



Board Agenda Item #:	IV F- Information Item
Date:	June 13, 2019
To:	Magnolia Educational & Research Foundation dba Magnolia Public Schools ("MPS") Board of Directors
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Patrick Ontiveros, General Counsel & Director of Facilities
RE:	FACILITIES UPDATES

Background

No action recommended. Information only.

For all Prop 39 projects and CSFIG projects, the Facilities Department proposes to either hire an outside vendor or hire a project manager to monitor and assure compliance with prevailing wage requirements.

SCHOOL	UPDATES	NEXT STEPS
MSA-1	<p>New High School Building Construction Update:</p> <ul style="list-style-type: none"> ▪ Ad Hoc/Facilities committee at June 3, 2019 meeting approved change orders and the purchase of Furniture Fixtures & Equipment. Committee reports are attached as Exhibit A. ▪ Projected completion date is early August, which should still allow school to open on time. See Exhibit B for pictures of progress. ▪ A contingency plan to open at the Bridge Bible Fellowship is in the works. A lease amendment extending the lease at Amigo campus will be drafted and presented to 	<p>New High School Building Construction:</p> <ul style="list-style-type: none"> ▪ Continue with construction activities
	<p>Other:</p> <ul style="list-style-type: none"> ▪ Facilities Department prepared and submitted an SB740 application by the deadline. 	



SCHOOL	UPDATES	NEXT STEPS
	<p>Prop 39 Energy Efficiency Grant (\$255,528.00):</p> <ul style="list-style-type: none"> The contracts for the Prop 39 energy efficient upgrades – HVAC, lighting, and Plugload management have been approved by the Ad Hoc Committee and the final pieces of said contracts – insurance and prevailing wage attachments—are being incorporated. The LED lighting work has been completed. 	<p>Prop 39 Energy Efficiency Grant:</p> <ul style="list-style-type: none"> Move forward with other improvements.
MSA-2	<p>Campus Improvements:</p> <ul style="list-style-type: none"> Facilities Dept validating budget for LAUSD; presently awaiting revised budget from Williams Scotsman. Ad Hoc Committee at June 3, 2019 meeting approved fence relocation and installation of voice and video at front gate with all work to be done by LAUSD Classroom cameras installed 	<p>Campus Improvements:</p> <ul style="list-style-type: none"> Follow up with Williams Scotsman to finalize budget for presentation to LAUSD
	<p>Prop 39 Energy Efficiency Grant (\$228,414.50):</p> <ul style="list-style-type: none"> LAUSD approved HVAC and LED lighting upgrade project HVAC project was previously approved Ad Hoc / Facility Committee approved LED lighting upgrade project. See attached Exhibit A for project report. 	<p>Prop 39 Energy Efficiency Grant:</p> <ul style="list-style-type: none"> HVAC and LED Lighting Projects will move forward with installation during summer
MSA-3	<p>Prop 39 Co-location:</p> <ul style="list-style-type: none"> MSA-3 to negotiate with LAUSD principal for additional space Search for private site continues. 	<p>Prop 39 Co-location:</p> <ul style="list-style-type: none"> Seeking additional classrooms from LAUSD Continue with site search
	<p>Prop 39 Energy Efficiency Grant (\$247,000):</p> <ul style="list-style-type: none"> MSA-3 is eligible for energy efficiency upgrades totaling (Lighting, HVAC, Plugload) Plugload management contract was approved. Bids have been received for lighting and HVAC (within budget) Contracts will be signed with contractual “out” in the event LAUSD does not approve project 	<p>Prop 39 Energy Efficiency Grant:</p> <ul style="list-style-type: none"> Project still requires approval by LAUSD; pursuing approval
MSA-4	<p>Prop 39 Co-location:</p> <ul style="list-style-type: none"> MSA-4 principal to reach out to LAUSD principal about additional space. Search for private site continues. 	<p>Prop 39 Co-location:</p> <ul style="list-style-type: none"> Seeking additional classrooms from LAUSD Continue with site search and strategize for future move



