



Board Agenda Item #	II.G. Consent Agenda
Date:	August 9, 2018
To:	Magnolia Public Schools (“ <b>MPS</b> ”) Board of Directors (the “ <b>MPS Board</b> ”)
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) ( <b>REVISED</b> )

## I. Proposed Board Recommendation(s)

Staff recommends and moves that the MPS Board approve the change order requests (each, a “**COR**” and together, the “**CORs**”) described below in the aggregate amount of **\$87,964.07**.

All 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 concurrent 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.

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

## II. Background

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.

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 (“ <b>OCHD</b> ”)	\$16,503.96	Plan check comments received from the OCHD necessitated changes to the plans, which

<b>COR</b>	<b>Description</b>	<b>Agreed Amount</b>	<b>Reason for COR*</b>
			made the servery more like a full-kitchen.
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
22	Power to Hand Dryers	\$2,149.95	Design omission*
<b>23</b>	<b>Add Catch Basins at Fire Lane</b>	<b>\$33,325.01</b>	<b>TBD (previously noted as Design Omission)</b>
24	Add Fire Alarm (Heat Detectors at Drop Ceiling)	\$1,208.80	Design omission*



COR	Description	Agreed Amount	Reason for COR*
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		(\$1,551.23)	
<b>Total All CORs</b>		<b>\$86,412.84</b>	
Total Contingency		\$114,107.42	
Remaining Balance [Savings/(Deficit)]		\$27,695.08	
50% of Savings to Owner		\$13,847.54	

Notes:

\* The architect disputes that all the CORs described above as being caused by design error. MPS Facilities Director and General Counsel will meet with architect to negotiate a credit back to the project as a consequence of design errors.

It should be noted that the costs due to “Design Omission” would have borne by the Project anyway. However, the number of omissions is not reasonable and therefore, MPS’s Director of Facilities will endeavor to recoup some money back from the design team.

### 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:

	BUDGET <sup>(1)</sup>	TO DATE EXPENSES	LEFT TO PAY
<b>SOFT COSTS</b>			
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 <sup>(2)</sup>	\$56,616.69	\$56,616.69	\$0.00
<b>Subtotal</b>	<b>\$637,127.59</b>	<b>\$465,569.95</b>	
<b>HARD COSTS</b>			
Construction <sup>(3)</sup>	\$3,864,000.00	\$1,328,629.91	\$2,535,370.09
<b>TOTAL</b>	<b>\$4,501,127.59</b>	<b>\$2,259,769.81</b>	<b>\$2,706,927.73</b>

Bond Funds Available	<b>\$3,859,380.00</b>
Expected Savings	<b>\$13,847.54</b>
Deficit (to be paid with 0% interest inter-school loan)	<b>\$627,900.05</b>

Notes:

- (1) Current budget including change orders, both approved and in process
- (2) Agency Fees includes 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

The total change orders are less than the budgeted contingency so the effect is a net savings. Any unused contingency is split 50/50 with the general contractor. The final expected project cost is **\$4,487,280.05** after savings. The total project cost may go down if the budgeted inspection fees are lower than expected and the project is able to recover money from architect due to design error.

