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| Board Agenda Item #: | III B |
| Date: | June 28, 2019 |
| To: | Magnolia Educational & Research Foundation dba Magnolia Public Schools (“ MPS ”) Board of Directors (the “ Board ”) |
| From: | Alfredo Rubalcava, CEO & Superintendent |
| Staff Lead: | Patrick Ontiveros, General Counsel & Director of Facilities |
| RE: | Appointment of Ad Hoc Committee With Authorization to Approve CSFIG Funded Restroom Project at MSA-7 |

I. Proposed Recommendation

Staff moves that the Board appoint the MPS Facilities Committee as an Ad Hoc Committee with authority to approve a planned restroom renovation project at MSA-7 (the “**Project**”) using Charter School Facility Incentive Grant (“**CSFIG**”) funds.

II. Background

A. CSFIG Funds

MSA-7 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. MSA-7 would now like to spend a portion of its remaining grant on the Project. After approval of the playground surfacing replacement at a cost of approximately **\$170,000**, approximately **\$96,412.10** remains to complete the restroom capital improvement project.

The MPS Facilities Committee at the June 13, 2019 meeting recommended approval to the Board of the awarding of a contract for the Project to TNL Construction, Inc. (“**TNL**”). Immediately following said meeting TNL notified MPS Staff that it would not be able to undertake the Project. Consequently, MPS Staff is presently seeking an alternative vendor to undertake the Project. **All CSFIG projects must be completed by August 31, 2019 in order to receive funding. Therefore, time is of the essence in selecting a contractor to complete this capital improvement project.**



B. Procurement Process

Multiple RFPs have been issued for the Project since mid-2018. The first one was issued and published on or about May 2, 2018. The most recent one was issued and published on or about March 5, 2019. The March 5th RFP is attached as Exhibit A. Very few expressions of interest have been received. The RFPs have been issued to contractors referred to Staff by other general contractors with whom Staff has worked. Staff will reach out to other vendors.

III. 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. RFP



Exhibit A

March 5, 2019 RFP

(See Following Pages)



MAGNOLIA PUBLIC SCHOOLS

Request for Proposal to Provide
Restroom Repair, Improvement and Installation
Services for
Magnolia Science Academy 7
located at 18355 Roscoe Boulevard in the City of
Northridge

Due Date:

March 15, 2019

I. Overview & Background

Magnolia Education & Research Foundation doing-business as Magnolia Public Schools (“MPS”) and headquartered in Los Angeles is a charter school management organization that operates Magnolia Science Academy 7 (“MSA 7”). MPS is seeking a contractor to design, permit and construct certain restroom improvements (as more particularly described herein) to its MSA 7’s campus.

MPS expects to pay for the Services described in this RFP with a federal grant administered by the California School Finance Authority—the Charter School Facility Incentive Grant. **Therefore, all work must be prevailing wage.**

MPS is a network of 10 high-performing public charter schools that serves students in Los Angeles, Orange, and San Diego Counties. For more than a decade, MPS has delivered high quality education emphasizing science, technology, engineering and math. MPS is regularly recognized as having some of the top-performing-schools in the nation.

II. Scope of Services to be Provided

MSA-7, the subject of this Request for Proposal (“RFP”), is located at 18355 Roscoe Boulevard in the City of Northridge. See Exhibit A for location of the School which rents space at the location from a church.

The scope of services covered by this Request for Proposal shall include the following:

- Determine the feasibility and constructability of the desired restroom improvements.
- Design and submit drawings for permits, if needed, to LADBS
- Construct the improvements. The location of the existing restrooms (both staff and student and office) to be converted to ADA compliant restrooms are highlighted in Exhibit B. The Services are as follows:
 - Convert an existing bank of boys and girls restrooms to ADA compliant restrooms
 - Convert an existing office into an ADA compliant staff restroom
 - Upgrade an existing staff restroom to be ADA compliant
 - Upgrade a current inaccessible restroom to allow for staff accessibility
- Upgrading an existing water heater is part of the scope of work.

