

Friday Memo
March 13, 2015

Upcoming Events – Bruce Harter

March 13: State Basketball Playoff, ECHS at Folsom at 7:00 PM
March 14: Math & Science Training, DeJean, 8:30 AM to noon
March 15: Memorial Service for Mario Ferrari at Wilson & Kratzer in San Pablo, 3:00 PM
March 16: Linked Learning Event, DeAnza, 12:30 – 3:00 PM
March 16: Jazz Band Concert, ECHS Theater, 7:00 PM
March 17: Facilities Subcommittee, FOC, 4:00 PM
March 18: Board of Education, DeJean, 6:30 PM
March 19: Elementary Open House, Times Vary by Site
March 19, 20 & 21: Spring Musical “The Drowsy Chaperone”, Hercules High Theater, 7:00 PM
March 21: Foster Youth Seminar, DeJean, 10:00 AM
March 21: Free Fix Computer Day, DeAnza, 11:00 AM
March 21 – April 26: 50th Annual WCCUSD Art Show, Richmond Art Center

Wednesday’s Meeting – Bruce Harter

Closed session before Wednesday’s regular Board meeting begins at 5:30 PM.

Hercules RDA Funds – Sheri Gamba

Ms. Kronenberg inquired as to the status of the Hercules RDA pass-through funds. The total amount owed is \$2,486,180 as of December 31, 2014. Attached is the letter from the Hercules City Manager in 2011 that describes why and under what authority the City is withholding these annual payments.

Full Service Community Schools - Wendell Greer

The West Contra Costa Full Service Community Schools Leadership Advisory Committee’s next meeting is Tuesday, March 17th from 1-3pm. The meeting will be held at the E.M. Downer Family YMCA (263 South 20th Street, Richmond CA 94804). The meeting will be focused on health and wellness, including gathering input to update the WCCUSD Health and Wellness Policy.

We Day California - Wendell Greer

Nearly 300 WCCUSD students attended We Day California on February 25th. We Day, a global platform for Social Change, brings together speakers, performers, and youth to inspire and celebrate a year of action. Students are invited to participate based on their contribution, action, and service to local and global issues. WCCUSD’s youth were recognized for their leadership in creating the change they want to see in their communities.

Youth Commission - Wendell Greer

The next Youth Commission meeting will be held on March 23rd from 6:30-8pm at Helms Middle School.

The Youth Commission LCAP Youth Engagement Town Hall is scheduled for Thursday, April 16th from 6-8pm at Helms Middle School.

Project Delivery Methods – Lisa LeBlanc

In response to Board Member Block’s inquiry at the March 4, 2015 meeting, there are several ways in which a school district can deliver construction projects. A project delivery method is the process by which a capital improvement project is constructed. The District currently utilizes the “design-bid-build” process whereby an architect designs the project, a formal bidding process is utilized pursuant to the Public Contract Code, and the District awards the project to the lowest, responsible bidder. Generally, school districts in California utilize design-bid-build or lease leaseback as their primary delivery methods for their major construction projects. Project delivery methods are more fully defined, including pros and cons, on the attached matrix.

Change Orders – Lisa LeBlanc

There are several change orders on the March 18, 2015 consent agenda that total \$458,032 for eight different projects. On a project level, the largest cumulative change order percent is 26.41% for the Ohlone Elementary School Playground and Parking Lot Completion construction project. The largest single change order resulted from project scope that was moved by change order to this project from a previous phase to prevent project delays and additional cost. The Contractor off-hauled the unforeseen Class II soil so they could move forward with the paving component of their project. The Ohlone Elementary School Playground and Parking Lot Completion project is now complete. The Montalvin Manor ES New Classroom Building project is also complete and has a final cumulative change order amount of 7.21%. The Contractor is currently finalizing punch-list and project closeout. The remaining projects listed on the Change Order Summary have cumulative change order percentages of less than 5%.

Engineering Services Contracts: SGI Construction Management, Inc. – Lisa LeBlanc

The District’s bond measure program has been managed by SGI Construction Management since 2001. This company has provided ongoing Program, Design and Construction Management Services. District staff has negotiated a fee for services with a staffing plan prepared by SGI to provide current levels of services through the end of the fiscal year June 30, 2015. Program Management services include fiscal controls, network administration, document controls, bid phase and contract management and coordination services of all of the District’s Bond Program Projects. The proposed fee for Program Management Services fee is \$1,436,862, which reflects the elimination of 3 FTE for this period. Design Management services include coordinating and integrating the work of hired consultants and regulatory agencies into various design phases and coordination services of all of the District’s projects under design. The proposed fee for Design Management services is \$546,293. The level of services proposed has decreased 1.5 FTE. The proposed fees reflect the changing level of services required to align with the district’s changing workload and will be billed on a time and material basis.