#### IV. Exhibit (attachments):

Gafcon change orders and draw down report



Exhibit

Contingency Draw Down Report



## MSA - Gymnasium Project Bond Requisition No. 11

### Contingency Draw Down Report

August 3, 2018



Approved Contingency Draw Downs											
No.	Description	Beginning Contingency	Originating Document	Agreement Date	Contractors Estimate	Gafcon Estimate	Variance	Agreed to Amount	Beginning Balance	Remaining Balance	Comments
1	<b>Project Construction Contingency Starting Balance</b>	\$ 114,107.42									
COR #02	Contractor to provide and install power for fire alarms		RFI #34	01/30/18	\$ 3,826.00	\$ 3,055.47	\$ 770.53	\$ 3,440.25		\$ 110,667.17	Design omission/Approved by MSA Board
COR #03	Contractor to provide and install power for water heater		RFI #29	01/30/18	\$ 1,311.00	\$ 852.82	\$ 458.18	\$ 1,096.33		\$ 109,570.84	Design omission/Approved by MSA Board
COR #04R	Credit for deleting windows at east masonry wall		CCD #07	05/01/18	\$(101,259.00)	\$(110,039.96)	\$ (8,780.50)	\$ 110,040.00		\$ 219,610.84	Credit for COR #04R
COR #05R	Credit for deleting Anti-Graffiti, Floor Fin. & Lockers		ASI #01	05/01/18	\$ (28,203.00)	\$ (31,084.42)	\$ (2,881.42)	\$ 30,068.00		\$ 249,678.84	Credit for COR #05R
COR #06	Furnish & Install of new gym rubberized floor		ASI #02	05/01/18	\$ 109,383.00	\$ 109,383.00	\$ -	\$ 109,383.00		\$ 140,295.84	Owner Requested
COR #07R	Furnish & Install plaster at column		RFI #51	05/01/18	\$ 4,138.00	\$ 3,445.76	\$ 692.24	\$ 3,820.00		\$ 136,475.84	Design omission
COR #08R	Furnish & Install sht. metal cap between curtain wall & parapet wall		Sheet Metal Submittal	05/01/18	\$ 4,164.00	\$ 3,195.58	\$ 968.42	\$ 3,616.00		\$ 132,859.84	Design omission
COR #09R	Provide power and thermostat to control EF-2I		RFI #39	05/01/18	\$ 497.00	\$ 319.19	\$ 177.81	\$ 319.19		\$ 132,540.65	Design omission
COR #10	Furnish & install electrical upgrade to HP-1		RFI #80	05/01/18	\$ 351.00	\$ 351.00	\$ -	\$ 351.00		\$ 132,189.65	Design omission
COR #11R	Furnish & Install power & switch basketball back boards		RFI's #75/#78	05/01/18	\$ 19,210.00	\$ 16,531.00	\$ 2,679.00	\$ 16,531.00		\$ 115,658.65	Design omission
COR #12	Orange County Health Department Changes		ASI #03	08/01/18	\$ 17,549.00	\$ 15,710.51	\$ 1,838.49	\$ 15,503.96		\$ 100,154.69	Design omission
COR #13	Weld Continous Plate at Metal Decking		RFI #97	Rejected	\$ 4,179.00			\$ 4,179.00		\$ 95,975.69	Rejected subcontractor error
COR #14	Intrusion Hardware - Main Entry to Gym		RFI #116	07/03/18	\$ 10,647.00		\$ -	\$ 10,647.00		\$ 85,328.69	Design omission
COR #15	Skirting of HVAC Equipment on Roof		RFI #102	07/03/18	\$ 2,304.00		\$ -	\$ 2,304.00		\$ 83,024.69	Must be done to obtaining roofing warranty
COR #16	Potential Cost Associated w/Fire Sprinkler Riser		RFI #131	08/01/18	\$ 4,606.00	\$ 3,945.42	\$ 660.58	\$ 4,167.34		\$ 78,418.69	Design omission
COR #17	Premium Polyester 4000 UV Stable Binder		email	07/10/18	\$ 2,961.00	\$ 2,961.00	\$ -	\$ 2,961.00		\$ 75,457.69	Design omission
COR #18	Upgrade to 8mm Rubberized Flooring		Mtg. Min #24	07/10/18	\$ 2,747.00	\$ 2,747.00	\$ -	\$ 2,747.00		\$ 72,710.69	Owner Requested
COR #19	Additional Landscape		Addendum 10	Void	\$ -	\$ -	\$ -	\$ -		\$ 72,710.69	Owner Requested
COR #20	Clean Up Behind Gym		Owner Req.	07/31/18	\$ 1,171.50	\$ 863.79	\$ 307.71	\$ 1,007.66		\$ 71,539.19	Owner Requested
COR #21	Condrtol Panel Enclosure		RFI#138	07/31/18	\$ 445.35	\$ 445.35	\$ -	\$ 445.35		\$ 71,093.84	Owner Requested
COR #22	Power to Hand Dryers		RFI#11	07/31/18	\$ 2,149.95	\$ 2,149.95	\$ -	\$ 2,149.95		\$ 68,943.89	Design omission
COR #23	Add Catch Basins at Fire Lane		RFI#140	08/31/18	\$ 37,905.95	\$ 36,282.89	\$ 1,623.06	\$ 33,325.01		\$ 31,037.94	Phase I team omission
COR #24	Add Fire Alarm (Heat Detectors) at Drope Ceiling		RFI#146	07/31/18	\$ 1,208.00	\$ 1,208.00	\$ -	\$ 1,208.80		\$ 29,829.94	Design omission
	<b>Forecasted Contingency Draw Downs</b>							<b>Forecasted Amount</b>			
COR #25	Additional Concrete at East Side of gym							\$ 8,500.00		\$ 8,500.00	
COR #26	Paint Exterior Doors and Frames at North Side of Gym							\$ 2,000.00		\$ 2,000.00	
	<b>Approved Contingency Draw Downs Totals</b>										
					\$ 101,291.75	\$ 62,323.35	\$ (3,416.67)	\$ 138,556.77		\$ 29,829.94	Remaining Balance w/Credits

