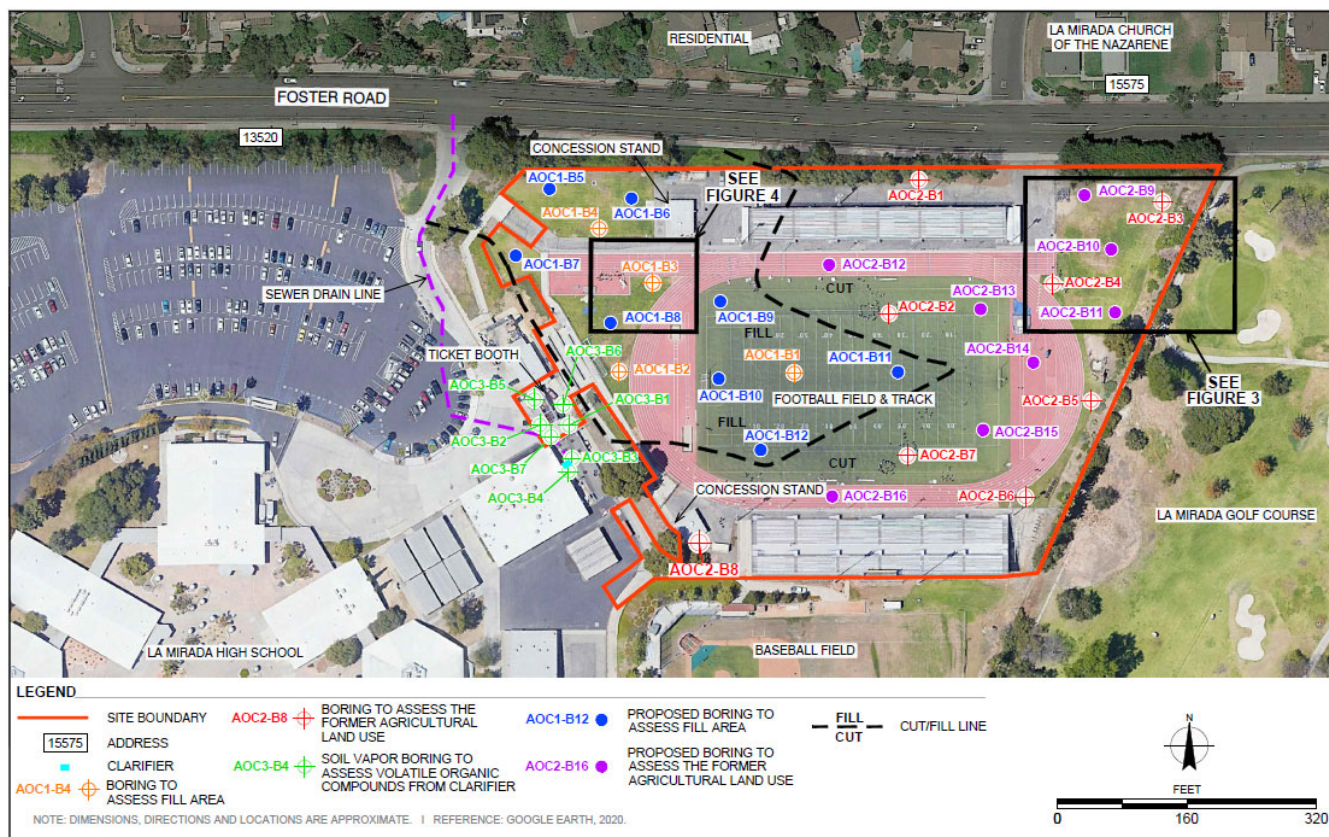
BOND PROGRAM UPDATE

**Site-Wide Sampling
Completed by
Ninyo & Moore**

More Details
