



Board Meeting
Agenda Item #: III K: Action Item

Date: December 10, 2020

To: Magnolia Educational & Research Foundation dba Magnolia Public Schools (“MPS”) Board (the “Board”)

From: MPS Facilities Board Committee

Staff Lead: Patrick Ontiveros, General Counsel & Director of Facilities

RE: Approval of MSA-1 Design Contract for Capital Improvement Projects

I. Proposed Recommendation(s)

I move that the Board approve the architect agreement from Franco Architects Inc. for design and engineering services for certain capital improvement projects (collectively, the “**Project**”) at Magnolia Science Academy—1 (“**MSA-1**”).

II. Background

MSA-1 filed for and received a zone change for its parking lot parcels from the City of Los Angeles. The parcels are illustrated in Exhibit A. As a condition to the zone change, MSA-1 agreed to make certain improvements to the parcel that serves the MSA-1 middle school building. The improvements are illustrated by Exhibit B. They include the following: (1) the fixing of drainage on the middle school parking lot; (2) the creation of an open green space and a concrete pad with a solar shade; (3) fencing surrounding the entire MSA-1 parking lot parcels; (4) the creation of a track; and (5) the installation of modular outdoor restrooms. MSA-1 wishes to undertake these improvements because it will assist the school during the current pandemic to allow for activities to take place outside. Looking to the future, having a good recreation and outdoor space will benefit the students and may in fact attract more students to the campus.

In addition MSA-1 would like to use Franco Architects Inc.’s services to (1) obtain permits for the construction of the block wall at the back of the middle school parking lot and (2) modify the first floor interior of the middle school building to be level (the middle of the first floor is sunk as compared to the rest of the first floor; see pictures attached as Exhibit C). The block wall at the rear of the middle school parking lot is required to be constructed under a settlement agreement with the neighbors who share the wall. MSA-1 would like to make the first floor level in order to increase the utility of the space.



III. Procurement

Franco Architects Inc. was the architect for the MSA-1 high school building which included the redesign of the grading and drainage on the parking lot serving the high school building. Since part of the reason for undertaking these capital improvement projects is to assist the school in providing a safe learning environment for children in the current pandemic, Staff did not issue a formal RFP relying instead on the CEO's emergency powers to forego normal processes when he deemed it advisable or necessary in the current pandemic environment. Franco Architects Inc. is an architecture firm that has served the charter school sector for well over a decade. Of the architects that MPS has used in the past, Staff believes that Franco Architects Inc.'s fees are the most competitive. Therefore, MPS elected to use their services upon approval of the Facilities Committee and the Board.

Upon completion of the design, Staff will issue an RFP for general contractors to complete the work.

IV. Budget Impacts

The total cost of the design and engineering services is for a fixed fee of \$58,000. MSA-1 expects to pay the fees from its operational budget. MPS expects that MSA-1's current budget will increase when its increased enrollment is accepted. The cost of the design fees will not have a material negative impact on MSA-1's budget.