SCHOOL	UPDATES	NEXT STEPS
	<p>Prop 39 Energy Efficiency Grant (\$231,070):</p> <ul style="list-style-type: none"> Bids have been received for lighting and HVAC (within budget) Contracts will be signed with contractual "out" in the event LAUSD does not approve project 	<p>Prop 39 Energy Efficiency Grant:</p> <ul style="list-style-type: none"> Project still requires approval by LAUSD; pursuing LAUSD approval Balance of contracts to be presented to Ad Hoc Committee for approval
MSA-5	<p>Prop 39 Co-location:</p> <ul style="list-style-type: none"> MSA-5 principal to reach out to LAUSD principal about additional space 	<p>Prop 39 Co-location:</p> <ul style="list-style-type: none"> MSA-5 principal will reach out to LAUSD principal to secure additional space
	<p>Prop 39 Energy Efficiency Grant (\$234,833):</p> <ul style="list-style-type: none"> Tying the new CDS code to this school so that the Prop 39 projects can proceed has been completed Contracts will be signed with contractual "out" in the event LAUSD does not approve project 	<p>Prop 39 Energy Efficiency Grant:</p> <ul style="list-style-type: none"> Project still requires approval by LAUSD; pursuing approval
MSA-6	<p>Lease</p> <ul style="list-style-type: none"> Church has engaged a law firm to negotiate a lease. Prior year to year leases were one page documents. 	<p>Lease</p> <ul style="list-style-type: none"> MPS and MSA-6 staff to negotiate lease; no change, still in process
	<p>Prop 39 Energy Efficiency Grant (\$58,836.53):</p> <ul style="list-style-type: none"> Contracts for lighting retrofit and solar installation have been approved 	<p>Prop 39 Energy Efficiency Grant:</p> <ul style="list-style-type: none"> Installations will be scheduled upon landlord and tenant reaching a resolution on a lease
	<p>Other:</p> <ul style="list-style-type: none"> Facilities Department prepared and submitted an SB740 application by the deadline. 	
MSA-7	<p>Prop 39 Energy Efficiency Grant (\$238,410.00):</p> <ul style="list-style-type: none"> New HVAC installation was completed Balance of Prop 39 EEG are lighting upgrade, cool roof, and Plug Load Management Cool roof contract approved and will be installed over spring break 	<p>Prop 39 Energy Efficiency Grant:</p> <ul style="list-style-type: none"> Review lighting and plug load management contracts to make sure all components are integrated into contract



SCHOOL	UPDATES	NEXT STEPS
	<p>Other Capital Improvements</p> <ul style="list-style-type: none"> ▪ <i>Playground</i> – Contract and award of contract for installation of new playground surfacing approved by Ad Hoc Committee at June 3, 2019 meeting ▪ <i>Restrooms</i> – Evaluating two (2) contractors for work; need to negotiate scope of work in light of remaining CSFIG funds 	<p>Other Capital Improvements:</p> <ul style="list-style-type: none"> ▪ Schedule work
	<p>Other:</p> <ul style="list-style-type: none"> ▪ Facilities Department prepared and submitted an SB740 application by the deadline. 	
MSA-8	<p>Prop 39 Energy Efficiency Grant (\$232,428.36):</p> <ul style="list-style-type: none"> ▪ Despite successful mid-February site meeting with LAUSD, no further update from LAUSD provided ▪ Contracts will be signed with contractual “out” in the event LAUSD does not approve project 	<p>Prop 39 Energy Efficiency Grant:</p> <ul style="list-style-type: none"> ▪ Continue follow up with LAUSD
MSA-SAN DIEGO	<p>Close Out:</p> <ul style="list-style-type: none"> ▪ Final pieces of close out in motion – installation of assistive listening devices and ADA signage fixes complete ▪ Need to schedule “handyman” to visit campus to make final fixes noted by Certified Access Specialist 	<p>Close Out:</p> <ul style="list-style-type: none"> ▪ Fix ADA signage issues ▪ Get Inspector of Record (“IOR”) sign-off
	<p>Prop 39 Energy Efficiency Grant:</p> <ul style="list-style-type: none"> ▪ Energy Commission denied appeal; Prop 39 funds must be returned to the State 	<p>Prop 39 Energy Efficiency Grant:</p> <ul style="list-style-type: none"> ▪ Research other opportunities for upgrades
MSA-SANTA ANA	<p>There are some warranty issues that need to be addressed by the general contractor.</p>	<p>In process.</p>



