



Magnolia Public Schools

Regular Facilities Committee Meeting

Date and Time

Thursday September 13, 2018 at 5:00 PM PDT

Location

MSA-Santa Ana: 2840 W. 1st St. Santa Ana, CA 92703

Meeting Notice

Access to the Board Meeting: Any interested parties or community members may join remotely by using the following numbers or from the following addresses where the Committee Members are joining from: 1.844.572.5683; 1948435

- MSA-SD 6525 Estrella Ave. San Diego, CA 92120 (Dr. Salih Dikbas)

In compliance with the Americans with Disabilities Act (ADA) and upon request, Magnolia Public Schools may furnish reasonable auxiliary aids and services to qualified individuals with disabilities. Individuals who require appropriate alternative modification of the agenda in order to participate in Board meetings are invited to contact the MPS central office. If you need special assistance to attend the meeting or translation services, please notify Barbara Torres at (213) 628-3634 x100 to make arrangements and accommodations.

Any public records relating to an agenda item for an open session of the committee which are distributed to all, or a majority of all, of the committee members shall be available for public inspection at 250 East 1st St. Ste 1500 Los Angeles, CA 90012.

Facilities Committee Members

Ms. Charlotte Brimmer, Chair
Dr. Umit Yapanel
Dr. Salih Dikbas
Mr. Haim Beliak

CEO and Superintendent

Mr. Alfredo Rubalcava

Agenda

	Purpose	Presenter	Time
I. Opening Items			5:00 PM
A.	Record Attendance and Guests		1 m
B.	Call the Meeting to Order		1 m
C.	Public Comments		1 m

- | | | | |
|--|-----------------|--|-----|
| D. Approval of Agenda | Vote | | 1 m |
| E. Approval of Minutes from Regular Facility Committee Meeting- August 13, 2018 | Approve Minutes | | 1 m |
- Approve minutes for Regular Facilities Committee on August 13, 2018

II. Approval Recommendation Items **5:05 PM**

- | | | | |
|---|------|-------------------|------|
| A. Approval of Change Order for the Magnolia Science Academy-1 Project | Vote | Patrick Ontiveros | 15 m |
| B. Approval of Project Change Orders for Magnolia Science Academy- Santa Ana (Gymnasium Project) | Vote | Patrick Ontiveros | 15 m |

III. Information Items **5:35 PM**

- | | | | |
|------------------------------------|---------|-------------------|------|
| A. Facility Project Updates | Discuss | Patrick Ontiveros | 15 m |
|------------------------------------|---------|-------------------|------|

IV. Closing Items **5:50 PM**

- | | | | |
|---------------------------|------|--|--|
| A. Adjourn Meeting | Vote | | |
|---------------------------|------|--|--|

Cover Sheet

Approval of Minutes from Regular Facility Committee Meeting- August 13, 2018

Section: I. Opening Items
Item: E. Approval of Minutes from Regular Facility Committee Meeting-
August 13, 2018
Purpose: Approve Minutes
Submitted by:
Related Material: Minutes for Regular Facilities Committee on August 13, 2018

DRAFT



Magnolia Public Schools

Minutes

Regular Facilities Committee

Date and Time

Monday August 13, 2018 at 7:00 PM

Location

Teleconference: Dial: 1.844.572.5683 Code: 1948435

Committee members who participated remotely joined from the following locations:

- MSA-SD 6525 Estrella Ave. San Diego, CA 92120 (Dr. Salih Dikbas)
- 940 Steward Dr. Sunnyvale, CA 94085 (Dr. Umit Yapanel)
- 9715 Lockford St. LA, CA 90035 (Mr. Haim Beliak)
- 683 Loyola Ave. Carson, CA 90746 (Ms. Charlotte Brimmer)

Facilities Committee Members

Ms. Charlotte Brimmer, Chair

Dr. Umit Yapanel

Dr. Salih Dikbas

Mr. Haim Beliak

CEO and Superintendent

Mr. Alfredo Rubalcava

Committee Members Present

C. Brimmer (remote), H. Beliak (remote), S. Dikbas (remote)

Committee Members Absent

U. Yapanel

I. Opening Items

A. Record Attendance and Guests

Attendance details are stated above.

B. Call the Meeting to Order

H. Beliak called a meeting of the Facility/Audit committee of Magnolia Public Schools to order on Monday Aug 13, 2018 @ 7:16 PM at Teleconference: Dial: 1.844.572.5683 Code: 1948435.

C. Public Comments

There were no public comments.

D. Approval of Agenda

H. Beliak made a motion to approve the agenda with the removal of Item III. A Facility Project Updates.

S. Dikbas seconded the motion.

The committee **VOTED** unanimously to approve the motion.

Roll Call

U. Yapanel Absent

H. Beliak Aye

C. Brimmer Aye

S. Dikbas Aye

E. Approval of Minutes from Regular Facility Committee Meeting- April 10, 2018

S. Dikbas made a motion to approve minutes from the Regular Facility Committee Meeting on 05-21-18.

H. Beliak seconded the motion.

The committee **VOTED** to approve the motion.

Roll Call

U. Yapanel Absent

C. Brimmer Aye

H. Beliak Abstain

S. Dikbas Aye

II. Approval Recommendation Items

A. Approval of Two (2) Change Orders for the Magnolia Science Academy-1 Project

P. Ontiveros, MPS General Counsel and Director of Facilities, explained that there are two change orders for MSA-1 that require Board approval. The first change order is for the new construction building for the cost of payment and performance bonds. This wasn't originally included in the bid documents to secure a general contractor. The cost was accounted for in the overall budget that was presented to the board. The second change order is also for MSA-1 and is the tenant improvement project of the existing middle school building. P. Ontiveros explained that MERF commissioned an engineer to assess the building and in the process of doing so they had to do certain uncovering of the building to prepare an accurate and complete set of plans for the building. The changes proposed are not necessary but it would be best to get all the items taken care of for safety purposes. C. Brimmer, MPS Committee Member, asked clarifying questions about the change orders and requested for more documentation on specific processes. The committee went into a lengthy discussion regarding the two change orders. Requests for amendments to the second change order were requested by the committee and therefore will be brought back to the committee once those changes have been made.

C. Brimmer made a motion to recommend the approval of Change Order #1 (PCI 001) for the MSA 1's new construction project for \$57,118.00 with the requested changes per the committee. Change Order #2 for MSA 1's tenant improvement

project for \$22,669.00 was postponed for further review, it will be brought back to the committee or full board with the requested changes.

H. Beliak seconded the motion.

The committee **VOTED** unanimously to approve the motion.

Roll Call

C. Brimmer Aye

H. Beliak Aye

U. Yapanel Absent

S. Dikbas Aye

B. Approval of Project Change Orders for Magnolia Science Academy- Santa Ana

P. Ontiveros, MPS General Counsel and Director of Facilities, explained the change orders that are being requested, some of which are design omissions, for MSA-Santa Ana's campus. The list provided to the committee was also provided to the architect. P. Ontiveros went over the change order items in depth from the concrete floors in the gymnasium to the kitchen items in the main building.

Committee members requested for more information on these items and suggested that MERF meet with the contractors prior to bringing it back to the board. C. Brimmer, MPS Committee Member, recommended that negotiations should be made regarding the change orders. The committee suggested that MERF should have sit down meetings with the contractors regarding the change orders and what needs to be done. The amounts presented are included in the contractors budget. Not all questions were addressed, the committee requested to table this item to the upcoming facilities committee meeting.

C. Brimmer made a motion to to table this item to next facilities committee meeting.

H. Beliak seconded the motion.

The committee **VOTED** unanimously to approve the motion.

Roll Call

U. Yapanel Absent

S. Dikbas Aye

H. Beliak Aye

C. Brimmer Aye

III. Information Items

A. Facility Project Updates

This item was removed from the agenda since it was previously discussed at the August 9, 2018 MPS Regular Board Meeting.

IV. Closing Items

A. Adjourn Meeting

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 9:50 PM.

Respectfully Submitted,
H. Beliak

Cover Sheet

Approval of Change Order for the Magnolia Science Academy-1 Project

Section: II. Approval Recommendation Items
Item: A. Approval of Change Order for the Magnolia Science Academy-1 Project
Purpose: Vote
Submitted by:
Related Material: II A MSA 1 Change Order.pdf



Board Agenda Item #	II A- Action Item
Date:	September 12, 2018
To:	MPS Facilities Committee
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Patrick Ontiveros, General Counsel & Director of Facilities
RE:	Project Change Order Requests for MSA 1 New Construction (the “ Project ”)

I. Proposed Board Recommendation(s)

The Facilities Committee recommends the approval of owner change order number 1 (“**OCO 1**”) for the MSA 1’s new construction project for **\$124,557.00**. Primesource Project Management (MSA 1’s construction manager) board report is attached as an exhibit.