The MPS Board of Directors, upon recommendation by MPS management, will approve the selected firm (the “Provider”) to provide the Services. Further, the Services will be provided under a contract approved by the MPS Board of Directors.

MPS will be responsible for the following tasks in order to facilitate the provision of the Services by the Provider.

- Arrange access to the School site.
- Provide any plans that exist.

- Provide such other support as shall be necessary to facilitate the completion of the Services according to the desired completion date cited herein.

III. Timetable for Selecting a Provider

The proposed timetable for selecting a Provider to provide the requested Services is as follows:

| Date | Description |
|---|---|
| Wednesday, March 6, 2019 | Issue RFP |
| TBD on a case by case basis – Week of March 11th | MSA7 Site Visits for Interested Vendors |
| Friday, March 15, 2019 | Proposal Responses Due |
| Tuesday, March 19, 2019 | Selection of Service Provider |
| Monday, April 15, 2019 | Commencement of Services |
| Friday, April 19, 2019 | Completion of Services |

MPS understands that the commencement and duration of the work will be impacted by any permitting and inspections required by the City of Los Angeles Department of Building and Safety.

If it is not feasible to complete the work as described above (during the spring break), the Work may be done over the summer of 2019, commencing June 10, 2019 but must be completed by not later than July 31, 2019.

IV. Questions and Submission

All questions regarding this RFP should be directed to the following person, preferably by e-mail, as shown below.

Mr. Patrick Ontiveros
 General Counsel and Director of Facilities
 Magnolia Public Schools
 250 East 1st Street, Suite 1500 Los Angeles, CA 90012
pontiveros@magnoliapublicschools.org
 Office: (213) 628-3634 x103
 Mobile: (323) 490-0701

All proposals are due ***no later than 5:00 p.m. on Friday, March 15, 2019*** and may be delivered either by email or in hard copy form to the person indicated above.

V. Proposal Format

Proposals may not exceed 10 pages including any exhibits. Proposals are to include the following content:

A. Vendor Qualifications and Experience.

- (1) State the name, size of you firm, the size of the staff, the location of the office from which the work on this engagement is to be performed, and the number and nature of the professional staff to be employed in this engagement. If you are sole proprietor, please state this fact.
- (2) Provide a summary of the firm's experiences over the past five (5) years in providing directly relevant services.
- (3) Disclose relationships that have been terminated and the circumstances around such terminations.
- (4) Describe your experience with prevailing wage jobs and ability to meet the applicable rules and regulations governing prevailing wage jobs.

B. Qualifications and Experience of Key Personnel.

- (1) Contractor's license and in good standing.
- (2) Identify the person that will be principally responsible for working with MPS and leading this engagement.

C. References. Provide three (3) references of clients for whom you have provided a similar scope of services over the past three (3) years. Please include full name, position, telephone number and email address and a description of the engagement.

D. Insurance Requirements. MPS will require that the Provider possess certificates of insurance evidencing required coverage and the minimums as indicated below. MPS will require that Provider procure and maintain for the duration of its engagement with MPS insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of work by the Provider, its agents, representatives or employees. It is required that broad coverage include the following:

- (1) Commercial General Liability on an occurrence basis for bodily injury and property damage including products completed operations, personal injury and advertising;
- (2) Automobile Liability for bodily injury and property damage;
- (3) Workers Compensation Insurance as required by the State of California with Statutory Limits, and Employer's Liability;

- (4) And, such other insurance as MPS may reasonably require.
- (5) Given the foregoing requirements, please provide a statement as to the willingness and ability of your firm to provide the required minimums.

E. Conflicts of Interest. Please disclose each of the following:

- (1) Any violations of federal, state or local regulations/laws within the past three (3) years regardless of how resolved;
- (2) All threatened, pending or current disputes (including litigations) and the status of said disputes;
- (3) Arrangements with other firms that may pose a potential conflict of interest to the MPS engagement; any arrangements that are likely to be made in order to deliver upon the MPS engagement; and
- (4) If none of the above apply, provide a statement to that effect.