in the
Following slides



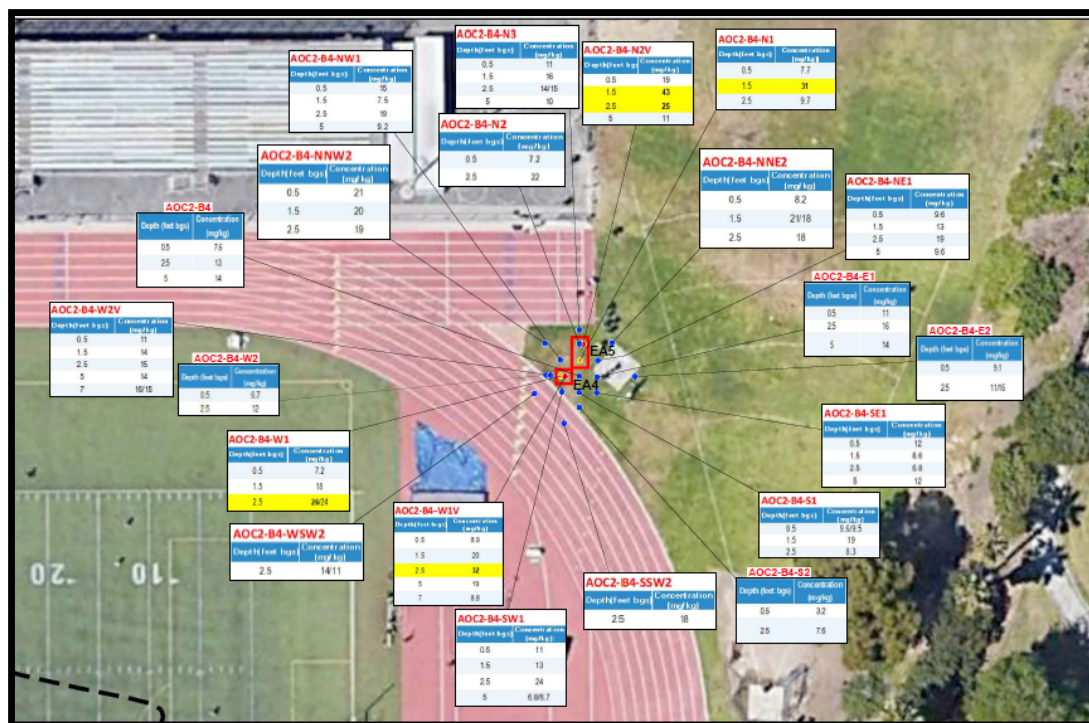
Measure G
Building Facilities for Tomorrow's Leaders.