II. Background

A. General

Board policy requires that all project change orders be brought to the Board for review and approval. Potential change orders, or in this case Potential change items, are submitted to the Owner’s representative. Some PCIs will result in cost increases, others may not. See Primesource Project Report for more explanation.

MSA 1 is constructing the “**Project**” at 18220 Sherman Way immediately adjacent to its existing building at 18238 Sherman Way – a new school building that will house MSA 1’s high school students when complete. Oltmans Construction Company (“**Oltmans**”) was previously approved by the MPS Board, at the request of Staff, as the general contractor for the Project.

B. Description of Owner Change Order

OCO 1 consists of four (4) “Potential Change Items” or “PCIs”. The PCIs are as follows:

PCI #	Amount	Description
1	\$57,118.00	The lender/bond holder requires payment and performance bonds to cover the entire project cost. The cost of the payment and performance bonds (the “ P&P Bonds ”) was not included in the RFP soliciting bids for the Project because of the possibility that lender/bond holder would not ultimately require the P&P Bonds. This pricing which is less than 1% of the contract value is very competitive in the current environment. Even financially strong contractors are paying up to 2% of contract value for P&P Bonds.



PCI #	Amount	Description
2	\$1,820.00	Additional potholing was necessary to confirm the depth of footings on the existing building, depth of fill and other factors prior to mass excavation of the site. This exploration allowed the project design and construction sequence to be refined. Cost includes material and equipment to excavate potholes for further soils study related to overex requirements and contact layer verification.
3	\$9,552.00	Because a portion of the roof will be a play space, the team determined that it was in the best interest of the Project to make sure that the roof as designed would be weatherproof. While the original design may have been adequate for the short-term, it may not have had the duration that the redesigned roof is now expected to have. For a relatively low cost we have bought assurances that we have a solid weatherproof design for the roof and rooftop play area.
5	\$2,660.00	During mass excavation one large concrete footing and an underground cistern were uncovered and needed to be removed.
8	\$57,312.00	As is standard practice, the general contractor obtains the permits and seeks reimbursement from the owner.
10	\$40,959.00	In order to meet schedule, the Project was bid out before all plan check comments were provided by the City and incorporated by the architect. In addition, the architect drawings omitted the connection between the building fire sprinkler system and the fire main in the street. Bulletins 1 and 2 capture all of these changes required by the City as well as the fire sprinkler connection (approximately \$30,000 of the cost).
14	\$1,640.00	In order to deal with inappropriate after-hours activity (for example, illegal dumping and loitering on the site), MPS directed Oltmans to install and activate flood lights on DWP poles. This has significantly reduced inappropriate after-hours activity on and around the campus.
TOTAL	\$171,061.00	

III. Budget Impacts

There is no impact on the budget previously presented to and approved by the Board at the May 14, 2018 meeting. The previously approved budget and the amounts spent to date and amounts left to pay are as follows:

Budget Summary	Original Budget Amount	Current Budget Amount	Paid to Date	Left to Pay
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Acquisition Cost	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00	\$0.00
Hard Costs	\$8,478,979.00	\$8,356,097.00	\$747,116.00	\$7,608,981.00
Soft Costs	\$975,078.00	\$975,078.00	\$555,985.00	\$419,093.00
Financing Costs	\$55,000.00	\$55,000.00	\$15,000.00	\$40,000.00
Management Costs	\$250,000.00	\$250,000.00	\$243,012.00	\$6,988.00
Subtotal Project Costs	\$10,759,057.00	\$10,636,175.00	\$2,561,113.00	\$8,197,944.00
<i>Budget Contingencies</i>	<i>\$633,528.00</i>	<i>\$719,823.00</i>	<i>\$0.00</i>	<i>\$719,823.00</i>
Total Project Budget	\$11,355,998.00	\$11,355,998.00	\$2,561,113.00	\$8,794,884.00

Note that Paid to Date does not include OCO #1. PCI 001 and 008 are specific line items in the Hard Costs portion of the Project budget. PCI 001 returned \$122,882 to Hard Cost Contingency. After all change order costs are factored in the balance remaining in the contingency will be \$699,779.00.

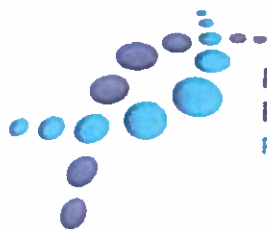
IV. Exhibits (Attachments)

Primesource Board Report, including Change Order Request #1 (PCI 001, 002, 003, 005, 008, 010 and 014)



Exhibit

Primesource Project Management Report Incorporating Oltmans Change Order Request #1



**PRIMESOURCE
PROJECT MANAGEMENT**
Project Leadership | Project Success

**Board Action:
MSA-1 New Classroom Building
Oltmans Construction Co.
Change Order #1**

Date: August 30, 2018

Action Requested: Staff requests approval to issue Change Order #1 to Oltmans Construction Company, Inc. in the amount of \$175,007.00 to incorporate Preliminary Change Items (PCI) number 1, 2, 3, 4, 5, 8, 10, and 14. There is no time extension or change to the schedule completion date associated with this change order.

Background – Change Order Process - Because this is the first change order for the MSA-1 New High School construction contract to be submitted to the Board, a description of the process is warranted. Potential Change Items are identified and numbered as soon as they emerge, and their cost tracked. Not all PCIs result in change orders: some anticipated changes will not be implemented, some changes can be resolved without a change in scope or cost, and some PCIs will be determined to be part of the existing scope of work and not entitled to additional compensation. All emerging items are immediately tracked so that their impact can be mitigated and so that change orders are never overlooked. We want to avoid surprises later in the project.

The MSA-1 project contract has incurred relatively few changes. To date. Only 15 PCIs have been issued: 2 were voided, 1 will be assigned to another contract; 4 are in progress and not ready to be finalized, and the remaining 8 are in this change order #1.

Resolution of any PCI requires the following process:

- Determine whether the change is within the current contract scope or subcontractor scope and entitled to additional compensation
- Clearly identify the physical items and quantities changed
- Clearly identify any changes to the work sequence or efficiency
- Estimate the cost of the change done by the subcontractor or supplier using standard breakdown and details

PRIME SOURCE PROJECT
MANAGEMENT

- For Time & Material items, assemble daily work tickets that track labor and material used for the change and then price according to guidelines in the contract
- Review the submitted pricing to ensure that it is accurate, complete, and fairly priced (costs comparable to bid level pricing)
- Assess schedule impacts, work around to minimize delay, determine net delay to the project or portion of the project – offset by time savings created by the Owner
- Negotiate to reduce cost or schedule impacts

Formal PCI pricing packages are then prepared by Oltmans and submitted to PrimeSource for review and negotiation. Attached to this report are the summary sheets for the PCIs in this change order. (The full package for these PCIs including backup contains +150 pages of detailed information and is not included.) All PCIs in this change order have gone through this process.

Explanation of Change Order Scope - The following explanations apply to the PCIs in Change Order #1:

PCI#1 – Contract Bond – As explained to the Board at the time of award, the contract was awarded to Oltmans without requiring a 100% payment and performance bond. Staff used alternate methods of reducing and controlling risk that avoided this expense. Subsequently, the bond agent rejected staff's arguments and required a 100% payment and performance bond. The cost is established by Oltman's bonding company – there is no opportunity to negotiate or to use another bonding company. \$57,118.00

PCI#2 – Potholing Observations – We directed Oltmans to conduct "potholing" of the site to confirm the depth of footings on the existing building, depth of fill and other factors prior to the mass excavation for the site. This allowed us to fine tune the design and construction sequence, improve the excavation permit and get inspectors more comfortable with the project. \$1,820.00

PCI#3 – Roofing consultant – The building has a complicated roofing/waterproofing design due to the rooftop play area. Water leaks are the leading cause of building problems post-construction, especially in this situation. We directed Oltmans to retain a specialty consultant to review the design of the roof and exterior walls specifically to improve constructability and to reduce the risk of future leaks. \$9,552.00



~~PCI#4- Masonry infill at MS Building - When we demolished the gymnasium building, we found old improperly abandoned doorways and mechanical openings in the exterior wall of the MS Building. We directed Oltmans to properly fill these openings to restore the structural integrity and fire rating of the MS Building Wall before these openings were covered by the new HS building exterior wall. \$3,946.00~~