F. Cost Proposal. Please present a cost proposal based on the scope of the Services identified in this RFP and the site walk. Proposals should include all standard costs associated with providing the services described in the Scope of Work.

- (1) Proposals may include a compensation that includes the hourly rate for each individual who would be assigned to MPS, and a cost by category for all major activities.
- (2) Be clear as to any services that might be typically provided with an engagement such as the one outlined in this RFP and which may fall outside your cost proposal. If there are none, ensure that you make a statement to that effect.
- (3) Please provide an estimated overall cost for the Services based on the information provided in this RFP and the site-walk including taking into account the desired completion timeframe and the prevailing wage requirements set forth herein.
- (4) Provide a description of the warranty provided.

G. Form of Agreement. The successful responder will agree to enter into an agreement substantially similar to AIA Document A104™–2017 Standard Abbreviated Form of Agreement Between Owner and Contractor or another mutually agreeable contract form. Any objections to this form of agreement should be indicated in your response and an alternative agreement should be proposed.

H. Site Visit. MPS expects that interested contractors will visit the site on the date set forth above to understand and define the exact scope of work.

VI. Evaluation of Proposals and Negotiations.

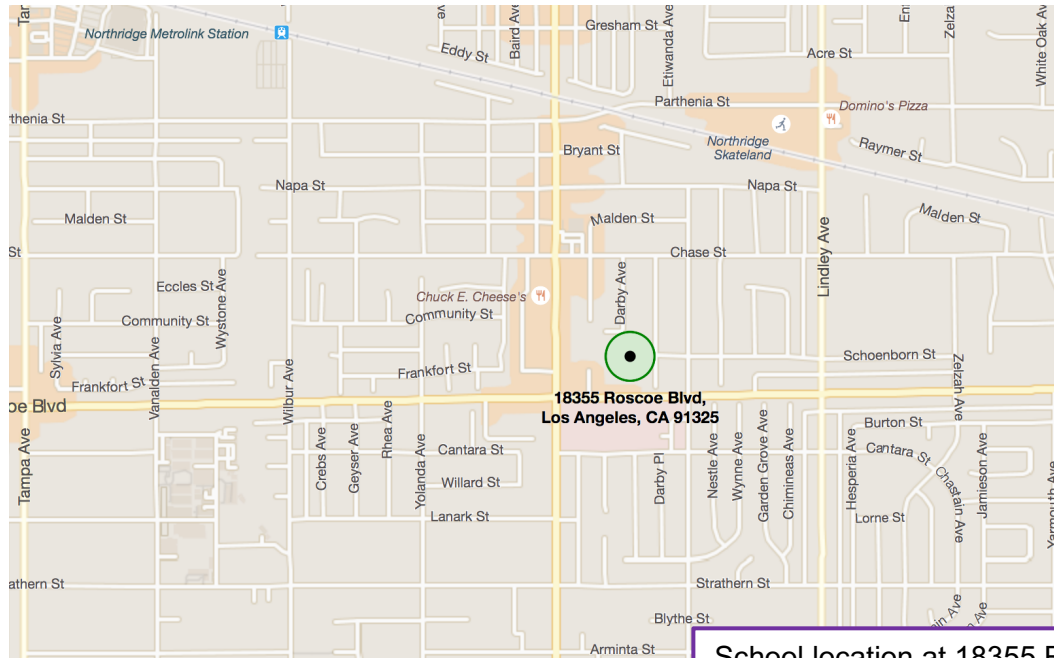
Overall responsiveness made within the response to this RFP are important factors in the overall evaluation process. MPS will select a firm that has the highest suitability for the work with MPS and the ability to meet the stated deadline for completion with a competitive price point.

VII. Award.

MPS reserves the right to reject any and all proposals; to waive any informality in the proposal process; and to accept the proposal that appears to be in its best interests. Further, MPS reserves the right to modify or issue amendments to this RFP and to cancel or reissue this RFP at any time.