**\$ 17,757.41 Remaining Balance w/Approved & Forecasted COR's**



Exhibit

Change Order Request

# 24

# CHANGE ORDER REQUEST # 24

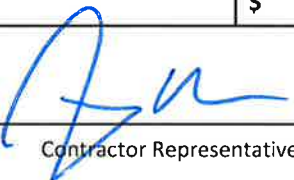


## Furnish & Install Fire Alarm (Heat Detector) at Drop Ceiling - RFI #146

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

### 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%)	\$ -	\$ -	
<b>Total Direct Cost</b>	<b>\$ 1,102.00</b>	<b>\$ 1,102.00</b>	<b>\$ 1,102.00</b>
	\$ -	\$ -	\$ -
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
<b>Totals</b>	<b>\$ 1,208.80</b>	<b>\$ 1,208.80</b>	<b>\$ 1,208.80</b>

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; <b>Magnolia Santa Ana, New Gymnasium Santa Ana, California</b>	Contractor; <b>R.C. Construction Services Inc.</b> 223 N. Locust Ave. Rialto, CA 92377	Change Order Date; <b>July 18, 2018</b> Gafcon Review Date; <b>July 30, 2018</b>
--	---	---

### 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
<b>Total Direct Cost</b>	<b>\$ 34,556.06</b>	<b>\$ 33,135.06</b>	<b>\$ 33,135.06</b>
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
<b>Totals</b>	<b>\$ 37,905.95</b>	<b>\$ 36,282.89</b>	<b>\$ 33,325.01</b>

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; <b>Magnolia Santa Ana, New Gymnasium Santa Ana, California</b>	Contractor; <b>R.C. Construction Services Inc.</b> 223 N. Locust Ave. Rialto, CA 92377	Change Order Date; <b>July 18, 2018</b> Gafcon Review Date; <b>July 30, 2018</b>
--	---	---

### 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%)	\$ -	\$ -	\$ -
<b>Total Direct Cost</b>	\$ 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
<b>Totals</b>	\$ <b>2,149.95</b>	\$ <b>2,149.95</b>	\$ <b>2,149.95</b>

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; <b>Magnolia Santa Ana, New Gymnasium Santa Ana, California</b>	Contractor; <b>R.C. Construction Services Inc.</b> 223 N. Locust Ave. Rialto, CA 92377	Change Order Date; <b>July 18, 2018</b> Gafcon Review Date; <b>July 30, 2018</b>
--	---	---

### 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%)	\$ -	\$ -	
<b>Total Direct Cost</b>	\$ 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
<b>Totals</b>	\$ <b>445.35</b>	\$ <b>445.35</b>	\$ <b>442.35</b>

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; <b>Magnolia Santa Ana, New Gymnasium Santa Ana, California</b>	Contractor; <b>R.C. Construction Services Inc.</b> 223 N. Locust Ave. Rialto, CA 92377	Change Order Date; <b>July 18, 2018</b> Gafcon Review Date; <b>July 30, 2018</b>
--	---	---