PCI#5 - Unforseen underground obstructions - We found and were required to remove one large concrete footing and an underground concrete cistern during mass excavation. \$2,660.00

PCI#8 - Permits - The cost of permits was specifically excluded from the Oltmans base contract. This is the cost of securing the initial building permits for the excavation, structure, mechanical, electrical and fire systems. \$57,312.00

PCI#10 - Bulletins No. 1 and 2 - The Oltmans contract was negotiated prior to completion of drawing revisions required as part of the City of Los Angeles plan check process. The Franco drawings also did not include the connection between the building fire sprinkler system and the fire main in the street. These bulletins included all changes required by the Building department and to complete the fire sprinkler connection (which is more than \$30,000 of the total cost). \$40,959.00

PCI#14 - Flood Lights - Post-bid we discovered a large volume of inappropriate activity after hours in the alley and around the MSA-1 campus. This is the cost to install and activate flood lights on the DWP poles at the alley to light the entire area after hours. It has significantly reduced the after-hours traffic and issues. \$1,640.00

Total Change Order#1 - ~~\$175,007.00~~ \$171,061.00

Impact on Contingency - The funding for this change order will come from the project construction contingency established at the time the project was approved by the Board in May, 2018. The approved project budget included a project construction contingency budget of \$643,854. There have been no other draws on this fund, and it remains at the balance initially approved by the Board.

Contingency fund - ~~\$643,854.00~~
CO#1 - ~~\$175,997.00~~
Contingency balance - ~~\$467,857.00~~

Total Hard Cost Contingency ("HCC") =	\$633,528.00
Adjustment Due to Lower Than Budgeted P&P	
Bond Costs (Add to HCC) and Budgeted Permit=	plus \$122,882.00
Subtotal HCC =	\$756,410.00
Net Effect of Change Order #1 on HCC=	minus \$56,631.00
Total Balance Remaining HCC =	\$699,779.00



Oltmans
CONSTRUCTION CO.
 10005 Mission Mill Road
 Whittier, CA 90601
 Phone: (562) 948-4242 Fax: (562) 695-9267

OWNER CHANGE ORDER
NO.: 001

TITLE: PCI No.'s 1, 2, 3, 4, 5, 8, 10, and 14
PROJECT: Magnolia Science Academy
TO: Magnolia Educational and Research Foundation
 250 E. 1st St., 1500
 Los Angeles, CA

DATE: 08/08/2018
PROJECT NO.: 18049
CONTRACT: 18049

We are requesting approval of Owner Change Order #001 which incorporates the following PCIs:

PCI #	Description	Days Impact	Amount
PCI001	Contract Bond		\$ 57,118.00
PCI002	Potholing Observations for Contact Layer Verification		\$ 1,820.00
PCI003	Roofing Consultant		\$ 9,552.00
PCI004	Masonry Infill at (E) Building		\$ 3,946.00
PCI005	Unforeseen Underground Site Conditions		\$ 2,660.00
PCI008	Permits		\$ 57,312.00
PCI010	Bulletin No.'s 1 & 2		\$ 40,959.00
PCI014	Flood Lights		\$ 1,640.00
Total:			\$ 175,067.00 171,061.00

The Original Contract Sum was _____ \$ 7,392,479.00
 Net Change by Previously Authorized Requests and Changes _____ \$ 0.00
 The Contract Sum Prior to This Change Order was _____ \$ 7,392,479.00
 The Contract Sum will be Increased _____ ~~\$ 175,067.00~~ 171,061
 The New Contract Sum including This Change Order _____ ~~\$ 7,567,486.00~~
 The Contract Time Will Not Be Changed _____ \$7,563,540.00
 The Date of Substantial Completion as of This Change Order therefore is _____ 04/10/2019

ACCEPTED:

Oltmans Construction Co.

Magnolia Educational and Research Foundation

By: 
 Devin Ulibarri, Project Manager

By: _____

Date: 8-28-18

Date: _____



Oltmans
CONSTRUCTION CO.
 10005 Mission Mill Road
 Whittier, CA 90601
 Phone: (562) 948-4242 Fax: (562) 695-9267

POTENTIAL CHANGE ITEM

PC1001

TITLE: Contract Bond **DATE:** 06/11/2018
PROJECT: Magnolia Science Academy **PROJECT NO.:** 18049
TO:
Magnolia Educational and Research Foundation
 250 E. 1st St., 1500
 Los Angeles, CA

We respectfully request your approval of the following change to the original scope of work:

DESCRIPTION:

This Change Order Request includes costs associated with the performance and payment bonds.

Vendor	Description	Amount
	Contract Bonds	52,812.00
	GL	513.00
	Bond	432.00
	SDI	661.00
	Fee	2,700.00
	SUBTOTAL:	57,118.00
TOTAL COST FOR THIS CHANGE ORDER REQUEST:		57,118.00

APPROVAL:
 Oltmans Construction Co.

BY: Devin Ulibarri

DATE:

APPROVAL:
 Magnolia Educational and Research

BY:

DATE:



Oltmans
CONSTRUCTION CO.
 10005 Mission Mill Road
 Whittier, CA 90601
 Phone: (562) 948-4242 Fax: (562) 695-9267

POTENTIAL CHANGE ITEM

PCI002

TITLE: Potholing Observations for Contact Layer Verification

DATE: 06/11/2018

PROJECT: Magnolia Science Academy

PROJECT NO.: 18049

TO:

Magnolia Educational and Research Foundation
 250 E. 1st St., 1500
 Los Angeles, CA

We respectfully request your approval of the following change to the original scope of work:

DESCRIPTION:

This Change Order Request includes costs associated with excavation of five (5) potholes to identify native soils and depths of existing fill, per OAC meeting on 5/21/2018 and attached soils field observation report.

Vendor	Description	Amount
Garrett J. Gentry General Engineering	Material and equipment to excavate potholes for further soils study related to overex requirements and contact layer verification. (GJG #20180267)	1,681.00
	SUBTOTAL:	1,681.00
	GL	17.00
	SDI	22.00
	Bond	14.00
	Fee	86.00
	SUBTOTAL:	139.00
TOTAL COST FOR THIS CHANGE ORDER REQUEST:		1,820.00

APPROVAL:
 Oltmans Construction Co.

BY: Devin Ulibarri

DATE:

APPROVAL:
 Magnolia Educational and Research

BY:

DATE:



CONSTRUCTION CO.
 10005 Mission Mill Road
 Whittier, CA 90601
 Phone: (562) 948-4242 Fax: (562) 695-9267

**POTENTIAL CHANGE ITEM
 PCI003**

TITLE: Roofing Consultant **DATE:** 06/11/2018
PROJECT: Magnolia Science Academy **PROJECT NO.:** 18049
TO:
Magnolia Educational and Research Foundation
 250 E. 1st St., 1500
 Los Angeles, CA

We respectfully request your approval of the following change to the original scope of work:

DESCRIPTION:

This Change Order Request includes costs associated with roofing consultant's review of rooftop assembly.

Vendor	Description	Amount
Architectural Testing, Inc.	Review current roof design and provide waterproofing recommendations and/or design assist options. (Intertek Quote No. 202724R0)	7,680.00
Architectural Testing, Inc.	Allowance for additional site visit from roofing consultant.	1,150.00
	SUBTOTAL:	8,830.00
	GL	86.00
	SDI	111.00
	Bond	73.00
	Fee	452.00
	SUBTOTAL:	722.00
TOTAL COST FOR THIS CHANGE ORDER REQUEST:		9,552.00

APPROVAL:
 Oltmans Construction Co.

BY: Devin Ulibarri
DATE:

APPROVAL:
 Magnolia Educational and Research

BY:
DATE:



CONSTRUCTION CO.
 10005 Mission Mill Road
 Whittier, CA 90601
 Phone: (562) 948-4242 Fax: (562) 695-9267

**POTENTIAL CHANGE ITEM
 PCI004**

TITLE: Masonry Infill at (E) Building **DATE:** 06/18/2018
PROJECT: Magnolia Science Academy **PROJECT NO.:** 18049
TO:
Magnolia Educational and Research Foundation
 250 E. 1st St., 1500
 Los Angeles, CA

We respectfully request your approval of the following change to the original scope of work:

DESCRIPTION:

This Change Order Request includes costs associated with infill at existing building.