Public Records Log – Marcus Walton

Included in this week’s memo is the log of public records requests received by the district. If you have any questions, please contact me.



CITY OF HERCULES
111 CIVIC DRIVE, HERCULES, CA 94547
PHONE: 510 • 799 • 8200

RECEIVED
MAR 16 2011
SUPERINTENDENT

March 14, 2011

Dr. Bruce Harter, Superintendent
West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, CA 94801-3160

Dear Dr. Harter:

The Hercules Redevelopment Agency issued tax allocation bonds in 2005 and 2007. As part of the issuance of those bonds, the Agency received West Contra Costa Unified School District's authorization to subordinate payments owed pursuant to Section 33607.5 and 33607.7 of the Community Redevelopment Law (the Statutory Payments) to debt service on the bonds.

Due to an almost 30% reduction in assessed values in the Hercules Redevelopment Merged Project Area, the Agency will need to use all of the Statutory Payments to meet bond debt service in 2010-11. In conjunction with the County Auditor-Controller, the Agency will keep track of any unpaid amounts and repay those in the future once the Agency has the funds to do so.

I am sure you are aware, many municipalities are in financial crisis and we are no exception. As you know the City of Hercules has been very supportive of the schools in Hercules and I apologize for this inconvenience. I assure you we are working to remedy this situation and will advise you once we are on firm financial footing.

If you have any questions regarding this issue, please don't hesitate to call Elizabeth Warmerdam, Finance Director at (510) 799-8231.

Sincerely,

Fred Deltorchio
Interim City Manager/Executive Director
City of Hercules

PROJECT DELIVERY METHODS

3/13/15

Delivery Method	Description	Advantages	Disadvantages
Design-Bid-Build	<ul style="list-style-type: none"> • Architect designs • Formal bidding process • Award to lowest, responsible bidder • Lump sum contract with GC 	<ul style="list-style-type: none"> • Public Contract Code has accepted standards for process • Can achieve low price in competitive environment 	<ul style="list-style-type: none"> • Builder not involved in design • Bids can be higher than expected • Economic climate and other projects bidding can affect level of competition
Design-Build	<ul style="list-style-type: none"> • District contracts with a design-build entity consisting of the architect and general contractor to design and construct the project. 	<ul style="list-style-type: none"> • Project delivery team has single-point responsibility for the project • Project can be structured to allow construction to begin before completion of the design which can result in earlier project completion • Simplifies the District’s ability to recover damages in the event of design and/or construction errors 	<ul style="list-style-type: none"> • Much less owner control over finished product • Complex statutory compliance requirements set forth in Ed. Code §§ 17250.10 et seq. • District likely need additional consultant to assist with design decisions
Multiple-Prime	<ul style="list-style-type: none"> • Similar to design-bid-build but individual trade bid packages are utilized • District contracts directly with trades 	<ul style="list-style-type: none"> • More control of schedule • Formal bid process is familiar for district • Greater opportunity for local trades 	<ul style="list-style-type: none"> • More contracts to manage • High potential for overlaps or gaps in work • More risk • Total price unknown until all bids awarded
Construction Management	<ul style="list-style-type: none"> • CM hired under professional services agreement • Blend of traditional process in design and bid process 	<ul style="list-style-type: none"> • CM selected on qualifications • Provides expertise if not readily available • Flexibility in aligning resources to project workload • Competitive bidding for GC/trades • Lowest, responsible bidder 	<ul style="list-style-type: none"> • Can be more costly to outsource expertise • CM has no contractual responsibility with contractors
Construction Management – at Risk	<ul style="list-style-type: none"> • CM hired under professional services agreement to provide pre-construction services, and then serves as general contractor during construction • Blend of traditional process in design and bid process • CM at risk for delivering 	<ul style="list-style-type: none"> • CM selected on qualifications rather than bidding • Fixed price • Competitive bidding for trades • Lowest, responsible bidder • May require less district oversight 	<ul style="list-style-type: none"> • Higher fees upfront for assumption of risk • Potential for overlaps or gaps in work but CM takes risk to deliver project at fixed price • CM does not act as advisor to District • Not an industry norm project delivery method in the bay area – controversial case law questions whether CM can serve as general