Exhibit A

Ad Hoc Committee Reports

Exhibit A
to
June 13, 2019
Facilities Update



Ad Hoc Committee Agenda Item #:	III.A.—Action Item
Date:	June 3, 2019
To:	Magnolia Educational & Research Foundation dba Magnolia Public Schools (“ MPS ”) Ad Hoc Committee (the “ Committee ”)
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Patrick Ontiveros, General Counsel & Director of Facilities
RE:	MSA-1 Change Order Requests 6 and 7

I. Proposed Recommendation(s)

Staff recommends and moves that the Ad Hoc Committee approve change orders 6 and 7 presented by Oltmans Construction Co. (“**Oltmans**”) for the new construction project for the benefit of MSA-1 at 18220 Sherman Way (the “**Project**”).

II. Background

At the April 11, 2019 Meeting of the Board of Directors of MPS (the “**Board**”), the Board granted to the Ad Hoc Committee the authority to approve change order requests submitted for the Project. Oltmans was selected as the general contractor for the construction of the Project. Oltmans has submitted change orders 6 and 7 for approval. The total for change orders 6 and 7 is ~~\$125,668.94~~ **\$120,923.94**.

III. Change Order No. 6

Change order no. 6 consists of change order requests (referred to as “**PCIs**” by Oltmans) 24, 25, and 26. Change order requests (“**CORs**”) 24, 25, and 26 cover weather remediation work undertaken by Oltmans in response to the rains experienced in Los Angeles from November 2018 through and including February 2019. The work was self-performed by a division of Oltmans, “Oltmans Wall”. Summary information from the CORs is set forth below for ease of reference and review. Each COR provides a detailed listing of the number of workers and of the number of hours worked by the crews performing the work. Staff has reviewed the CORs and found them to be fair and reasonable and accurate descriptions of the work performed based on Staff observations and communications from Oltmans. A copy of Change Order 6 is attached as Exhibit A. *These change orders are appropriate under the Oltmans contract as they were exclusions in the scope of work. Because the basis of the Oltmans’s contract is a cost plus with a guaranteed maximum price, whether an allowance had been carried for weather mitigation measures or billed at the end*



of the mitigation activity, like here, the result would have been the same. The total cost of change order number 6 is **\$87,059**.

A. COR/PCI 24

Dates of work: 11/27/18, 11/28/18, 11/29/18, 11/30/18, 12/5/18, 12/6/18, 12/7/18, 12/8/18 and 12/10/18 [9 days]

Amount: The total amount of COR is **\$26,943** inclusive for labor and materials.

Scope of work: includes prepping the site and building for rain, installing plastic protection; rain observation and clean-up and removal of plastic upon the cessation of rain.

B. COR/PCI 25

Dates of work: 1/5/19, 1/6/19, 1/7/19, 1/8/19, 1/14/19, 1/21/19 [6 days]

Amount: The total amount of COR is **\$33,125** inclusive for labor and materials.

Scope of work: includes installation of protection at south property line with neighbor, including build temp protection, build handrail, install sandbag and berm and cover; sweep and pump water off jobsite to avoid water damage

C. COR/PCI 26

Dates of work: 1/31/19, 2/1/19, 2/4/19, 2/5/19, 2/6/19, 2/11/19, 2/13/19, 2/14/19, 2/15/19, 2/18/19 [10 days]

Amount: The total amount of COR is **\$26,991** inclusive for labor and materials.

Scope of work: monitoring rain, checking that everything in the building is protected, pumping water from the parking lot and by neighbor fences as requested by MPS and sweep water off of building.