Vendor	Description	Amount
Majestic Masonry	Masonry Infill at Existing Building	3,107.00
	SUBTOTAL:	3,107.00
	(OCCO JWO #001)	540.00
	GL	36.00
	SDI	46.00
	Bond	30.00
	Fee	187.00
	SUBTOTAL:	839.00
TOTAL COST FOR THIS CHANGE ORDER REQUEST:		3,946.00

APPROVAL:
 Oltmans Construction Co.

BY: Devin Ulibarri

DATE:

APPROVAL:
 Magnolia Educational and Research

BY:

DATE:



CONSTRUCTION CO.
 10005 Mission Mill Road
 Whittier, CA 90601
 Phone: (562) 948-4242 Fax: (562) 695-9267

**POTENTIAL CHANGE ITEM
 PCI005**

TITLE: Unforeseen Underground Site Conditions **DATE:** 06/18/2018
PROJECT: Magnolia Science Academy **PROJECT NO.:** 18049
TO:
Magnolia Educational and Research Foundation
 250 E. 1st St., 1500
 Los Angeles, CA

We respectfully request your approval of the following change to the original scope of work:

DESCRIPTION:

This Change Order Request includes costs associated with the following unforeseen underground site conditions:

- 1) Break and haul-off two (2) septic tanks recently discovered during slot cut excavation. This required several hours to dig with backhoe, loader to transport to bin, additional soils for fill, and dump fees. Refer to attached Soils Observation Report and photos.
- 2) Break and haul-off existing 8'x8'x14" pad footing discovered during over-ex and compaction. This required a chipping hammer to break down, loader to transport to bin, and dump fees. Refer to attached photo.

Vendor	Description	Amount
Garrett J. Gentry General Engineering	Break and haul-off two (2) septic tanks	1,466.00
	SUBTOTAL:	1,466.00
	Break and haul-off existing 8'x8'x14" pad footing (OCCO JWO #2)	992.00
	GL	24.00
	SDI	31.00
	Bond	21.00
	Fee	126.00
	SUBTOTAL:	1,194.00
TOTAL COST FOR THIS CHANGE ORDER REQUEST:		2,660.00

APPROVAL:
 Oltmans Construction Co.

BY: Devin Ulibarri

DATE:

APPROVAL:
 Magnolia Educational and Research

BY:

DATE:



CONSTRUCTION CO.

10005 Mission Mill Road

Whittier, CA 90601

Phone: (562) 948-4242 Fax: (562) 695-9267

POTENTIAL CHANGE ITEM

PCI008

TITLE: Permits **DATE:** 06/18/2018

PROJECT: Magnolia Science Academy **PROJECT NO.:** 18049

TO: Tim Buresch
Magnolia Educational and Research Foundation
250 E. 1st St., 1500
Los Angeles, CA

We respectfully request your approval of the following change to the original scope of work:

DESCRIPTION:

This Change Order Request includes costs associated with project permit fees.

Vendor	Description	Amount
	Building Permit Fees	41,816.00
	Review of Interim Compaction Report	351.00
Christian Bros Mechanical Services	Mechanical Permit Fees	3,595.00
P.V. & C. PLUMBING	Plumbing Permit Fees	2,169.00
SAFEWAY ELECTRIC	Electrical Permit Fees	5,060.00
	SUBTOTAL:	52,991.00
	Bond	434.00
	Fee	2,709.00
	GL	515.00
	SDI	663.00
	TOTAL COST FOR THIS CHANGE ORDER REQUEST:	57,312.00

APPROVAL:

Oltmans Construction Co.

BY: Devin Ulibarri**DATE:****APPROVAL:**

Magnolia Educational and Research

BY: Tim Buresch**DATE:**



CONSTRUCTION CO.
 10005 Mission Mill Road
 Whittier, CA 90601
 Phone: (562) 948-4242 Fax: (562) 695-9267

**POTENTIAL CHANGE ITEM
 PCI010**

TITLE: Bulletin No.'s 1 & 2 **DATE:** 06/19/2018
PROJECT: Magnolia Science Academy **PROJECT NO.:** 18049
TO:
Magnolia Educational and Research Foundation
 250 E. 1st St., 1500
 Los Angeles, CA

We respectfully request your approval of the following change to the original scope of work:

DESCRIPTION:

This Change Order Request includes costs associated with Bulletin No.'s 1 & 2.

These proposals are valid for thirty (30) days.

Excludes:

-Sheet metal, roofing, floor and wall finishes, casework, site concrete, structural concrete, site assemblies and any subcontractor/trade not currently under contract.

Vendor	Description	Amount
A & D Fire Sprinklers, Inc.	Underground Fire Service (A&D July 16, 2018)	30,940.00
KDR Steel Co.	Structural Steel Stair #2 Changes (KDR CO 1R)	2,616.00
OCCO SUBCONTRACTS CONCRETE	Concrete - added pad footing, curb at roof, and column pad (OCCO Concrete 07/05/2018)	7,010.00
Oltmans Drywall/Door	Added Louver Opening (OCCO Wall 4/19/2018)	1,812.00
P.V. & C. PLUMBING	Plumbing (PV&C Proposal Dated August 20, 2018)	8,480.00
SAFEWAY ELECTRIC	Electrical (Safeway RFC No 2)	4,273.00
	SUBTOTAL:	55,131.00
	Reprographics	203.00
	Pervious concrete (Beeson 7/9/18)	11,271.00
	Credit for permeable pavers	-6,977.00
	Lath and Plaster (Perlite Proposal #1)	6,189.00
	Allowance for underground fire service.	-30,940.00
	We have a \$45,000 allowance. We will be using \$30,940 for this scope of work (per sheet U-1), and we'll have a remaining balance of \$14,060.	
	GL	724.00
	SDI	933.00
	Bond	611.00
	Fee	3,814.00
	SUBTOTAL:	-14,172.00
	TOTAL COST FOR THIS CHANGE ORDER REQUEST:	40,959.00

APPROVAL:
 Oltmans Construction Co.

BY: Devin Ulibarri

DATE:

APPROVAL:
 Magnolia Educational and Research

BY:

DATE:



CONSTRUCTION CO.
 10005 Mission Mill Road
 Whittier, CA 90601
 Phone: (562) 948-4242 Fax: (562) 695-9267

**POTENTIAL CHANGE ITEM
 PCI014**

TITLE: Flood Lights **DATE:** 07/24/2018
PROJECT: Magnolia Science Academy **PROJECT NO.:** 18049
TO:
 Magnolia Educational and Research Foundation
 250 E. 1st St., 1500
 Los Angeles, CA

We respectfully request your approval of the following change to the original scope of work:

DESCRIPTION:

This Change Order Request includes costs associated with installation of LED flood lights on building and repairing photo cells on (e) DWP lights.

Vendor	Description	Amount
SAFEWAY ELECTRIC	Electrical (Safeway RFC 4)	1,515.00
	SUBTOTAL:	1,515.00
	GL	15.00
	Bond	13.00
	SDI	19.00
	Fee	78.00
	SUBTOTAL:	125.00
TOTAL COST FOR THIS CHANGE ORDER REQUEST:		1,640.00

APPROVAL:
 Oltmans Construction Co.

BY: Devin Ulibarri

DATE:

APPROVAL:
 Magnolia Educational and Research

BY:

DATE:

Cover Sheet

Approval of Project Change Orders for Magnolia Science Academy- Santa Ana (Gymnasium Project)

Section: II. Approval Recommendation Items
Item: B. Approval of Project Change Orders for Magnolia Science Academy- Santa Ana (Gymnasium Project)
Purpose: Vote
Submitted by:
Related Material: II B MSA-Santa Ana GC Change Order Requests.pdf



Board Agenda Item #	II B- Action Item
Date:	September 12, 2018
To:	MPS Facilities Committee
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Patrick Ontiveros, General Counsel & Director of Facilities
RE:	Project Change Order Requests for MSA – Santa Ana Gymnasium Project (the “ Project ”)

I. Proposed Board Recommendation(s)

The Facilities Committee recommends the approval of the change order requests (each, a “**COR**” and together, the “**CORs**”) described below in the aggregate amount of **\$87,964.07** for the Project.

Gafcon Inc.’s report on these CORs is attached as an exhibit.

II. Background

A. GENERAL

Board policy requires that all project change orders be brought to the Board for review and approval. General contractor “RC Construction Services, Inc.” has submitted CORs 12 through 26 for approval.