Exhibit A

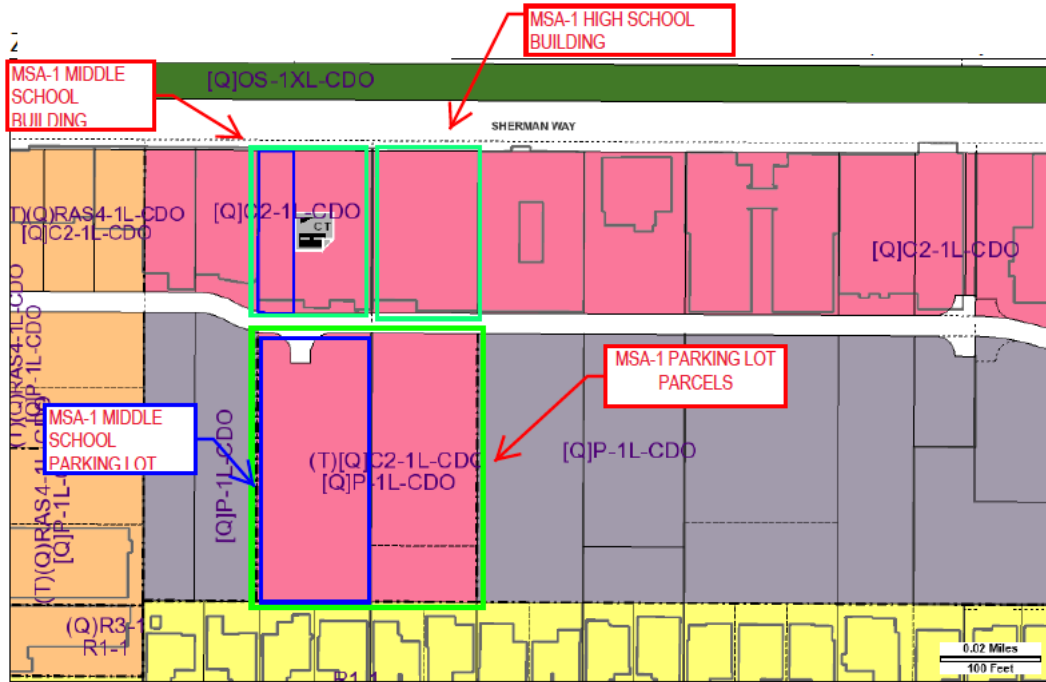


Exhibit B

Site Plan

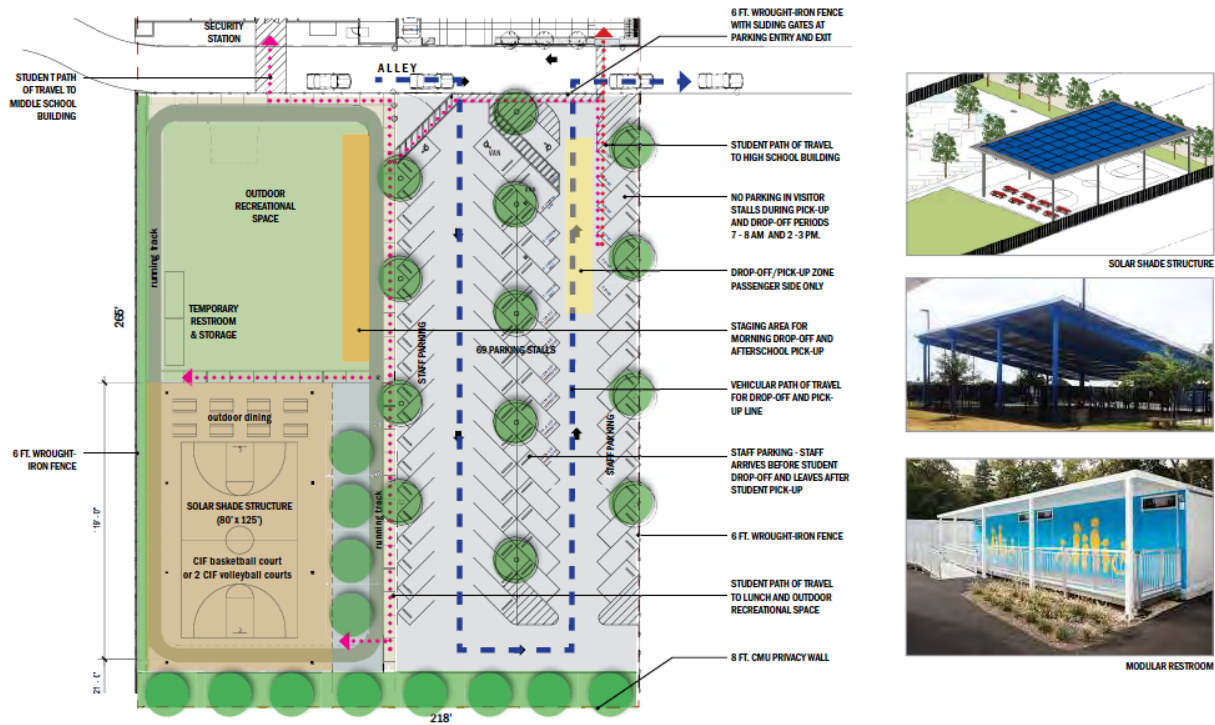
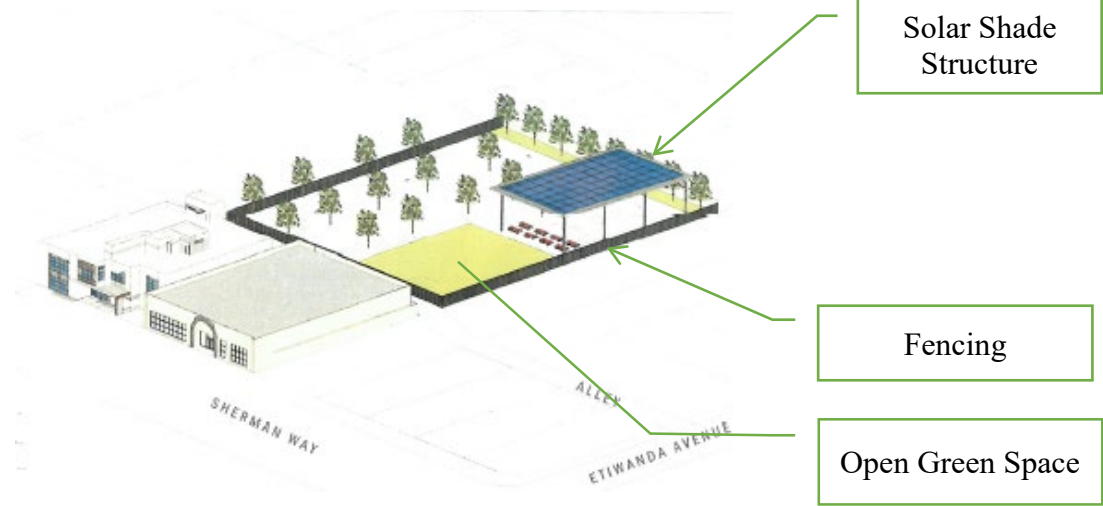
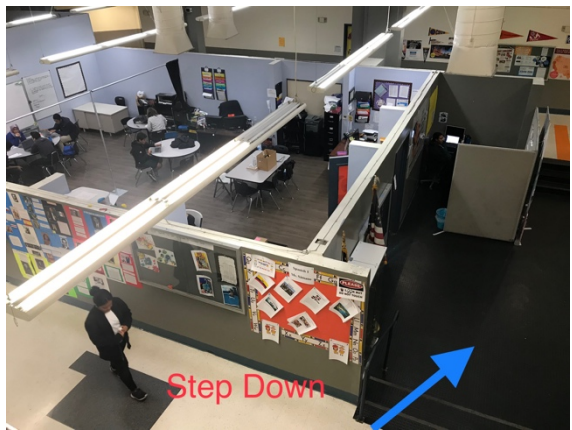
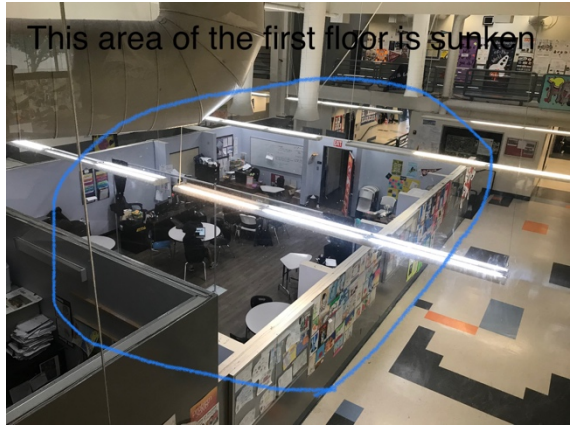


Exhibit C





To: Magnolia Public Schools
From: Patrick Ontiveros, MPS General Counsel
Date: 12/4/2020

RE: Approval of MSA-1 Franco Architects Design Contract

Magnolia Public Schools (MPS) Chief Executive Officer and MPS General Counsel acknowledge that they have read and reviewed the contract/memorandum pertaining to the above matter.

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

Patrick Ontiveros
MPS General Counsel

12/4/2020

Date

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

Alfredo Rubalcava
MPS CEO & Superintendent

12/4/2020

Date