### 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
<b>Total Direct Cost</b>	<b>\$ 1,068.00</b>	<b>\$ 787.48</b>	<b>\$ 915.49</b>
	\$ -	\$ -	\$ -
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
<b>Totals</b>	<b>\$ 1,171.50</b>	<b>\$ 863.79</b>	<b>\$ 1,007.66</b>

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 \_\_\_\_\_  
General Contractors Representative signature

**Jon Wollman** \_\_\_\_\_  
Name (Print) Date

Prepare   
(CM signature)

**Michael C. Lengyel** \_\_\_\_\_  
Name (Print) Date **July 11, 2018**

Approved \_\_\_\_\_  
Director of Facilities & General Counsel signature

**Patrick Anton C. Ontiveros, Esq.** \_\_\_\_\_  
Name (Print) Date



**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:	<b>\$2,961.00</b>	Representatives Proposed Cost:	<b>\$2,961.00</b>
Final Price Agreed to:	<b>\$2,961.00</b>	Date Negotiations Concluded:	<b>July 10, 2018</b>

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 &amp; 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; <b>Magnolia Santa Ana, New Gymnasium Santa Ana, California</b>	Contractor; <b>R.C. Construction Services Inc.</b> 223 N. Locust Ave. Rialto, CA 92377	Change Order Date; <b>July 18, 2018</b> Gafcon Review Date; <b>July 30, 2018</b>
--	---	---

### 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
<b>Total Direct Cost</b>	<b>\$ 4,198.30</b>	<b>\$ 3,671.95</b>	<b>\$ 3,805.81</b>
<b>Subcontractor Overhead &amp; Profit (15%)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
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
<b>Totals</b>	<b>\$ 4,605.30</b>	<b>\$ 3,945.42</b>	<b>\$ 4,167.34</b>

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 #15 - Furnish and install skirting around the HVAC units per response to RFI #102. Skirting is required for roofing to receive warranty. 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: \$2,304.00

Representatives Proposed Cost: \$2,304.00

Final Price Agreed to: \$2,304.00

Date Negotiations Concluded: July 03,2018

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

- 1. It was agreed that the cost for labor hours, materials and consumables is fair and reasonable for the scope of work.
- 2. Subcontractor Overhead and Profit Fee of 15.0% is acceptable.
- 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 #15 is \$2,304.00
- 7. Gafcon recommends that the MPS Board accept this COR in the amount of \$2,304.00

Agreed to: \_\_\_\_\_  
(General Contractors Representative signature)

Jon Wollman  
Name (Print)

\_\_\_\_\_  
Date

Prepared by:   
(CM signature)

Michael C. Lengyel  
Name (Print)

July 03,2018  
Date

Approved: \_\_\_\_\_  
(MSP Director of Facilities & General Counsel signature)

Patrick Anton C. Ontiveros, Esq.  
Name (Print)

\_\_\_\_\_  
Date



**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: \$10,647.00

Representatives Proposed Cost: \$10,647.00

Final Price Agreed to: \$10,647.00

Date Negotiations Concluded: July 03,2018

**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: \_\_\_\_\_  
(General Contractors Representative signature)

Jon Wollman  
Name (Print) \_\_\_\_\_ Date \_\_\_\_\_

Prepared by:   
(CM signature)

Michael C. Lengyel  
Name (Print) \_\_\_\_\_ Date July 03,2018

Approved: \_\_\_\_\_  
(MSP Director of Facilities & General Counsel signature)

Patrick Anton C. Ontiveros, Esq.  
Name (Print) \_\_\_\_\_ Date \_\_\_\_\_

# CHANGE ORDER REQUEST # 12



## Orange County Health Dept. Changes to Kitchen Servery

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

### 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
<b>Total Direct Cost</b>	<b>\$ 15,966.87</b>	<b>\$ 14,322.51</b>	<b>\$ 15,045.86</b>
	\$ -	\$ -	\$ -
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
<b>Totals</b>	<b>\$ 17,517.87</b>	<b>\$ 15,710.51</b>	<b>\$ 16,503.96</b>

Recommended: \_\_\_\_\_  
Contractor Representative Name/Title/Signature/Date

Date: \_\_\_\_\_

Recommended: \_\_\_\_\_  
Gafcon Representative Name/Title/Signature/Date

Date: **August 1, 2018**



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