IV. Change Order No. 7

Change order no. 7 consists of CORs/PCIs 28, 29, 31, 32, ~~33~~, and 34 **and 35 and the total cost is \$33,864.94**. Each COR/PCI is explained below. Change order no. 7 with all associated CORs/PCIs is attached as Exhibit B.

A. PCI 28

This COR was deductive in the amount of **\$20,288.06**. MPS accepted the change order request which changed the drywall finish from a level 5 to a level 4. In a few locations a level 5 finish was retained.



B. PCI 29

This COR is additive in the amount of **\$4,910** and substitutes Fibermesh for standard wire mesh on the roof deck. A credit for the substation in the amount of \$6,995 was received. The Fibermesh product is a superior product to simple wire mesh. In order to provide a sound roof deck this project was recommended for among other reasons its superior durability and impact, shatter and abrasion resistance.

C. PCI 31

This COR is additive in the amount of **\$5,907**. In order to provide power to the parking lot to the rear of the new building LADWP requires that MPS install a new power pole. This is an LADWP requirement in order to provide power to the parking lot.

D. PCI 32

This COR is additive in the amount of **\$30,001** and tracks the changes issued in Bulletins 4 and 5 and additional RFIs 50, 52, 78, and 147. A *“bulletin” in architectural terms is used to issue changes AFTER bid proposals are submitted by the bidding contractors, and probably AFTER the contract is signed between the owner and the successful bidder. Revisions issued via a Bulletin may have cost impact.* In this case, the changes are associated with the roof redesign although there are three that are not related to the roof, namely: substituting wall mounted lights for lights on poles, a fire extinguisher model number change and a credit for doors and frames. As a reminder, the roof and outdoor deck were redesigned to provide greater resistance from water infiltration. The Board previously approved a water proof coating. See attached Exhibit C. The purpose of the changes in bulletins 4 and 5 are to provide a more robust system to prevent water infiltration and meet the requirements to preserve the warranty for the roof.

E. PCI 34

This COR is additive in the amount of **\$11,340**. This change order adds an emergency gas shut-off valve in chemistry lab room 201. The shut off valve is required by the City Inspector.

F. PCI 35

This COR is additive in the amount of ~~\$1,840~~ **\$1,995**. This change order arises because a drain pipe shaft was eliminated in bio lab room 202. As a consequence the millwork needs to be extended. See attached Exhibit D.

V. Budget Impacts

The total cost of Change Orders 6 and 7 is ~~\$125,668.94~~ **\$120,923.94** which will be paid from the contingency carried for the Project. The present contingency budget balance is approximately **\$381,731** **\$381,886**. Therefore, these change orders collectively would reduce the contingency to approximately ~~\$294,673~~ **\$260,962**. The current Project Budget is as follows:



TOTAL PROJECT BUDGET					
CATEGORIES	14-Feb-19	21-Mar-19	21-May-19	PAID TO DATE	REMAINING TO BE PAID
Acquisition Costs	3,832,260	3,832,260	3,832,260	3,832,260	-
Hard Costs	8,527,158	8,527,158	8,749,316	3,489,837	5,225,769
Soft Costs	950,078	950,241	955,012	820,800	134,212
Financing Costs	55,000	57,395	57,395	37,395	20,000
Management Costs	333,312	333,312	333,312	333,312	-
Contingencies	490,450	487,892	260,962 ⁽¹⁾⁽²⁾	-	260,962
	14,188,258	14,188,258	14,188,258	8,448,167	5,740,091

Notes:

- (1) Takes into account previously approved change orders and change orders 6 and 7.*
- (2) Does not take into account cost savings of approximately \$100,000 expected to be realized from FF&E line item or possible savings from Low Voltage allowance of \$220,000.*

Exhibits (attachments):

- A. Oltmans Change Order 6
- B. Oltmans Change Order 7
- C. Board Approval of Roof Deck Coating at March 12, 2019 Meeting
- D. Elevation of Bio Lab Room 202 Showing Elimination of Pipe and Extension of Millwork