Measure G Phase 1B – Project Update

LA MIRADA HIGH SCHOOL New Football Stadium

BOND PROGRAM UPDATE



Northeast Side of Track

Area: EA4, EA5

Number of boring: 21

Dates of boring: 7/13/20,
9/17/20, 3/11/21, 3/12/21,
4/16/21

*Note one boring can contain
numerous samples*

**Extent of Area where Arsenic
has been delineated**

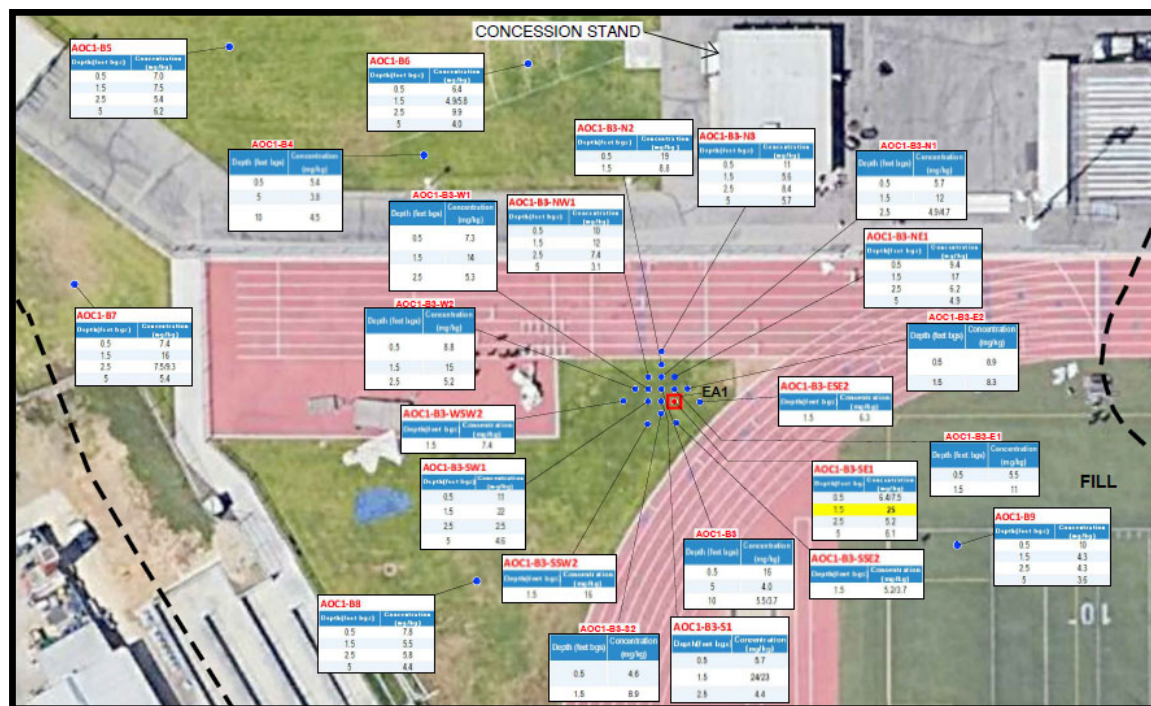


Measure G
Building Facilities for Tomorrow's Leaders.

Measure G Phase 1B – Project Update

LA MIRADA HIGH SCHOOL New Football Stadium

BOND PROGRAM UPDATE



Northwest Side of Track

Area: EA1

Number of boring: 24

Dates of boring: 7/13/20,
9/16/20, 3/8/21, 3/12/21,
4/20/21

*Note one boring can contain
numerous samples*

**Extent of Area where Arsenic
has been delineated**



Measure G
Building Facilities for Tomorrow's Leaders.

