

**RESOLUTION NO. 20-21-21**

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE SAN MATEO UNION HIGH SCHOOL DISTRICT AUTHORIZING THE USE OF DESIGN-BUILD DELIVERY METHOD, DESIGN-BUILD REQUEST FOR QUALIFICATIONS/PROPOSALS, AND BEST-VALUE SELECTION METHOD FOR THE MILLS HIGH SCHOOL CERAMICS BUILDING HVAC REPLACEMENT AND SAN MATEO HIGH SCHOOL HVAC EQUIPMENT REPLACEMENT PROJECT**

WHEREAS, Education Code section 17250.10, *et seq.* authorizes California school districts such as the San Mateo Union High School District (the “District”) to use the design-build delivery method for projects costing in excess of \$1 million; and

WHEREAS, California Education Code section 17250.20 requires the Board of Trustees (“Board”) to adopt a resolution approving the use of the design-build delivery method prior to entering into a design-build contract; and

WHEREAS, the Board finds that the traditional design-bid-build contract often leads to delay claims, disputes, and change orders; and

WHEREAS, the Board finds that use of the design-build delivery method for the Mills High School Ceramics Building HVAC Replacement and San Mateo High School HVAC Equipment Replacement (the “Project”) will (1) reduce Project costs, (2) expedite Project completion, or (3) provide design features and benefits that are not achievable through the traditional design-bid-build process; and

WHEREAS, the Board desires to review and approve the design-build Request for Qualifications/Proposals for the Project (the “RFQ/P”) substantially in the form referenced in the RFQ/P (attached as Exhibit A) and incorporated herein by this reference and authorize the District’s designated representative to advertise the RFQ/P and solicit, review and evaluate responses to the RFQ/P from pre-qualified and eligible proposers as provided in the RFQ/P; and

WHEREAS, the RFQ/P defines the factors and sub-factors that the Board reasonably expects to consider in evaluating qualifications, including but not limited to financial performance, design-build project experience, the proposed project team, insurance and bonding, and safety; and

WHEREAS, pursuant to Education Code section 17250.25(f), the RFQ/P defines the “Best Value” evaluation criteria that the Board reasonably expects to consider in evaluating proposals, including price and all non-price related factors and sub-factors, and the methodology and rating or weighting scheme that will be used in evaluating competitive proposals; and

WHEREAS, pursuant to Education Code section 17250.25(d)(4), the Board’s intention is to reserve the right to hold fair and impartial discussions or negotiations with responsive proposers, as specified in the RFP/Q, including the applicable procedures to be observed by the District to ensure that any discussions or negotiations are conducted in good faith; and

WHEREAS, the Project has a total estimated price of \$1,216,155.60 and will be in two phases. The first phase (“Phase 1”) will consist of design, engineering, and pre-construction services and the second phase (“Phase 2”) will consist of construction. The District seeks to retain the services of one (1) contractor to provide Phase 1 and Phase 2 services; and

WHEREAS, the Project will be funded with the proceeds from Measure L General Obligation Bond funds as those funds become available; and

WHEREAS, approval of the Project and award of the design-build services contract is subject to review and compliance with the California Environmental Quality Act (“CEQA”).

**NOW, THEREFORE, BE IT RESOLVED, FOUND, AND DETERMINED BY THE BOARD AS FOLLOWS:**

**SECTION 1.** The foregoing recitals and findings are true and correct.

**SECTION 2.** Based upon the foregoing recitals, the Board authorizes the use of the design-build delivery method for the Project as provided in California Education Code sections 17250.10, *et seq.* The Board further authorizes and directs Greystone West Company to publish the RFQ/P package for the Project substantially in the form referenced in the attached RFQ/P and all other documents reasonably necessary to give full effect to this resolution. As set forth in the RFQ/P, the final selection of the design-build entity shall be based on pre-qualification and “Best Value” evaluation criteria as set forth in the RFQ/P and the District reserves the right to hold discussions and negotiations with responsive proposers. The Board further authorizes the District Superintendent, or his designee, to take all actions reasonably necessary to ensure implementation of design-build delivery for the Project as set forth in the RFQ/P.

**SECTION 3.** This resolution shall become immediately effective upon adoption by the Board.

PASSED AND ADOPTED this 15<sup>th</sup> day of April 2021 by the Board of Trustees of the San Mateo Union High School District at a regular meeting held at San Mateo, California.

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

SAN MATEO UNION HIGH SCHOOL DISTRICT

By: \_\_\_\_\_

President, Board of Trustees

By: \_\_\_\_\_  
Superintendent

I certify that the foregoing resolution was duly introduced, passed, and adopted by the Board of Trustees of the San Mateo Union High School Trustee at a regular meeting held on April 15, 2021.

\_\_\_\_\_  
Clerk  
Board of Trustees

**EXHIBIT A**

**Request for Qualifications and Proposals (“RFQ/P”) for  
Design-Build Services Contract for  
Mills High School Ceramics Building HVAC Replacement and San Mateo High School  
HVAC Equipment Replacement Project**