Ad Hoc Committee Agenda Item #:	III B- Action Item
Date:	June 3, 2019
To:	Magnolia Educational & Research Foundation dba Magnolia Public Schools (“ MPS ”) Ad Hoc Committee (the “ Committee ”)
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Patrick Ontiveros, General Counsel & Director of Facilities
RE:	MSA-1 Furniture Fixtures & Equipment Procurement

I. Proposed Recommendation(s)

Staff recommends that the Ad Hoc Committee approve Hertz Furniture (“**Hertz**”) as the vendor to provide furniture fixtures and equipment (“**FF&E**”) for the new building being constructed at 18220 Sherman Way for the benefit of MSA-1 (the “**Project**”) and award a contract for the purchase of the FF&E to Hertz.

II. Background

A. Authority

At the April 11, 2019 Meeting of the Board of Directors of MPS (the “**Board**”), the Board granted to the Ad Hoc Committee the authority to approve the purchase of FF&E for the Project.

B. Procurement

MPS Staff published an RFP for the FF&E procurement on April 24, 2019 including posting it on the MPS and MSA-1 websites and forwarding the RFP to four (4) specific vendors. Addenda #s 1, 2 and 3 were subsequently published and provided to vendors. The RFP and the addenda are attached as Exhibit A. Four (4) bids were received by the deadline.

C. Review of Bids

A selection committee consisting of MPS staff reviewed the bids in detail to confirm responsiveness and to confirm that no information was missing. Clarifications were sought from the vendors. Upon a careful review of the bids, the selection committee recommend that the bid from Hertz Furniture be accepted and Hertz be award the contract for the provision of the FF&E.



D. Contract

MPS Staff is in the process of developing a contract to be used for the procurement. MPS Staff expects to use AIA Document A151™–2019 which is a stand-alone agreement and is intended for situations where a vendor will provide a large amount, or perhaps even all, of the furnishings, furniture, and equipment (FF&E) for a project, such as here. A template contract is attached as Exhibit C. “AIA” stands for the American Institute of Architects. AIA publishes a suite of template contracts that are widely used in the design and construction industry. A151 is an agreement for the sale of goods and is governed by the law of the place where the Project is located, including the jurisdiction’s Uniform Commercial Code as adopted. In A151, the Vendor not only sells and delivers FF&E, it also is responsible for incidental onsite Work such as placing, assembling, and installing the FF&E. A151 includes Vendor insurance requirements and requires the Vendor to coordinate its Work with the work of others on the Project. The Owner is required to provide the Vendor with access to the Project, storage space, and areas to perform the Work.

In the event that Hertz is not amenable to the aforementioned contract, MPS Staff will negotiate a contract that provides substantially similar protections to MPS.

III. Budget Impacts

The Project budget carries a line item of **\$325,000** for FF&E. The total bid amount from Hertz is approximately **\$216,000**. See Exhibit B. MPS staff therefore expects a savings of **\$109,000** that will be transferred to and carried under contingency until completion of the Project. MPS Staff will also look into the prospect of financing the FF&E purchase in order to conserve cash. In the event, MPS Staff believes it would in the best interests of MSA-1 and MPS to finance such purchase and such financing is allowable under MPS and MSA-1’s various loan covenants, MPS Staff will return to the Committee to make a recommendation for financing.

Exhibits (attachments):

- A. RFP
- B. Hertz Furniture Bid
- C. Form of Contract -- AIA Document A151™–2019



Ad Hoc Committee Agenda Item #:	III C – Action Item
Date:	June 3, 2019
To:	Magnolia Educational & Research Foundation dba Magnolia Public Schools (“ MPS ”) Ad Hoc Committee (the “ Committee ”)
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Patrick Ontiveros, General Counsel & Director of Facilities
RE:	MSA-7 – Play Surface Replacement

I. Proposed Recommendation(s)

Staff recommends that the Ad Hoc Committee approve the replacement of the play surfaces at Magnolia Science Academy 7 Northridge (the “**Project**”) and that Great Western Recreation be awarded the contract for said scope of work.