Measure G Phase 1B – Project Update

LA MIRADA HIGH SCHOOL New Football Stadium

BOND PROGRAM UPDATE



Northeast of Discus Area

Area: EA2, EA3

Number of boring: 17

Dates of boring: 7/13/20, 9/16/20, 3/11/21, 4/16/21, 4/20/21,

Note one boring can contain numerous samples

Extent of Area where Arsenic has been delineated



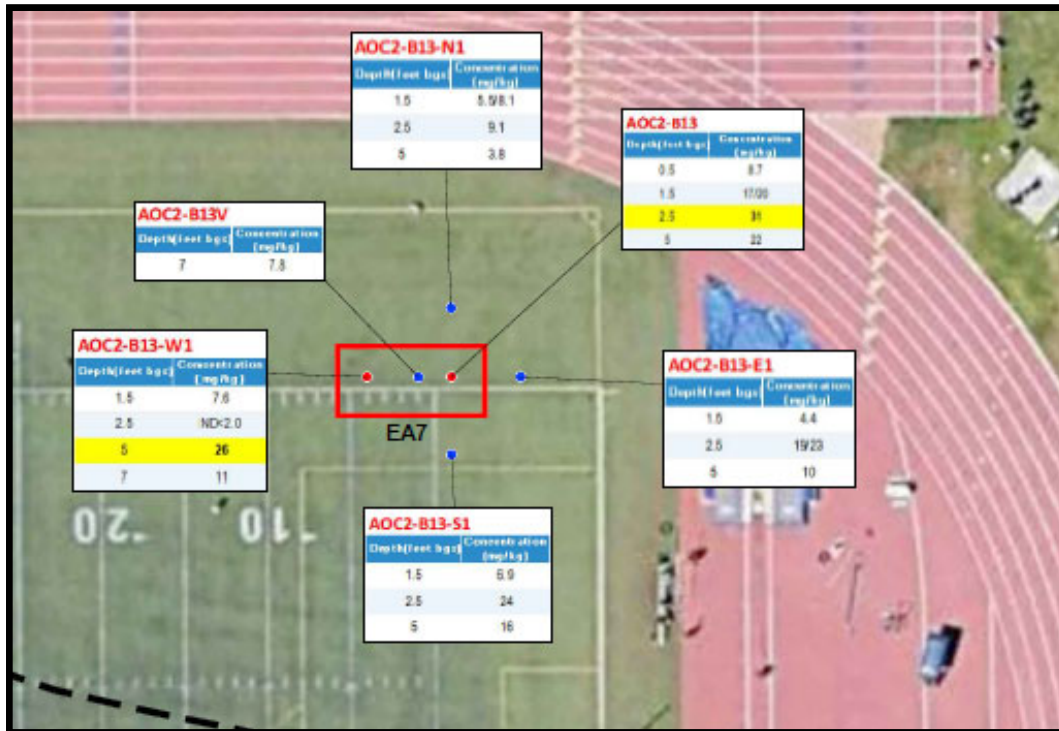
Measure G

Building Facilities for Tomorrow's Leaders.

Measure G Phase 1B – Project Update

LA MIRADA HIGH SCHOOL New Football Stadium

BOND PROGRAM UPDATE



Northeast of Field

Area: EA7

Number of boring: 6

Dates of boring: 3/8/21, 4/20/21

Note one boring can contain numerous samples

Extent of Area where Arsenic has NOT been delineated



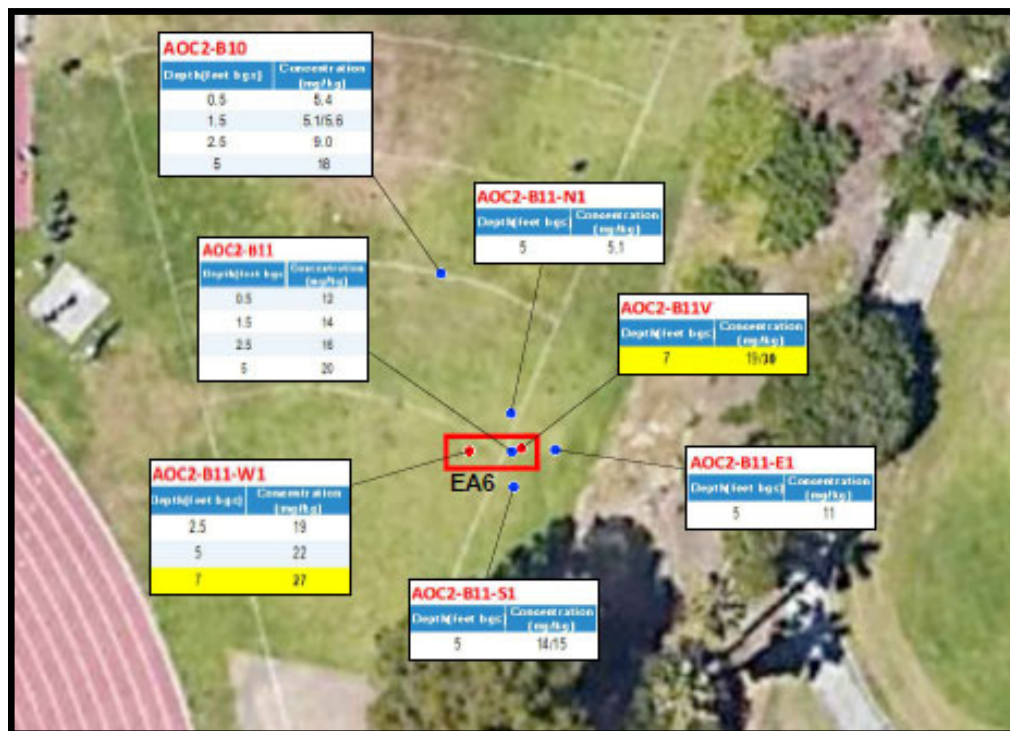
Measure G

Building Facilities for Tomorrow's Leaders.