B. MSA-SANTA ANA CORs

All Project CORs are paid from the **\$114,107.92** contingency carried by the general contractor. The total amount of all previously MPS Board approved CORs 1 to 11 yielded a credit of **\$1,551.23**. With the cost of the current CORs presented for approval totaling **\$87,964.07**, there will be a positive net savings of **\$27,695.08** (that is, **\$114,107.92 plus \$1,551.23 minus \$87,964.07**) which per contract is to be split 50/50 with the contractor.

Each COR and its cost is summarized below. The “Agreed Amount” reflected in the table is the amount negotiated by Gafcon and RC Construction. In several cases the negotiated amount was less than amount originally requested by RC Construction.



COR	Description	Agreed Amount	Reason for COR*
12	Changes to the servery required by the Orange County Health Department (“OCHD”)	\$16,503.96	Plan check comments received from the OCHD necessitated changes to the plans, which made the servery more like a full-kitchen. Note that this change order included approximately \$9,500 in changes for other parts of the gym—for example, installing hot water to bathrooms. In other words, it was not all servery related changes.
13	Weld continuous plate at metal decking	\$0.00	Rejected due to subcontractor error
14	Intrusion Hardware – Main Entry to Gym	\$10,647.00	Design omission
15	Skirting of HVAC equipment on roof	\$2,304.00	Required to obtain roofing warranty; design omission
16	Fire Sprinkler Riser	\$4,167.34	Design omission
17	Premium Polyester 4000 UV Stable Binder	\$2,961.00	Owner requested to extend longevity of play surface. The change will increase the useful life of the playground surface and ultimately save more money
18	Upgrade to 8 mm Rubberized Flooring	\$2,747.00	Upgrade required in order to have project completed on time because previously selected 6mm product would be delayed in delivery
19	Additional Landscape	\$0.00	Owner requested; withdrawn/removed
20	Additional Clean Up Behind Gym	\$1,007.66	Performed on a T&M basis; Owner requested
21	Control Panel Enclosure	\$442.35	Owner requested



COR	Description	Agreed Amount	Reason for COR*
22	Power to Hand Dryers	\$2,149.95	Design omission
23	Add Catch Basins at Fire Lane	\$33,325.01	The elevations in the field were not as set forth in the drawings. To provide for adequate drainage additional work was required.
24	Add Fire Alarm (Heat Detectors at Drop Ceiling)	\$1,208.80	Design omission
25	Add concrete @ east side of gym	\$8,500.00	Landscaping was removed and without concrete add it will remain plain dirt; owner requested
26	Paint Exterior Doors and Frames at North Side of Gym	\$2,000.00	Design omission
Total CORs 12 to 26		\$87,964.07	
Total of Previously Approved CORs 1 to 11		(\$1,551.23)	
Total All CORs (1 to 26)		\$86,412.84	
Total Contingency		\$114,107.42	
Remaining Balance [Savings/(Deficit)] [Contingency minus Total of All CORs]		\$27,695.08	
50% of Savings to Owner		\$13,847.54	

The architect disputes that all the CORs described above as being caused by design error. They accept that there were some omissions. They also note, correctly, that the costs due to “Design Omission” would have borne by the Project anyway. Design errors would have resulted in cost increases. Architect has agreed to discount its fee by \$7,500.

III. Budget Impacts

The Board previously approved the revised project budget for MSA-Santa Ana (\$4,671,177) which included an inter-company/school loan to cover overages above the previously approved project budget (\$3,859,380). The current budget is as follows:



USES			
	BUDGET ⁽¹⁾	TO DATE EXPENSES	LEFT TO PAY
SOFT COSTS			
Construction Management	\$191,349.00	\$148,787.78	\$42,561.22
Architect	\$209,027.00	\$138,801.83	\$70,225.17
Inspections	\$150,000.00	\$91,228.75	\$58,771.25
Legal	\$30,134.90	\$30,134.90	\$0.00
Agency Fees ⁽²⁾	\$56,616.69	\$56,616.69	\$0.00
Subtotal	\$637,127.59	\$465,569.95	\$171,557.64
HARD COSTS			
Construction ⁽³⁾	\$3,864,000.00	\$1,328,629.91	\$2,535,370.09
TOTAL COSTS	\$4,501,127.59	\$2,259,769.81	\$2,706,927.73

SOURCES	
Bond Funds Available	\$3,859,380.00
Expected Savings ⁽⁴⁾	\$29,347.54
TOTAL SOURCES	\$3,888,727.54

Deficit (to be paid with 0% interest inter-school loan)	\$612,400.05
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Notes:

- (1) Current budget including change orders, both approved and in process;
 (2) Agency Fees include Division of State Architect Fees, certain environmental work, surveying, advertising of bid in paper of general circulation, and a portion of MERF employee Erdinc Acar's time spent on the project.
 (3) All Change Orders are paid from GC carried contingency of \$114,107.42
 (4) Inclusive of \$7,500 credit/discount from architect plus unused reimbursables of about \$8,000

The total Project cost may go down if the budgeted inspection fees are lower than expected.

IV. Exhibit (attachments):

Gafcon change orders and draw down report



Exhibit

Change Order Request

24

CHANGE ORDER REQUEST # 24

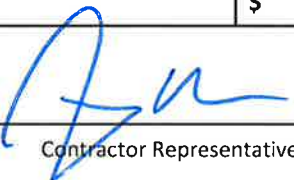


Furnish & Install Fire Alarm (Heat Detector) at Drop Ceiling - RFI #146

Project; Magnolia Santa Ana, New Gymnasium Santa Ana, California	Contractor; R.C. Construction Services Inc. 223 N. Locust Ave. Rialto, CA 92377	Change Order Date; July 19, 2018 Gafcon Review Date; July 30, 2018
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Change Order Cost Summary

Description	Contractors Total	Gafcon Total	Agreed Total
1. Direct Labor	\$ 1,102.00	\$ 1,102.00	\$ 1,102.00
2. Materials and Consumables	\$ -	\$ -	
3. Equipment / Rentals Fees	\$ -	\$ -	
4. Sales Tax Materials	\$ -	\$ -	\$ -
5. Subcontractor Overhead & Profit (15%)	\$ -	\$ -	
Total Direct Cost	\$ 1,102.00	\$ 1,102.00	\$ 1,102.00
	\$ -	\$ -	\$ -
Contractor's Fee @ (7%)	\$ 77.14	\$ 77.14	\$ 77.14
Contractor's Insurance @ (1.5%)	\$ 17.69	\$ 17.69	\$ 17.69
Contractor's Bond @ (1%)	\$ 11.97	\$ 11.97	\$ 11.97
Totals	\$ 1,208.80	\$ 1,208.80	\$ 1,208.80

Recommended:  Date: 7-31-18
 Contractor Representative Name/Title/Signature/Date

Recommended:  Date: July 30, 2018
 Gafcon Representative Name/Title/Signature/Date

CHANGE ORDER REQUEST # 23



Provide and Install 2 Catch Basins & Drain Lines at Fire Lane - RFI #140

Project; Magnolia Santa Ana, New Gymnasium Santa Ana, California	Contractor; R.C. Construction Services Inc. 223 N. Locust Ave. Rialto, CA 92377	Change Order Date; July 18, 2018 Gafcon Review Date; July 30, 2018
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Change Order Cost Summary

Description	Contractors Total	Gafcon Total	Agreed Total
1. Direct Labor	\$ 10,799.80	\$ 10,799.80	\$ 10,799.80
2. RCC Equipment	\$ 3,936.00	\$ 3,963.00	\$ 3,963.00
3. RCC Equipment Operator	\$ 2,752.00	\$ 2,752.00	\$ 2,752.00
4. RCC Truck w/Tools	\$ 1,000.00	\$ 408.00	\$ 408.00
5. Materials and Consumables	\$ 2,485.00	\$ 2,485.00	\$ 2,485.00
6. Equipment / Rentals Fees United	\$ 4,517.00	\$ 3,661.00	\$ 3,661.00
7. PG Cutting	\$ 680.00	\$ 680.00	\$ 680.00
8. Pro-Craft	\$ 8,386.26	\$ 8,386.26	\$ 8,386.26
Total Direct Cost	\$ 34,556.06	\$ 33,135.06	\$ 33,135.06
Contractor's Fee @ (7%)	\$ 2,419.90	\$ 2,319.45	\$ 137.20
Contractor's Insurance @ (1.5%)	\$ 554.68	\$ 497.03	\$ 31.46
Contractor's Bond @ (1%)	\$ 375.31	\$ 331.35	\$ 21.29
Totals	\$ 37,905.95	\$ 36,282.89	\$ 33,325.01

Recommended: _____ Date: _____
 Contractor Representative Name/Title/Signature/Date