II. Background

MSA7 at 18355 Roscoe Boulevard in Northridge leases space from a Lutheran Church that previously housed a private school run by the church. The facilities, including the playground, are quite old. The playground consists of two large play areas filled with sand. See pictures attached as Exhibit A. MSA7 and its stakeholders – teachers, staff, parents – have expressed a desire to replace the sand filled areas with more modern play surfaces.

MSA7 is the recipient of a Charter School Facility Incentive Grant (“**CSFIG**”). The total CSFIG is **\$414,975**. It previously spent a portion of its grant, approximately **\$148,562.90**, to repair the pavement at its facilities. MSA7 would now like to spend a portion of its remaining grant on the Project. **\$266,412.10** of the CSFIG remains. Assuming a budget of **\$125,000** for the Project (the bid price plus a contingency), approximately **\$141,412** would remain to complete another capital improvement project – the creation of another staff restroom and the refurbishment of a bank of student restrooms.

III. Procurement Process

An RFP was issued to multiple contractors producers and installers of play surfacing. See Exhibit B attached hereto. Staff received bids from three (3) companies. After a review of the bids, the selection committee decided to interview two (2) bidders. Such interviews occurred on April 24th at the MSA-7 campus.



Base on the bids received and the interviews conducted, the selection committee recommends approval of the award of the contract for the Project to Great Western Resources. The bid received is for **\$100,851.10**. A copy of the bid is attached as Exhibit C.

A draft copy of the proposed contract with Great Western Resources is attached as Exhibit D. Staff will negotiate the final form of the contract to conform to the requirements of the CSFIG program.

IV. Budget Impacts

The Project will be paid for with CSFIG funds. CSFIG funds must be spent on or before August 31, 2019.

Exhibits (attachments):

- A. Site Pictures
- B. RFP
- C. Great Western Bid
- D. Draft Contract



Ad Hoc Committee Agenda Item #:	Item III D- Action Item
Date:	June 3, 2019
To:	Magnolia Educational & Research Foundation dba Magnolia Public Schools (“ MPS ”) Ad Hoc Committee (the “ Committee ”)
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Patrick Ontiveros, General Counsel & Director of Facilities
RE:	MSA-2 – Fence and Gate Replacement Capital Improvement Project

I. Proposed Recommendation(s)

Staff recommends that the Ad Hoc Committee approve a capital improvement project at Magnolia Science Academy 2 (“**MSA-2**”) consisting of the installation of a new gate at the entrance of the campus and the removal and repositioning of a fence along MSA-2’s southerly boarder (the “**Project**”) all to be done at a cost of FORTY THREE THOUSAND EIGHT HUNDRED NINETEEN DOLLARS (**\$43,819**) by Los Angeles Unified School District (“**LAUSD**”), the owner of the property at which MSA-2 is co-located. Staff further recommends that the Ad Hoc Committee approve a contingency of FIVE THOUSAND DOLLARS (**\$5,000**) for the Project in the event there are unforeseen conditions that increase the cost.

II. Background

MSA-2 with an address of 17125 Victory Blvd, Van Nuys is co-located on the Birmingham Community Charter High School campus owned by LAUSD. For safety reasons, MSA-2 desires to make two (2) capital improvements to its campus. First, MSA-2 desires to replace the existing gate manual gate with one with a telecom system so that visitors will not be able to access the campus until they are approved and “buzzed” in. MSA-2 presently pays someone to physically man the gate. If it has a gate with a camera on it, it will save on labor costs. The telecom system will have a camera to allow the front desk to see who is at the gate. Second, MSA-2 desires to follow the recommendations of a recent traffic study and remove and replace the chain link fence along its southerly border. The existing chain link fence extends onto the immediately adjacent sidewalk making it impossible for anyone endeavoring to use that sidewalk as a path of travel. Consequently anyone wishing to walk along the southerly side of the campus, perhaps from the gate at the southwest corner of the campus is forced to walk along a street. See diagram attached as Exhibit A.



