

RESOLUTION NO. 2019-20.17

PLEASANTON UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEES RESOLUTION SUPPORTING AWARD OF LEASE-LEASEBACK AGREEMENTS

WHEREAS, the Pleasanton Unified School District ("District") is currently undertaking a project known as the Lydiksen Elementary School Rebuild and Modernization Project ("Project"); and

WHEREAS, on July 2, 2019, the District's Board of Trustees ("Board") adopted Administrative Regulation 2019-2020.01, regarding required procedures and guidelines ("Best Value Methodology") for evaluating the qualifications of proposers that ensure the best value selections by the District are conducted in a fair and impartial manner pursuant to Education Code section 17406; and

WHEREAS, the District incorporated the Best Value Methodology in a Request for Qualifications and Proposals (RFQ/P #2019-20.08) for the Project, identifying criteria evaluated on a pass-fail basis, and criteria evaluated based on numerical score, and the minimum qualification score, which was advertised in the Valley Times once a week for two weeks, commencing on August 2, 2019 and completed on August 9, 2019.

WHEREAS, attached hereto as **Exhibit "A"** to this Resolution is a copy of the Proof of Publication; and

WHEREAS, District staff, in conjunction with District consultants, have reviewed proposals for the Project submitted in response to RFQ/P #2019-20.08 in accordance with the adopted Best Value Methodology and taking into consideration the proposers' demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required; and

WHEREAS, after consideration of all of the proposals, the Board hereby awards the Site Lease and Facilities Lease ("Lease-Leaseback Agreements") to Robert A. Bothman Construction Inc., who was the highest ranked respondent according to the adopted Best Value Methodology, for the Project; and

WHEREAS, Robert A. Bothman Construction Inc. has been prequalified pursuant to Public Contract Code section 20111.6; and

WHEREAS, Education Code section 17406 provides that the school district governing board shall issue a written decision supporting its contract award and stating in detail the basis of the award; and

WHEREAS, attached hereto as **Exhibit "B"** to this Resolution is a copy of the written findings of the Board supporting the Board's award of the Lease-Leaseback Agreements to Robert A. Bothman Construction Inc. for the Project.

NOW THEREFORE, the Pleasanton Unified School District Board of Trustees hereby resolves, determines, and finds the following:

Section 1. That the foregoing recitals and the findings are true.

Section 2. That the District complied with the procedure set forth in Education Code section 17406, the Best Value Methodology adopted by the District and the Request for Qualifications and Proposals issued by the District.

Section 3. That Robert A. Bothman Construction Inc. provided the best value to the District, taking into consideration the proposer's demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required.

Section 4. That, based on the foregoing, it is in the best interest of the District to award the Lease-Leaseback Agreements to Robert A. Bothman Construction Inc. for the Project.

Section 5. That the Superintendent and his designees are authorized to enter into the Lease-Leaseback Agreements with Robert A. Bothman Construction Inc., to negotiate and finalize the Guaranteed Maximum Price and any amendments, and to take any and all actions that are necessary to carry out, give effect to and comply with the terms and intent of this Resolution.

PASSED AND ADOPTED by the Pleasanton Unified School District Board of Trustees, this 8th day of October, 2019, by the following vote:

	Ayes	Noes	Abstain	Absent
Arkin	_____	_____	_____	_____
Laursen	_____	_____	_____	_____
Maher	_____	_____	_____	_____
Miller	_____	_____	_____	_____
Yee	_____	_____	_____	_____

Valerie Arkin
President, Board of Trustees of the
Pleasanton Unified School District

Attested to:

Steve Maher
Vice President, Board of Trustees of the
Pleasanton Unified School District

EXHIBIT "A"

PROOF OF PUBLICATION

[REMAINDER OF PAGE INTENTIONALLY BLANK; EXHIBIT FOLLOWS]

**PLEASANTON UNIFIED SCHOOL DISTRICT
REQUEST FOR QUALIFICATIONS AND PROPOSALS LEASE-LEASEBACK CONSTRUCTION SERVICES
RFQ/P # 2019-20.08**

Pleasanton Unified School District ("District") is seeking proposals from qualified persons, firms, partnerships, corporations, associations, or professional organizations to provide design, constructability review, value engineering, master scheduling, cost estimating, budgeting, and construction services for the development and construction for the **Lydiksen Elementary School Rebuild and Modernization Project ("Project")**, in accordance with the lease-leaseback structure set forth in Education Code section 17406 et seq.