Measure G Phase 1B – Project Update

LA MIRADA HIGH SCHOOL New Football Stadium

BOND PROGRAM UPDATE



East of Discus Area

Area: EA6

Number of boring: 7

Dates of boring: 3/8/21, 3/11/21, 4/16/21

Note one boring can contain numerous samples

Extent of Area where Arsenic has NOT been delineated

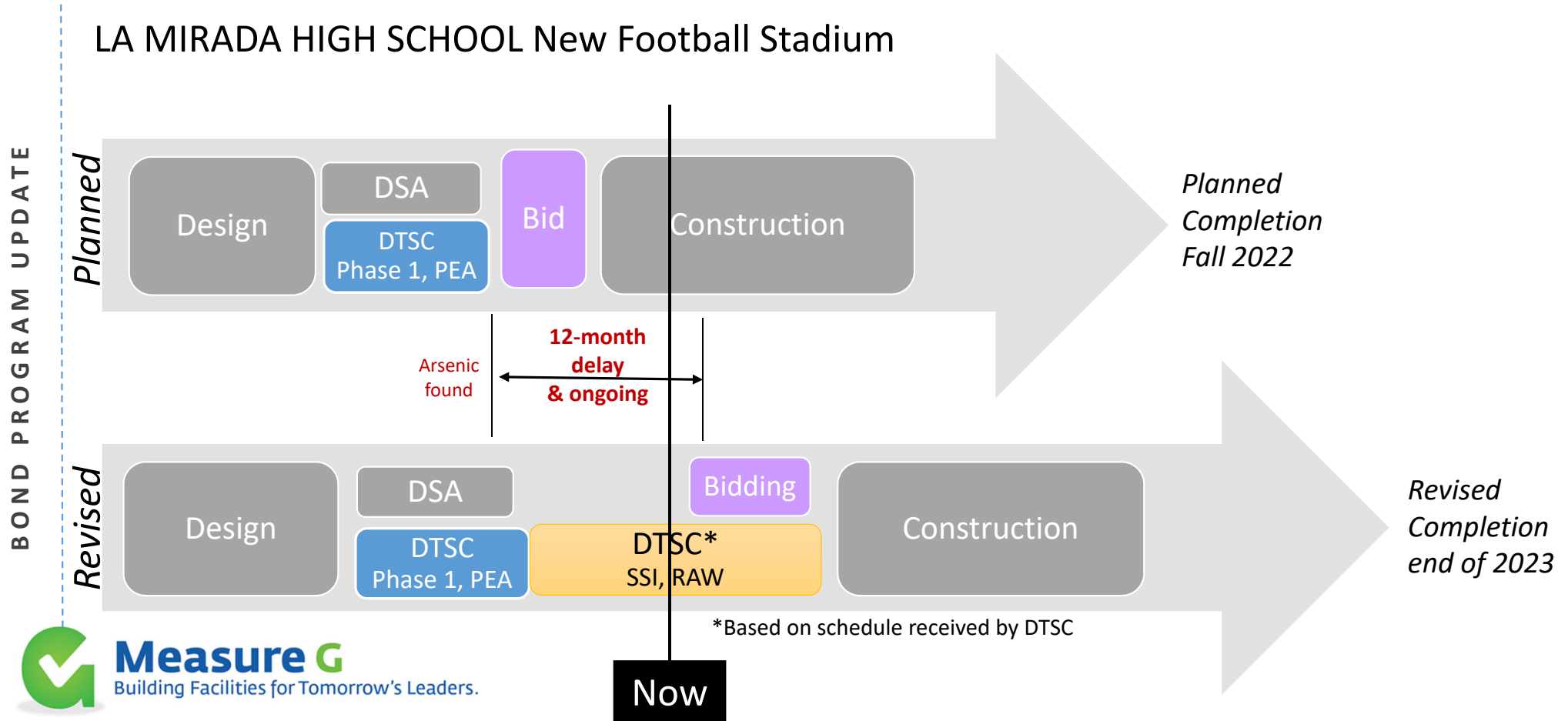


Measure G

Building Facilities for Tomorrow's Leaders.