Recommended: Michael Lengyel Date: August 3, 2018
 Gafcon Representative Name/Title/Signature/Date

CHANGE ORDER REQUEST # 22



Provide and Install Power for Hand Dryers In Restrooms - RFI #111

Project; Magnolia Santa Ana, New Gymnasium Santa Ana, California	Contractor; R.C. Construction Services Inc. 223 N. Locust Ave. Rialto, CA 92377	Change Order Date; July 18, 2018 Gafcon Review Date; July 30, 2018
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Change Order Cost Summary

Description	Contractors Total	Gafcon Total	Agreed Total
1. Direct Labor	\$ 1,960.00	\$ 1,960.00	\$ 1,960.00
2. Materials and Consumables	\$ -	\$ -	\$ -
3. Equipment / Rentals Fees	\$ -	\$ -	\$ -
4. Sales Tax Materials	\$ -	\$ -	\$ -
5. Subcontractor Overhead & Profit (15%)	\$ -	\$ -	\$ -
Total Direct Cost	\$ 1,960.00	\$ 1,960.00	\$ 1,960.00
	\$ -	\$ -	\$ -
Contractor's Fee @ (7%)	\$ 137.20	\$ 137.20	\$ 137.20
Contractor's Insurance @ (1.5%)	\$ 31.46	\$ 31.46	\$ 31.46
Contractor's Bond @ (1%)	\$ 21.29	\$ 21.29	\$ 21.29
Totals	\$ 2,149.95	\$ 2,149.95	\$ 2,149.95

Recommended:
 Contractor Representative Name/Title/Signature/Date

Date: 7-31-18

Recommended:
 Gafcon Representative Name/Title/Signature/Date

Date: July 30, 2018

CHANGE ORDER REQUEST # 21



Install Control Panel Enclosure In I.T. Room - RFI #138

Project; Magnolia Santa Ana, New Gymnasium Santa Ana, California	Contractor; R.C. Construction Services Inc. 223 N. Locust Ave. Rialto, CA 92377	Change Order Date; July 18, 2018 Gafcon Review Date; July 30, 2018
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Change Order Cost Summary

Description	Contractors Total	Gafcon Total	Agreed Total
1. Direct Labor	\$ 406.00	\$ 406.00	\$ 406.00
2. Materials and Consumables	\$ -	\$ -	
3. Equipment / Rentals Fees	\$ -	\$ -	
4. Sales Tax Materials	\$ -	\$ -	\$ -
5. Subcontractor Overhead & Profit (15%)	\$ -	\$ -	
Total Direct Cost	\$ 406.00	\$ 406.00	\$ 406.00
	\$ -	\$ -	\$ -
Contractor's Fee @ (7%)	\$ 28.42	\$ 28.42	\$ 26.42
Contractor's Insurance @ (1.5%)	\$ 6.52	\$ 6.52	\$ 5.52
Contractor's Bond @ (1%)	\$ 4.41	\$ 4.41	\$ 4.41
Totals	\$ 445.35	\$ 445.35	\$ 442.35

Recommended: 
Contractor Representative Name/Title/Signature/Date

Date: 7-31-18

Recommended: 
Gafcon Representative Name/Title/Signature/Date

Date: July 30, 2018

CHANGE ORDER REQUEST # 20



Clean-Up Behind South Side of Gym Building

Project; Magnolia Santa Ana, New Gymnasium Santa Ana, California	Contractor; R.C. Construction Services Inc. 223 N. Locust Ave. Rialto, CA 92377	Change Order Date; July 18, 2018 Gafcon Review Date; July 30, 2018
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Change Order Cost Summary

Description	Contractors Total	Gafcon Total	Agreed Total
1. Direct Labor	\$ 868.08	\$ 644.76	\$ 756.08
2. Materials and Consumables	\$ 40.00	\$ 40.00	\$ 40.00
3. Equipment / Rentals Fees	\$ -	\$ -	
4. Sales Tax Materials	\$ -	\$ -	\$ -
5. Subcontractor Overhead & Profit (15%)	\$ 159.92	\$ 102.72	119.41
Total Direct Cost	\$ 1,068.00	\$ 787.48	\$ 915.49
	\$ -	\$ -	\$ -
Contractor's Fee @ (7%)	\$ 74.76	\$ 55.12	\$ 64.08
Contractor's Insurance @ (1.5%)	\$ 17.14	\$ 12.64	\$ 16.75
Contractor's Bond @ (1%)	\$ 11.60	\$ 8.55	\$ 11.34
Totals	\$ 1,171.50	\$ 863.79	\$ 1,007.66

Recommended: _____
Contractor Representative Name/Title/Signature/Date

Date: _____

Recommended:  _____
Gafcon Representative Name/Title/Signature/Date

Date: **August 1, 2018**



Magnolia Public Schools

Magnolia Science Academy, Gymnasium Project - Santa Ana, CA

RECORD OF NEGOTIATION SUMMARY

Change Order Request Number and Title: **COR #18 - Due to the long lead time for the 6mm rubberized gym flooring it was agreed, as noted in meeting minutes #24, under new issues item 10.1, to modify the flooring to 8mm. See attached meeting minutes #24 w/approval from Owner.**


General Contractor Representatives (Name Jon Wollam, Project Manager)

Magnolia Public School Representative (Name Mike Lengyel, Sr. Construction Manager)

GC Submitted Cost:	\$2,747.00	Representatives Proposed Cost:	\$2,747.00
Final Price Agreed to:	\$2,747.00	Date Negotiations Concluded:	July 10, 2018

NEGOTIATION SUMMARY: (Note: Explain differences in CM estimate, proposal and final negotiated value)

1. It was agreed that the cost for the additional 2mm of rubberized flooring is fair and reasonable for the scope of work.
2. Subcontractor Overhead and Profit Fee of 15.0% is not included in the proposal.
3. It was agreed that RC Construction Contractor's Fee of 7.0% is acceptable.
4. It was agreed that RC Construction Contractor's Insurance Fee of 1.5% is acceptable.
5. It was agreed that RC Construction Contractor's Bond of 1.0% is acceptable.
6. It was agreed by RC Construction and Gafcon that the final proposed cost for COR #18 is \$2,747.00
7. Gafcon recommends that the MPS Board accept this COR in the amount of \$2,747.00

Agreed to	<u>Jon Wollman</u>	
<i>General Contractors Representative signature,</i>	<i>Name (Print)</i>	<i>Date</i>
Prepare	<u>Michael C. Lengyel</u>	<u>July 11, 2018</u>
 <i>(CM signature)</i>	<i>Name (Print)</i>	<i>Date</i>
Approve	<u>Patrick Anton C. Ontiveros, Esq.</u>	
<i>Director of Facilities & General Counsel signa</i>	<i>Name (Print)</i>	<i>Date</i>



Magnolia Public Schools

Magnolia Science Academy, Gymnasium Project - Santa Ana, CA

RECORD OF NEGOTIATION SUMMARY

Change Order Request Number and Title: **COR #17 - Furnish and install premium polyester 4000 clear UV stable binder to prevent rubber play surface from color fading. See attached emails w/approval from Owner on June 18, 2018.**


General Contractor Representatives (Name Jon Wollam, Project Manager)

Magnolia Public School Representative (Name Mike Lengyel, Sr. Construction Manager)

GC Submitted Cost:	\$2,961.00	Representatives Proposed Cost:	\$2,961.00
Final Price Agreed to:	\$2,961.00	Date Negotiations Concluded:	July 10, 2018

NEGOTIATION SUMMARY: (Note: Explain differences in CM estimate, proposal and final negotiated value)

1. It was agreed that the cost for the materials and consumables is fair and reasonable for the scope of work.
2. Subcontractor Overhead and Profit Fee of 15.0% is not included.
3. It was agreed that RC Construction Contractor's Fee of 7.0% is acceptable.
4. It was agreed that RC Construction Contractor's Insurance Fee of 1.5% is acceptable.
5. It was agreed that RC Construction Contractor's Bond of 1.0% is acceptable.
6. It was agreed by RC Construction and Gafcon that the final proposed cost for COR #17 is \$2,961.00
7. Gafcon recommends that the MPS Board accept this COR in the amount of \$2,961.00

Agreed to	<u>Jon Wollman</u>	
<i>General Contractors Representative signature,</i>	<i>Name (Print)</i>	<i>Date</i>
Prepare	<u>Michael C. Lengyel</u>	<u>July 11, 2018</u>
 <i>(CM signature)</i>	<i>Name (Print)</i>	<i>Date</i>
Approve	<u>Patrick Anton C. Ontiveros, Esq.</u>	
<i>Director of Facilities & General Counsel signa</i>	<i>Name (Print)</i>	<i>Date</i>

