



### Agenda Item Details

Meeting	Oct 29, 2019 - Regular Meeting, 5:00 p.m.
Category	I. Superintendent's Consent Agenda
Subject	32. Master Site Lease Agreement and Master Facilities Lease Agreement with Balfour Beatty Construction, LLC, to Provide Construction Services for the Innovations Academy Whole Site Modernization (Lease-Leaseback) Project; BUDGETED: YES, PROPOSITION Z AND MEASURE YY FUNDS
Type	Action (Consent)
Fiscal Impact	Yes
Dollar Amount	41,520,845.00
Budgeted	Yes
Budget Source	Proposition Z and Measure YY Funds

**RECOMMENDATION:** Approve Master Site Lease Agreement and Master Facilities Lease Agreement with Balfour Beatty Construction, LLC, to provide construction services for the Innovations Academy Whole Site Modernization (Lease-Leaseback) project (CZ20-0391-42) and allocate \$41,520,845 of Proposition Z and Measure YY Charter School funds to complete the project. The term of this Agreement is effective October 30, 2019 and continues until the Project is complete. Contractor will receive a Notice of Award on October 30, 2019, and will receive a Notice to Proceed once the project is Division of State Architect (DSA) Approved. DSA Approval is anticipated on or before November 6, 2019.

**FISCAL IMPACT:** Total not to exceed amount: \$41,520,845.00. Budget Strings: 9377-90405-00-6230-8500-0000-21400-8665 (Proposition Z) and 9377-90505-00-6230-8500-0000-21500-8665 (Measure YY).

Innovations Academy - (Construction of Whole Site Modernization): Total Guaranteed Maximum Price of: \$36,643,385.90 (which includes \$1,000,000.00 in allowances and \$28,884.90 in interest).

Innovations Academy – Architectural/Engineering fees, Testing/Inspection Fees, Construction Contingency and other related costs: \$4,877,459.10

**PRIOR YEAR FISCAL IMPACT:** None.

**IMPACT TO DISTRICT STAFFING:** None.

**CONSULTATION WITH BOARD ADVISORY COMMITTEE:** The Charter School Facilities Committee approved the project on June 30, 2016, and again on August 22, 2019.

**BACKGROUND:** The board approved the Innovations Academy project on July 26, 2016. In addition, the board approved the Purchase and Sale Agreement to purchase the facility for Innovations Academy on September 4, 2018.

On June 18, 2019, the board adopted a resolution for procedures for evaluating the qualifications of lease-leaseback contractors and the issuance of a request to prequalify for Group D, which are projects at or below \$26,000,000 in estimated value. On April 9, 2019, the district issued a Request to Prequalify and for Statements of Qualification for Preliminary and Construction Services for Group D Lease-Leaseback Projects.

On May 15, 2019, thirteen contractors submitted Statements of Qualifications (SOQs) to the district's RFQ. After evaluating each of the SOQs under the established criteria and procedures, district staff determined that ten of the contractors met the requirements of the RFQ for Group D Projects. The district issued an RFP for Construction Services for Innovations Academy Whole Site Modernization Project LLB, utilizing the LLB delivery method pursuant to Education Code section 17406. et. seq. The best value criteria for scoring proposals included but was not limited to demonstrated competence, relevant experience, compensation, timeliness, and staffing capacity to perform the required work.

Sealed proposals for the RFP were received on September 26, 2019. The district received a total of one proposal from Balfour Beatty Construction. The district assembled an evaluation panel consisting of the Architect of Record's Job Captain, Project Management Supervisor, Project Manager, Facilities Planning and Construction Project Coordinator and Senior Construction Manager, to evaluate and rate the proposals.

Based on the strengths of the proposal submitted, Balfour Beatty Construction, was deemed a responsive and responsible proposer, has been determined to provide the best value to the district for the Project located at the 5454 Ruffin Road, San Diego, CA 92123.

Innovations Academy has been on a Multi-Year Facilities Use Permit Agreement at the Scripps Mesa Conference Center at Spring Canyon, which has been amended nine times since 2011 to extend the term of the agreement and increase classroom space. The Scripps Mesa Conference Center is a temporary site containing relocatable buildings that was established for E.B. Scripps Elementary School in 2001 prior to the relocation to their permanent facility. The current Innovations Academy temporary school buildings are nearing the end of their useful life.

