

PIEDMONT UNIFIED SCHOOL DISTRICT

M E M O R A N D U M

TO: Board of Education

FROM: Randall Booker, Superintendent

DATE: January 10, 2018

**RE: APPROVE PRELIMINARY SERVICES AGREEMENT WITH XL
CONSTRUCTION FOR THE PIEDMONT HIGH SCHOOL STEAM
BUILDING AND THEATER PROJECTS**

I. SUPPORT INFORMATION

On December 12th, the Board of Education authorized the Superintendent to enter into contract negotiations with XL Construction for preliminary construction services in connection with the PHS STEAM Building and Theater projects. The contract covers the period from January 10, 2018, through June 30, 2018. Specific contract language related to pre-construction services is pulled directly from the District's Master Lease Agreement, which identifies preliminary services work and creates this separate contract. All of the language from the original Master Lease Agreement is preserved.

Scope of Services

Under the terms of the agreement, XL Construction will provide a range of general services, including attendance at meetings, conferences, discussions, and decisions made between and among the District, Architect, and Contractor. XL will prepare and update the current Project schedule, and provide and update the components of what will become Guaranteed Project Cost to complete both projects. XL will be primarily in control of ensuring that the Project can and will be constructed for no more than this amount.

Additionally, XL Construction shall assist District with the following: City land use issues; DSA review, input, and timeframe; geotechnical / soils investigations and other reports; surveys of the Project site; review Project design and budget; recommendations on selection of materials, building systems, and equipment needed. XL Construction will provide recommendations on relative feasibility of construction methods, availability of materials and labor, time requirements for procurement, and installation and construction of the Project.

XL Construction will also prepare the following reports, schedules, reviews, and plans:

Value-engineering: Provide a report on the value of construction, means and methods for construction, duration of construction, and other input to realize substantial cost savings.

Construction Schedule: Investigate, recommend and prepare a schedule for the District's purchase of materials and equipment requiring long lead time procurement, and coordinate the schedule with the District and Architect.

Constructability Review: Prepare a detailed constructability review within thirty (30) days of receipt of the plans from the District that ensures construction documents are well coordinated and reviewed for errors, and identifying to the extent known, any possible construction deficiencies or areas of concern;

Construction Planning and Bidding: Prepare and distribute specifications and drawings provided by the District to facilitate bidding to XL's subcontractors. XL will coordinate with District and the Architect in responding to subcontractor questions or providing clarification to all subcontractors, and prepare appropriate subcontractor bid packages.

At each stage indicated above, XL shall update and refine the budget of the Guaranteed Project Cost based on the most recent set of design documents.

The contract highlights in clear terms that the District can terminate this agreement at any time. The fee proposal from XL is \$395,044, though the District has modified the contract to state that it is based on time and materials "not to exceed" the proposed fee. In this way, the District believes it can better manage the services and personnel delivering those services. Some pre-construction services will continue to be handled internally, with XL serving in the role to validate or confirm existing assumptions in providing cost savings.

II. RECOMMENDATION: REVIEW AND ACTION

Approve the pre-construction services agreement with XL Construction for the Piedmont High School STEAM Building and Theater projects.