CHANGE ORDER REQUEST # 16



Changes Made to Fire Sprinkler in Submittals and RFI #131

Project; Magnolia Santa Ana, New Gymnasium Santa Ana, California	Contractor; R.C. Construction Services Inc. 223 N. Locust Ave. Rialto, CA 92377	Change Order Date; July 18, 2018 Gafcon Review Date; July 30, 2018
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Change Order Cost Summary

Description	Contractors Total	Gafcon Total	Agreed Total
1. Direct Labor	\$ 2,800.00	\$ 2,400.00	\$ 2,400.00
2. Materials and Consumables	\$ 851.00	\$ 793.00	\$ 851.00
3. Equipment / Rentals Fees	\$ -		
4. Sales Tax Materials	\$ -	\$ -	\$ -
5. Subcontractor Overhead & Profit (15%)	547.3	478.95	554.81
Total Direct Cost	\$ 4,198.30	\$ 3,671.95	\$ 3,805.81
Subcontractor Overhead & Profit (15%)	\$ -	\$ -	\$ -
Contractor's Fee @ (7%)	\$ 294.00	\$ 197.47	\$ 266.39
Contractor's Insurance @ (1.5%)	\$ 67.00	\$ 45.00	\$ 57.08
Contractor's Bond @ (1%)	\$ 46.00	\$ 31.00	\$ 38.06
Totals	\$ 4,605.30	\$ 3,945.42	\$ 4,167.34

Recommended: _____
Contractor Representative Name/Title/Signature/Date

Date: _____

Recommended:  _____
Gafcon Representative Name/Title/Signature/Date

Date: 08/01/18



Magnolia Public Schools

Magnolia Science Academy, Gymnasium Project - Santa Ana, CA

RECORD OF NEGOTIATION SUMMARY

Change Order Request Number and Title: COR #14 - Furnish and install power to electronic lock and door #1.1per response to RFI #116. Included in the scope of work is all labor and material.

General Contractor Representatives (Name & Title): Jon Wollam, Project Manager

Magnolia Public School Representative (Name & Title): Mike Lengyel, Sr. Construction Manager

GC Submitted Cost:	<u>\$10,647.00</u>	Representatives Proposed Cost:	<u>\$10,647.00</u>
Final Price Agreed to:	<u>\$10,647.00</u>	Date Negotiations Concluded:	<u>July 03,2018</u>

NEGOTIATION SUMMARY: (Note: Explain differences in CM estimate, proposal and final negotiated value)

1. It was agreed that the electrical contractors labor hours, materials and consumables is fair and reasonable for the scope of work. Although the labor hour seem slightly on the high the side they are not excessive.
2. It was agreed that RC Construction Contractor's Fee of 7.0% is acceptable.
3. It was agreed that RC Construction Contractor's Insurance Fee of 1.5% is acceptable.
4. It was agreed that RC Construction Contractor's Bond of 1.0% is acceptable.
5. It was agreed by RC Construction and Gafcon that the final prposed cost for COR #14 is \$10,647.00
6. Gafcon recommends that the MPS Board accept this COR in the amount of \$10,647.00

Agreed to:	<u>Jon Wollman</u>	<u></u>
(General Contractors Representative signature)	Name (Print)	Date

Prepared by:	<u>Michael C. Lengyel</u>	<u>July 03,2018</u>
(CM signature)	Name (Print)	Date

Approved:	<u>Patrick Anton C. Ontiveros, Esq.</u>	<u></u>
(MSP Director of Facilities & General Counsel signature)	Name (Print)	Date

CHANGE ORDER REQUEST # 12



Orange County Health Dept. Changes to Kitchen Servery

Project; Magnolia Santa Ana, New Gymnasium Santa Ana, California	Contractor; R.C. Construction Services Inc. 223 N. Locust Ave. Riaito, CA 92377	Change Order Date; July 18, 2018 Gafcon Review Date; July 30, 2018
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Change Order Cost Summary

Description	Contractors Total	Gafcon Total	Agreed Total
1. Direct Labor	\$ 10,617.01	\$ 10,617.01	\$ 10,617.01
2. Materials and Consumables	\$ 3,956.87	\$ 3,956.87	\$ 3,956.87
3. Equipment / Rentals Fees	\$ 608.40	\$ 608.40	\$ 608.40
4. Sales Tax Materials	\$ 29.08	\$ 29.08	\$ 29.08
5. Credits	\$ (1,500.00)	\$ (2,757.00)	\$ (2,128.00)
6. Sub-Contractors Overhead & Profit (15%)	\$ 2,255.51	\$ 1,868.15	\$ 1,962.50
Total Direct Cost	\$ 15,966.87	\$ 14,322.51	\$ 15,045.86
	\$ -	\$ -	\$ -
Contractor's Fee @ (7%)	\$ 1,120.00	\$ 1,002.58	\$ 1,053.21
Contractor's Insurance @ (1.5%)	\$ 257.00	\$ 229.88	\$ 241.49
Contractor's Bond @ (1%)	\$ 174.00	\$ 155.54	\$ 163.40
Totals	\$ 17,517.87	\$ 15,710.51	\$ 16,503.96

Recommended: _____

Date: _____

Contractor Representative Name/Title/Signature/Date

Recommended: _____

Date: **August 1, 2018**

Gafcon Representative Name/Title/Signature/Date



To: Magnolia Public Schools
From: Patrick Ontiveros, MPS General Counsel
Date: August 8, 2018

RE: Project Change Order Requests for Magnolia Science Academy- Santa Ana in the amount of \$87,964

Magnolia Public Schools General Counsel acknowledges that he has read and reviewed the contract/memorandum pertaining to the above matter.

A handwritten signature in blue ink that reads "Patrick Ontiveros".

Patrick Ontiveros
MPS General Counsel

A handwritten date in blue ink that reads "8/08/2018".

Date

A handwritten signature in blue ink that reads "Alfredo Rubalcava".

Alfredo Rubalcava
MPS CEO & Superintendent

A handwritten date in blue ink that reads "8/8/2018".

Date

Cover Sheet

Facility Project Updates

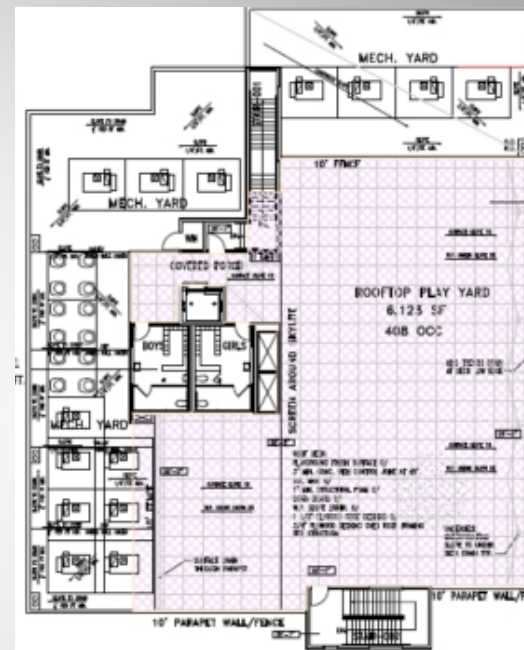
Section: III. Information Items
Item: A. Facility Project Updates
Purpose: Discuss
Submitted by:
Related Material:
2018-09-12 MSA-1 New High School Project - September 2018 - Board
Presentation.pptx
III A Facilities Update.pdf



ISA-1 New High School Project September, 2018



MSA-1 New High School Project New High School Classroom Building



New building has twenty classrooms, plus admin space, plus rooftop basketball court. New building will hold high school, existing building will hold middle school.

MSA-1 New High School Project

New High School Classroom Building

Administration

- Subcontracts being written – all early packages done – finishes 50% complete
- Cost reporting system and control systems defined and loaded – first payment made - second pay application in August
- Pending changes – first Change Order to Board September – about half planned expense items – balance well within contingency budget

MSA-1 New High School Project

New High School Classroom Building Design

- Technical submittal process continues
 - all early packages and structural packages approved - 5 open submittals - turnaround times remain good
- Requests for Information - 66 submitted/11 outstanding - turnaround time is good
- Revising rooftop assembly based on independent consultant review - now exploring pricing (expensive!) before

MSA-1 New High School Project

New High School Classroom Building

Permits and Inspection

- Building Permits
 - all current building permits pulled (excavation, building, engineering, electrical, mechanical)
 - deferred approvals/permits outstanding for fire sprinklers and alarms (normal and in process) - to be submitted in August
- Inspection
 - All required inspections to date current and passed - all inspectors and contractor collaborating well
 - Underground work mostly done - shifting to framing and structural phase

There are no permit or inspection issues at this time.