LAUSD's quote to provide the work to remove and replace the existing gate is \$31,002.14. See Exhibit B. Its quote to remove and re-position the fence along the southerly border is \$12,816.80. See Exhibit C. The total for both quotes is \$43,819. MPS Staff believes it would be prudent to set aside a contingency of \$5,000 for unforeseen expenses. MPS Staff will confirm that the numbers quoted by LAUSD are still good and that they do not foresee any other expenses. In such event, the project will be brought back to the Committee for further review and approval.

III. Budget Impacts

MSA-2 proposes to pay for the Project with money from its long term reserves. Such proposed use, including the contingency, will reduce its 2018-19 Second Interim projected long term reserves from \$793,675 to \$744 856.

Exhibits (attachments):

- A. Site Diagrams
- B. LAUSD Work Order for Gate
- C. LAUSD Work Order for Fence



Ad Hoc Committee Agenda Item #:	III E – Action Item
Date:	June 3, 2019
To:	Magnolia Educational & Research Foundation dba Magnolia Public Schools (“ MPS ”) Ad Hoc Committee (the “ Committee ”)
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Patrick Ontiveros, General Counsel & Director of Facilities
RE:	MSA-2 – Prop 39 Energy Efficiency Grant Lighting Upgrade

I. Proposed Recommendation(s)

Staff recommends that the Ad Hoc Committee approve the lighting upgrade project (the “**Project**”) at Magnolia Science Academy 2 (“**MSA-2**”) at a cost of Twenty Thousand Four Hundred Seventy Two Dollars (**\$20,472**) to be paid for with the school’s Prop 39 award from the State of California Energy Commission and that ReGreen, Inc. be awarded the contract for said scope of work.

II. Background

MPS applied for and received grants for its schools under the California Clean Energy Jobs Act (“**Prop 39**”), a state program providing funding to local educational agencies for improving energy efficiency and creating clean energy jobs. Under Prop 39, all MPS schools except for MSA-Santa Ana received funding. According to Prop 39 rules and regulations, Prop 39 projects must be under contract (aka encumbered) by June 30, 2019. Otherwise, such Prop 39 funds which have already been received must be returned to the State of California. MPS signed an agreement with First Note Finance, inc. (“**FNF**”) to manage MPS’s Prop 39 projects. FNF performs site walks, issues RFPs and together with MPS Staff selects a contractor for each scope of work.

MSA-2’s total Prop 39 award is **\$228,414.50**. Of such amount, approximately **\$210,368.40** is encumbered to replace HVAC units at the campus and approximately **\$4,500** is encumbered to implement plugload management measures. The cost for the LED lighting replacement scope of work would cause a deficit of approximately **\$13,547**. MPS Staff will work with FNF to reduce the scope of work on the HVAC unit replacement in order to make the overall MSA-2 Prop 39 projects collectively cost neutral.



III. Procurement Process

An RFP was issued by FNF to multiple vendors. A comparison of the various bids received is attached as Exhibit A.

A draft copy of the proposed contract with ReGreen Inc. is attached as Exhibit B. Staff will negotiate the final form of the contract to conform to the requirements of the CSFIG program and to insure that all pertinent attachments, such as prevailing wage sheets and a certificate of insurance, are included.

IV. Project Description

The scope of work, as stated in the draft contract, is described as follows:

CONTRACTOR shall perform a comprehensive, turnkey, LED Lighting Retrofit for all lighting fixtures, both Interior and Exterior, including all equipment and materials, installation labor, 19 occupancy sensors, permitting, securing LADWP rebates, customer acceptance, and warranty. CONTRACTOR shall perform its own site survey and provide Owner with a scope and price proposal prior to executing this contract. The site survey shall be of sufficient detail to capture in advance any potential change orders, including but not limited to emergency lighting, battery backups, product compatibility with compact fluorescent ballasts, occupancy sensor integration, and/or product voltage compatibility.

V. Budget Impacts

The Project will be funded out of budgeted Prop 39 grant.

Exhibits (attachments):

- A. Bid Comparison
- B. Draft Contract



Exhibit B
Pictures of Current Construction Progress