Measure G Phase 1B – Project Update





Measure G Phase 1B – Project Update

LA MIRADA HIGH SCHOOL New Football Stadium

ENVIRONMENTAL REVIEW DETAILS

How many samples have been taken?	A total of 288 soil samples were taken for arsenic analysis.
Where have the samples been taken?	The soil sampling locations are shown on Figures 3 through 7 of the Draft RAW. The overall boring/sampling map is attached as Figure 2
How much soil will need to be removed?	A total of 313.0 tons (223.6 cubic yards) of arsenic-impacted soil will be removed from the seven planned excavations.
What is the schedule delay to the Project?	Based on the schedule provided by DTSC to complete the RAW process, the schedule is delayed 12 months. District is working with DTSC to expedite tasks and reduce the delay.
What is the cost impact to the Project?	The additional costs incurred due to the unanticipated additional DTSC process include the costs of RAW implementation, DTSC agreements, N&M amendments including additional samplings, CEQA amendment, and construction escalation of 12 months.
What happens if Arsenic continue to be found in the samples after the soil remediation?	Additional soil removal may be required if the confirmation sampling indicate that impacted soils are still present. If not economically feasible to continue soil removal, District and DTSC can pursue Land Use Covenant. See Slide 18.

BOND PROGRAM UPDATE



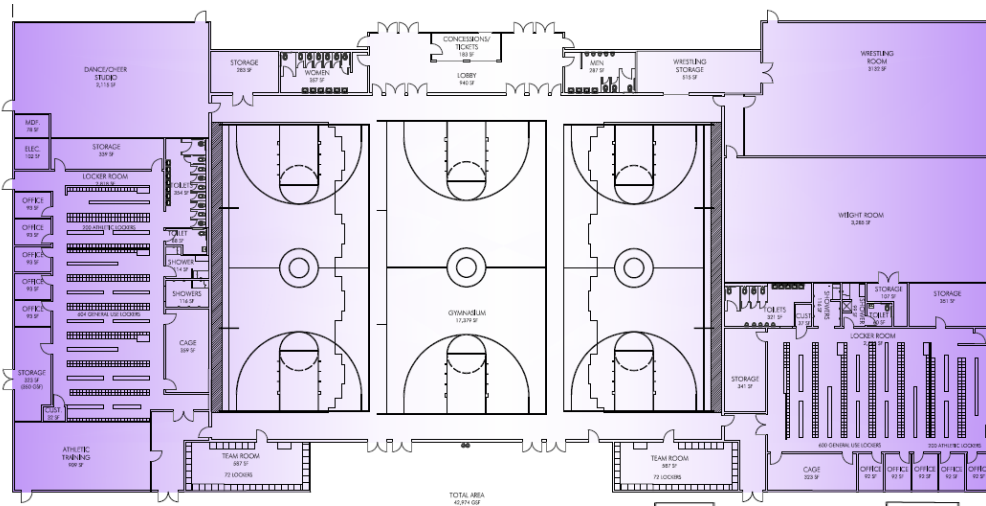
Measure G

Building Facilities for Tomorrow's Leaders.

Measure G Phase 1C – Status Update

BOND PROGRAM UPDATE

PROJECT	STATUS	RECOMMENDATION
LA MIRADA HIGH SCHOOL New Synthetic Turf Baseball, Softball and Practice Field	Construction Documents	No CBA Lease-Leaseback
NORWALK HIGH SCHOOL New Athletic Facility	Design Development	No CBA Lease-Leaseback



Measure G Phase 1C – Status Update

LA MIRADA HIGH SCHOOL Baseball, Softball, Practice Field Project



Current Site Conditions

- Natural Turf Baseball Field
- Dug-Outs, Bull Pens
- Concession Shed
- Bleachers
- Batting cage
- Team Room
- Black-Top
- Natural Turf Softball Field
- Natural Turf Softball Practice Field

Measure G Phase 1C – Status Update

LA MIRADA HIGH SCHOOL Baseball, Softball, Practice Field Project



After Project Completion*

- **NEW** Synthetic Turf Baseball, Softball, Practice Fields
- **NEW** Baseball team room
- **NEW** Concession, Restroom, Storage Buildings at Baseball, Softball
- **NEW** Lighting at all Fields
- **NEW** Perimeter Fencing
- **NEW** Dug-Outs, Bull Pens
- **NEW** Batting Cages
- **NEW** Storage building
- **NEW** Black Top
- **NEW** Tennis Courts



Measure G
Building Facilities for Tomorrow's Leaders.

*Construction anticipated Jan. 2023 to March 2024