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New High School Classroom Building Construction

- Slab on grade and underground utilities complete – CMU walls complete
- Now shifting to wood framing of walls and floors – will soon start to look like a building

There are no construction issues at this time.

Excavation was completed in July...



The top 4 feet of soil was removed and re-compacted... work inspected and complete



Next came underground utilities, footings and first structural steel...



Slab on grade is prepped, placed and done...



CMU exterior walls and bond beam are complete.



No surprises – completing CMU walls define building exterior on two sides – completing these walls releases the entire building for wood framing.

And up we go...stairs first, then framing...



Treated wood has arrived on site. Plates are going down on the slab on grade. First floor walls will follow this month.

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New High School Classroom Building Schedule

Contract Schedule – 330 days from full NTP

- Detailed CPM schedule was submitted and approved
- Schedule is not overly aggressive or overly conservative, looks practical
- Completion of slab on grade and underground work removes biggest schedule risk – allows work area to expand greatly
- All work elements are on time.

There are no schedule issues at this time. The building will be ready for a spring move-in.

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New High School Classroom Building

Budget and Cost

Contract awarded with GMAX of \$7,392,479

- Little to No Risk - majority of subcontractors now under fixed price contracts.
- No Risk - subcontractor buyout is complete - no longer a risk
- Low Risk - materials escalation - majority of materials now under fixed price contracts and price locked
- Changes - short list of pending changes, some were anticipated at time of contract and were budgeted - balance from budgeted contingency

There are no budget or cost issues at this time. Project on track to finish under budget.

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New High School Classroom Building

Oltmans Summary

Oltmans is well underway.

Everything remains on track.

Work on site is ramping up fast.

There are no significant issues.



Board Agenda Item #:	IV D- Information/Discussion Item
Date:	September 13, 2018
To:	Magnolia Board of Directors Facility Committee
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Patrick Ontiveros, General Counsel & Director of Facilities
RE:	FACILITIES UPDATES

Background

No action recommended. Information only.

SCHOOL	UPDATES	NEXT STEPS
MSA-1	After not allowing the school to occupy the temp site by LACOE, we were able to secure permission from LACOE to occupy as of September 5, 2018. The delay was due to the fact that LACOE wanted a certificate of occupancy that showed “E” occupancy, an asbestos management plan and an upgraded fire alarm system. Through our land use consultant Rabuild, we were able to get letters from the City of LA Dept of Building and Safety confirming that the site had the correct occupancy. LACOE allowed us to occupy with the other items pending.	<ul style="list-style-type: none"> Finalize asbestos management plan (including training of custodial staff) and installation of upgraded fire alarm system
	New High School Building Construction Update: <ul style="list-style-type: none"> Project is on schedule and on budget; no red flags 	New High School Building Construction Update: <ul style="list-style-type: none"> Continue with construction activities
	Financing—Charter School Facility Incentive Grant (“CSFIG”) MPS submitted for reimbursement of \$374,513.65 before the August 31 st deadline of which \$138,476.27 exhausted in full the FY16-17 1 st \$500k tranche and \$236,037.38 which did not exhaust in full the FY17-18 2 nd \$500k tranche. Because the entirety of the 2 nd year \$500,000 tranche was not expended, a letter requesting an extension	



SCHOOL	UPDATES	NEXT STEPS
	was submitted to the California School Finance Authority (“CSFA”). We expect that it will be approved. Upon approval we will have approximately another \$700,000 for the MSA-1 new construction project.	
MSA-2	<p>Campus Improvements:</p> <ul style="list-style-type: none"> ▪ Draft of development agreement for improvements to campus was pending cost estimates to LAUSD; such cost estimates were provided ▪ MSA2 would like to install cameras in the classrooms; LAUSD has verbally agreed to the installation but according to its lease it must provide written approval <p>Prop 39 Energy Efficiency Grant:</p> <ul style="list-style-type: none"> ▪ Bids were received for lighting and HVAC upgrades 	<p>Campus Improvements:</p> <ul style="list-style-type: none"> ▪ RFPs for design team and CM were delayed but will begin anew ▪ Obtain written approval for installation of cameras in classroom <p>Prop 39 Energy Efficiency Grant:</p> <ul style="list-style-type: none"> ▪ Follow up with LAUSD to make improvements and review and accept bids and schedule work
MSA-3	Prop 39 offer accepted subject to final Prop 39 negotiations and final FUA	FUA signed; matter closed
MSA-4	MSA-4 signed shared use agreement. While it had to give up 2 classrooms, it gained 2 other classrooms on the campus.	MPS staff will work with district 4 to see if a better Prop 39 alternative can be secured for the next school year. MPS staff is also searching for a new private site for MSA-4
MSA-5	Prop 39 offer accepted subject to final Prop 39 negotiations and final FUA	FUA signed; matter closed
MSA-6	No updates	
MSA-7	<p>Capital Improvements—bids have been received for each scope of work; the bidders will incorporate their pricing into a formal RFP response:</p> <ul style="list-style-type: none"> ▪ Replace flooring ▪ Restroom Improvements ▪ Play Surface Replacement 	<p>Capital Improvements:</p> <ul style="list-style-type: none"> ▪ Issue RFP for additional capital improvements



SCHOOL	UPDATES	NEXT STEPS
	<p>Prop 39 Energy Grant:</p> <p>Contractors walked the site to bid on lighting, solar and HVAC upgrade work</p>	<p>Prop 39 Energy Grant:</p> <p>Bids have been received. Staff is reviewing bids with its Prop 39 consultants to select contractors</p>
MSA-8	No updates	
MSA-SAN DIEGO	<p>Project in close out mode:</p> <p>SILVER CREEK:</p> <ul style="list-style-type: none"> Silver Creek supposedly completed their punchlist work but we need to walk the site with the architect and inspector to confirm completion <p>NEXGEN:</p> <ul style="list-style-type: none"> NexGen finished certain punch-list work but it was not satisfactory to the IOR. NexGen may not be willing to return to complete the punchlist items. NexGen has provided back up documentation to Hal Block and Hal has confirmed that the back-up substantiates the billings except for the fact that Hal uncovered fact that NexGen charged MPS for subcontractor bonds that they never actually obtained. NexGen’s attorney and Hal have been going back and forth on settling the matter. NexGen has filed a mechanic’s lien. We expect a settlement in short order. <p>Williams Scotsman:</p> <ul style="list-style-type: none"> Hal is trying to negotiate a larger cash refund to MPS based on the ramp issue, the failure to address punchlist items, and faulty wiring found in some classrooms. <p>Additional Campus Improvements – MSA San Diego would like to add cabinets to classrooms, a permanent lunch shelter immediately adjacent to MPR, and install synthetic turf in the dirt playground</p>	<p>Follow up with close-out activities:</p> <p>SILVER CREEK:</p> <ul style="list-style-type: none"> Site walk with Silver Creek, architect and inspector <p>NEXGEN:</p> <ul style="list-style-type: none"> NexGen will be required to finish up punchlist work or else a separate contractor will be used to complete its work and NexGen will be back-charged. Hal Block and C-Team to strategize about how to settle NexGen matter. <p>Williams Scotsman:</p> <ul style="list-style-type: none"> Continue with negotiation for larger cash refund. <p>Additional Campus Improvements:</p> <ul style="list-style-type: none"> Patrick to find out if the desired improvements can be financed with savings from the construction project and if it can be started before official DSA close-out Patrick to find out if the utilities will pay for a solar shade structure



SCHOOL	UPDATES	NEXT STEPS
	DSA will not close out project without restoration of landscaping that was value engineered out of the project.	MPS to contract directly with a landscape contractor to perform the work.
	Prop 39 Energy Grant: Consultants walked site to come up with energy saving improvements.	Prop 39 Energy Grant: Consultants will provide list of recommended improvements; report in process
MSA-SANTA ANA	Project is completed.	Complete California State Division of State Architect close out.
	Mold investigation: the room with the highest concentration of mold was remediated and then patched up. Testing shows that the mold levels were below acceptable levels. .	MPS staff discussing options with insurance carrier to pay for fixes and any remaining remediation.