The Request for Qualifications and Proposals ("RFQ/P"), which includes instructions for its completion, is enclosed for your consideration. Respondents to this RFQ/P shall submit a completed Statement of Qualifications ("SOQ") along with the Proposal (collectively "RFQ/P Packet"). Respondents must mail or deliver five (5) bound copies, one (1) unbound copy, and one (1) electronic copy on CD or DVD of the RFQ/P Packet conforming to the requirements of this RFQ/P to:

PLEASANTON UNIFIED SCHOOL DISTRICT
ATTN: PURCHASING DEPT
4750 FIRST STREET
Pleasanton, CA 94566
RE: RFQ/P # 2019-20.08

ALL RESPONSES ARE DUE BY 2:00 P.M. ON Tuesday, September 10, 2019. Oral, telegraphic, facsimile, telephone or email RFQ/P Packets will not be accepted. RFQ/P Packets received after this date and time will not be accepted and returned unopened.

A mandatory information meeting will be conducted on **Thursday, August 15 2019, at 10:00 A.M.** The meeting will be held at **Lydiksen Elementary School 7700 Highland Oaks Dr, Pleasanton, CA 94588.**

Questions regarding this RFQ/P may be directed to **Michael Rice / mrice@pleasantonusd.net** and must be submitted in writing on or by **2:00 P.M. ON Monday, September 5, 2019.**

All Respondents must have already been prequalified by the District in accordance with Public Contract Code, § 20111.6. First tier electrical, mechanical and plumbing subcontractors are required by Public Contract Code, §20111.6 and must be prequalified prior to subcontractor bids are submitted. Contractors of all tiers must be currently registered and qualified to perform public work pursuant to Labor Code, § 1725.5.

The District reserves the right to change the dates on the schedule without prior notice.

RFQ/P SCHEDULE SUMMARY

DATE	ACTION ITEM
August 02, 2019	Release and advertisement of RFQ/P #2019-20.08.
August 02, 2019	RFQ/P packages available for distribution.
August 15, 2019 at 10 A.M.	Mandatory Informational Meeting.
August 26, 2019	Prequalification Questionnaire Due
August 30, 2019 at 2 P.M.	Last day to receive written questions from Respondents.
September 5, 2019	Last day for District to issue addenda to answer questions/clarifications.
September 10, 2019 at 2 P.M	Deadline for submissions in response to RFQ/P #2019-20.08.
Week of September 16, 2019	Release of shortlist qualified Respondents and interview notifications.
Week of September 23, 2019	Interviews of qualified Respondents.
October 1, 2019	Notice to selected developer.

PT/VT #63778770; August 2, 9, 2019

EXHIBIT "B"

**FINDINGS REGARDING THE AWARD OF THE LEASE-LEASEBACK AGREEMENTS FOR
THE LYDIKSEN ELEMENTARY SCHOOL REBUILD AND MODERNIZATION PROJECT**

WHEREAS, Robert A. Bothman Construction Inc. received a "Pass" designation for Conflict of Interest; and

WHEREAS, Robert A. Bothman Construction Inc. received a "Pass" designation for Safety; and

WHEREAS, Robert A. Bothman Construction Inc. received a "Pass" designation for Form of Agreement; and

WHEREAS, Robert A. Bothman Construction Inc. received a "Pass" designation for Experience with Local Environment; and

WHEREAS, Robert A. Bothman Construction Inc. received 25 out of 25 points for Technical Expertise; and

WHEREAS, Robert A. Bothman Construction Inc. received 22 out of 22 points for Interview; and

WHEREAS, Robert A. Bothman Construction Inc. received 19.5 out of 22 points for Price Points; and

WHEREAS, Robert A. Bothman Construction Inc. received 16 out of 16 points for Staffing; and

WHEREAS, Robert A. Bothman Construction Inc. received 5 out of 5 points for Financial; and

WHEREAS, Robert A. Bothman Construction Inc. received 5 out of 5 points for Schedule/Liquidated Damages; and

WHEREAS, Robert A. Bothman Construction Inc. received 4 out of 5 points for Claims/Litigation; and

WHEREAS, Robert A. Bothman Construction Inc. overall combined score was 96.5 out of 100 points, based on RFQ/P evaluation criteria, which was the greatest number of points in accordance with the methodology described in the RFQ/P, and was ranked as the best value to the District out of 2 proposals submitted.