End of Request for Proposal

EXHIBIT A
MAP OF SCHOOL LOCATION



School location at 18355 Roscoe Blvd

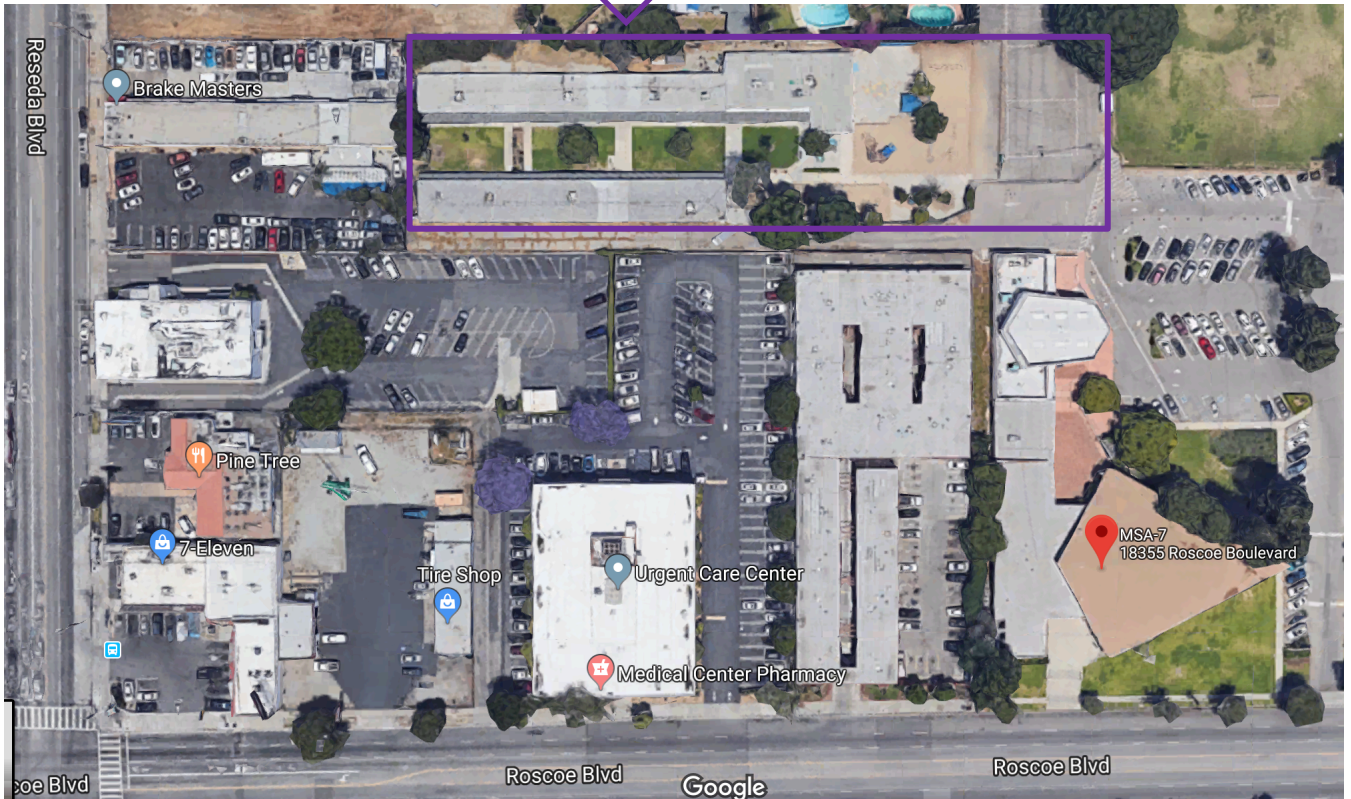
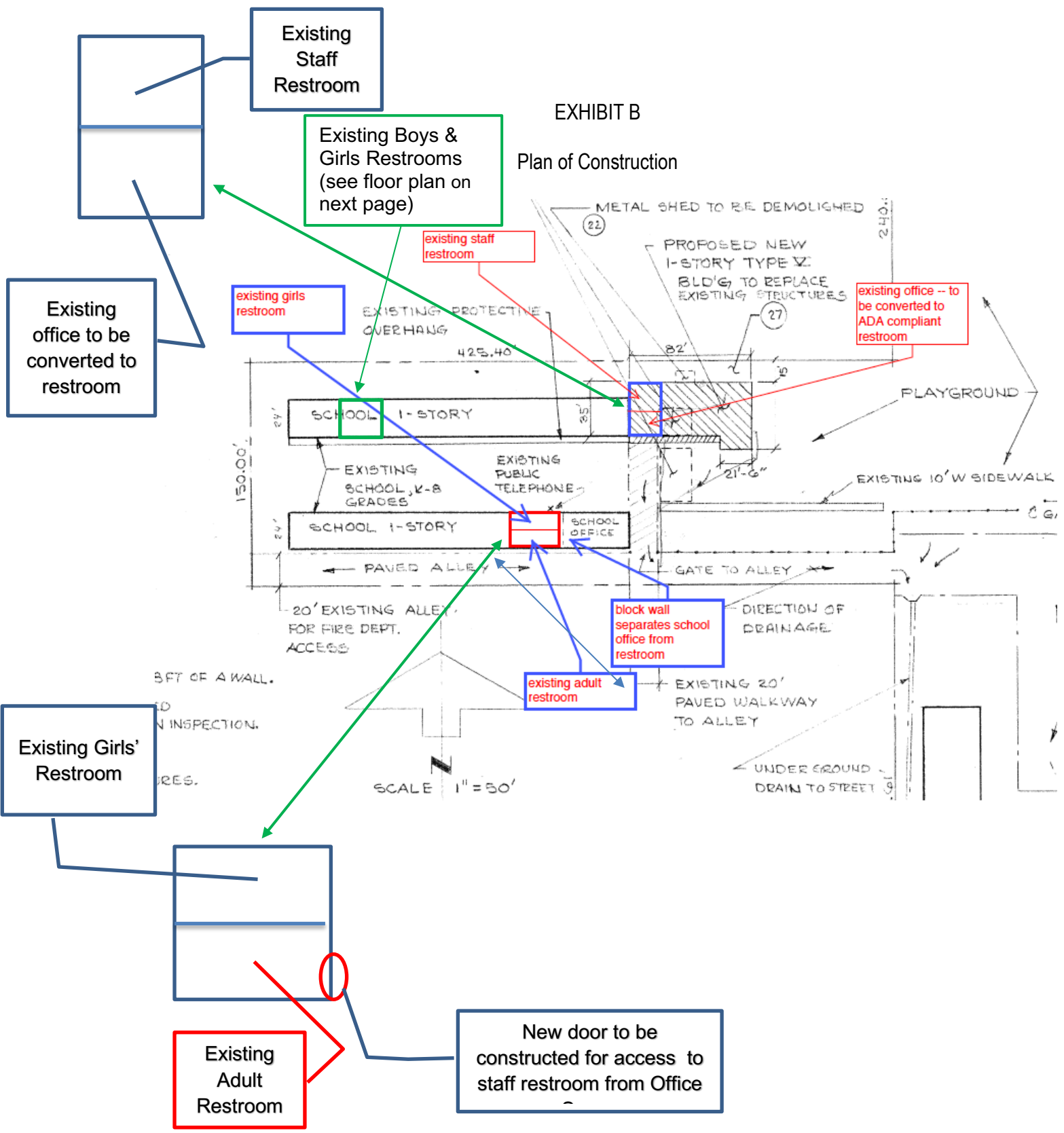


EXHIBIT B

Plan of Construction



Existing office to be converted to restroom

Existing Boys & Girls Restrooms (see floor plan on next page)

existing girls restroom

existing staff restroom

existing office -- to be converted to ADA compliant restroom

Existing Girls' Restroom

block wall separates school office from restroom

existing adult restroom

Existing Adult Restroom

New door to be constructed for access to staff restroom from Office