Delivery Method	Description	Advantages	Disadvantages
	the project at fixed maximum price		contractor and offer a guaranteed maximum price
Lease-Leaseback	<ul style="list-style-type: none"> • Architect <u>and</u> Contractor selected through competitive qualification process early on • Developer constructs facility, then leases the facility back to the district through a facilities lease • Lease payments made by district for construction costs which can be financed • Title to the facilities vests in the district as lease payments are made • Prevailing wage required • Outreach and education with Board, community, contractors would be needed 	<ul style="list-style-type: none"> • District participates in selection of developer all trades • Allows for partnering with contractor and architect • Guaranteed Maximum Price set early in project • Set delivery dates • Flexibility to select trades outside of formal bidding process • Architect and contractor work together early on allowing opportunity for value engineering • Not required to award to low bid but generally done • Reduced number of Change orders but contingencies established under the contract for unforeseen, errors, and district requests • Allows for construction when district does not have adequate funds budgeted for a project, but has a funding stream so construction can be financed 	<ul style="list-style-type: none"> • Requires increased district expertise to review, negotiate and bid • Prohibition of using State bond funds or local match contributions for lease payments (debt reduction payments likely seen as non-lease payment) • Validation proceeding may be used to minimize risks but could lengthen process

Public Records Request Log 2014-2015
Week Ending March 12, 2015

	Date of Receipt	Requestor	Requested Records/Information	Current Status
21	8/14/14	Theresa Harrington	All email or correspondence regarding bond refinancing between Jan. 1, 2009 and present	14 Day Extension Email Sent – 8/21/2014 On Hold / Pending Legal Review
87	11/18/14	Fatima Alleyne	Washington School Budget / SSC SY 2009 -to- 2013	In Progress Data being collected
89	11/18/14	Anton Jungherr	Access to review all CBOC files from 2001 to 10/31/2014	Need clarification of request M. Walton
135	1/8/15	Bay Area News Group	2014 Employees' Compensations	Information Received Data being reviewed
142	1/15/15	Alison Schoenbeck CA Charter Schools Assoc.	Prop 39 / Charter School Information	In Progress 14 Day Extension Invoked Gathering/Reviewing Documents
143	1/15/15	Ron Beller Caliber Schools	Caliber Schools-Beta Academy Information	In Progress 14 Day Extension Invoked Gathering/Reviewing Documents
149	1/28/15	Anton Jungherr	Nixon Peabody LLP Invoices Funding / Agreement	In Progress Acknowledgement letter sent
153	2/9/15	Alissa Mack	District's check registry and Credit Card statements for 2013-14 / All Contracts with Pacific Ed. Group	3/3/2015-Letter sent requesting fees Information received
157	2/13/15	Anton Jungherr	Emails received and/or sent by Board Members and/or Staff RE. Anton Jungherr's nomination to the CBOC	In Progress Acknowledgement letter sent
158	2/13/15	Anton Jungherr	Details for the funds spent from Bond Technology Funding for procurement of tablets and carts to support Common Core Curriculum	3/9/15 Documents mailed COMPLETED
160	2/23/15	Anton Jungherr	Swanson & McNamara LLP Agreement	3/4/15 Letter mailed 3/9/15 Documents mailed COMPLETED
161	2/23/15	Anton Jungherr	Nixon Peabody LLP Agreement	3/12/15 Documents mailed COMPLETED
162	2/23/15	Anton Jungherr	Ramsey & Ehrlich - Consultant/Contract Service Summaries	3/12/15 Documents mailed COMPLETED
163	2/23/15	Anton Jungherr	Swanson & McNamara / Invoices-February, 2015	3/12/15 Documents mailed COMPLETED
164	2/23/15	Anton Jungherr	Barg Coffin Lewis & Trapp / Invoices-February, 2015	3/12/15 Letter mailed COMPLETED
165	2/23/15	Anton Jungherr	Ramsey & Ehrlich / Invoices-February, 2015	3/12/15 Letter mailed COMPLETED
166	2/23/15	Anton Jungherr	Auditor Agreement / Bond Financial Audit	3/12/15 Documents mailed COMPLETED
167	2/23/15	Anton Jungherr	Nixon Peabody LLP Agreement / Bond MCDC and IRS Audit	In Progress Acknowledgement letter sent
169	2/23/15	Anton Jungherr	Proposal for Audit Services	3/12/15 Documents mailed COMPLETED
170	2/26/15	Mike Razavi	Pinole Valley High School- Construction Documents from January, 1965 through December, 1970	In Progress Acknowledgement letter sent
171	3/2/15	MB Public Affairs	Prop 39 Use of Funds Payments/Contracts with various Companies	In Progress Acknowledgement letter sent
172	3/2/15	GraybaR	Kennedy High School / Health Clinic Payment/Performance Bond	3/9/15 Documents mailed COMPLETED

	Date of Receipt	Requestor	Requested Records/Information	Current Status
173	3/3/2015	Neyart, Anderson, Flynn Y Grosboll Attorneys for Northern CA Plasterers Trust	Gompers High School & Richmond LPS Projects J.F. McCray Plastering / Certified Payroll Records	In Progress Acknowledgement letter sent
174	3/10/15	Cathy Travlos	GATE Identification Procedure(s)	In Progress Acknowledgement letter sent