The new location will provide Innovations Academy with a new permanent facility containing 26 classrooms, collaboration spaces, a gymnasium, a multi-purpose room, administrative offices, a small food service facility and outdoor play areas to accommodate student learning and achievement. Innovations Academy will enter into a long-term lease for the facility wherein the school will be responsible for all maintenance and utilities, ultimately reducing district operational expenses.

The existing building at 5454 Ruffin Road was constructed in 1984. The existing building is a tilt-up concrete shell with an open second floor encompassing approximately one-half of the building interior. The district purchased the building in October 2018 for occupancy by Innovations Academy Charter School.

It will be Balfour Beatty Construction's responsibility to sequence and schedule the work required in the plans, specifications and RFP documents to achieve the substantial completion date of March 23, 2020, or before. Balfour Beatty Construction will be responsible as part of this contract to relocate the school from the existing site in Scripps Ranch to the new location.

On May 10, 2011, the board approved a resolution in support of service-disabled, veterans-owned businesses (SDVOB) and disabled veteran business enterprises (DVBE) which established a 3 percent required participation of DVBEs for all district construction contracting opportunities. The recommended contractor, Balfour Beatty Construction submitted a 6.3 percent DVBE participation in its proposal.

**ENVIRONMENTAL ANALYSIS:** On September 4, 2018, the board determined that the Innovations Academy New Site Acquisition and Whole Site Modernization Project was exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301. The board also directed staff to file a Notice of Exemption (NOE)(Attached) for the project with the Recorder/Clerk of San Diego County, which was completed on September 6, 2018. Based on the foregoing, staff has determined that the project remains as described and analyzed in the previously approved NOE and thus no further CEQA review is required.

[Originator/Contact: Lee Dulgeroff, Chief, Facilities Planning and Construction, 858.637.3516, [ldulgeroff@sandi.net](mailto:ldulgeroff@sandi.net)]

IA\_5454\_Ruffin\_Rd\_NOE\_Stamped\_06Sept2018.pdf (1,359 KB)

\_Innovations\_Academy\_WSM\_LLB\_Agreement\_FINAL\_191022.pdf (4,776 KB)

## Workflow

### Workflow

Oct 10, 2019 6:13 PM :: Submitted by Ashley Mains. Routed to Linda Hippe for approval.  
Oct 14, 2019 3:58 PM :: Approved by Linda Hippe. Routed to Andrea OHara for approval.  
Oct 14, 2019 4:46 PM :: Approved by Andrea OHara. Routed to Sandra Chong for approval.  
Oct 15, 2019 10:37 AM :: Routed back to Linda Hippe by Sandra Chong.  
Oct 15, 2019 11:33 AM :: Approved by Linda Hippe. Routed to Andrea OHara for approval.  
Oct 15, 2019 4:49 PM :: Approved by Andrea OHara. Routed to Sandra Chong for approval.  
Oct 16, 2019 12:07 PM :: Approved by Sandra Chong. Routed to Kimberly Chapin for approval.  
Oct 16, 2019 12:08 PM :: Approved by Kimberly Chapin. Routed to Gary Stanford for approval.  
Oct 17, 2019 11:17 AM :: Approved by Gary Stanford. Routed to Deidre Walsh for approval.  
Oct 17, 2019 12:42 PM :: Approved by Deidre Walsh. Routed to Marceline Marques for approval.  
Oct 23, 2019 2:11 PM :: Approved by Marceline Marques. Routed to George Harris for approval.  
Oct 23, 2019 4:14 PM :: Approved by George Harris. Routed to Lee Dulgeroff for approval.  
Oct 23, 2019 10:13 PM :: Approved by Lee Dulgeroff. Routed to Debbie Foster for approval.  
Oct 25, 2019 4:18 PM :: Approved by Debbie Foster. Routed to Greg Ottinger for approval.  
Oct 25, 2019 4:28 PM :: Final approval by Greg Ottinger

Last Modified by Greg Ottinger on October 25, 2019