

**OAK PARK UNIFIED SCHOOL DISTRICT  
5801 E. CONIFER STREET  
OAK PARK, CALIFORNIA 91377  
(818) 735-3206**

**NOTICE OF SPECIAL CLOSED SESSION - AGENDA #876**

Written notice is hereby given in accordance with Education Code Section 54957 that a special Board Meeting of the Board of Education of Oak Park Unified School District will be held:

DATE: Thursday, April 18, 2013  
TIME: 8:30 a.m. Open Session  
PLACE: Oak Park Unified School District Offices  
Conference Room  
5801 E. Conifer Street, Oak Park, CA 91377

Call to Order \_\_\_\_\_  
Pledge of Allegiance  
Roll Call  
Public Comments

**OPEN SESSION**

**C.1. CONSENT AGENDA**

**1. Approve Notice of Completion, Project 11-14R, Relocatable Restroom Building at Oak View High School**

*Board Policy requires Board approval for Notice of Completion*

**2. Approve Notice of Completion, Project 12-08R, Building E Administration Modernization at Oak Park High School**

*Board Policy requires Board approval for Notice of Completion*

**ACTION**

**C.2 BUSINESS SERVICES**

**1. Award of Bid #13-01R, Building 200 Modernization at Brookside Elementary School**

*Board Policy requires Board approval for contracts for services*

**2. Award of Bid #13-03R, Building C Modernization at Oak Park High School**

*Board Policy requires Board approval for contracts for services*

Date: April 13, 2012

Anthony W. Knight, Ed.D.  
Superintendent and Secretary to the Board of Education

**TO: MEMBERS, BOARD OF EDUCATION**  
**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**  
**DATE: APRIL 18, 2013**  
**SUBJECT: C.1.a. APPROVE NOTICE OF COMPLETION, PROJECT 11-14R, RELOCATABLE RESTROOM BUILDING AT OAK VIEW HIGH SCHOOL**

CONSENT

**ISSUE:** Shall the Board approve the Notice of Completion for Project 11-14R, Relocatable Restroom Building at Oak View High School, contracted with Silver Creek Industries, Inc.?

**BACKGROUND:** On December 6, 2011, the Board awarded a contract for Project 11-14R, Relocatable Restroom Building at Oak View High School, contracted with Silver Creek Industries, Inc. The projected budget for the acquisition and installation of the relocatable structure was \$84,765, and the original contract amount awarded by the Board for this work was \$84,668. There were no change orders and the final contract amount for this project is \$84,668, representing a budget savings of \$97.

The work under this contract is now complete, and District staff and construction manager Balfour Beatty Construction, Inc. have inspected the finished project and are satisfied that it has been completed in compliance with all contract specifications. It is recommended that the Board approve a Notice of Completion accepting the finished project.

**ALTERNATIVES:**

1. Approve the Notice of Completion for Project 11-14R, Relocatable Restroom Building at Oak View High School, contracted with Silver Creek Industries, Inc.
2. Do not approve the Notice of Completion.

**RECOMMENDATION:** Alternative No. 1

Prepared by: Martin Klauss, Assistant Superintendent, Business and Administrative Services

Respectfully submitted,

\_\_\_\_\_  
 Anthony W. Knight, Ed.D.  
 Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
von Schneidau	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

Notice of Completion

Notice is hereby given that the Oak Park Unified School District, a school district in Ventura County, is the owner in fee of the following described and real property, to-wit:

Description: Oak View High School, 5701 Conifer Street, Oak Park, CA 91377

That on or about December 6, 2011 the said Oak Park Unified School District of Ventura County entered into a contract with Silver Creek Industries, Inc. of Perris, California, for Project 11-14R, Relocatable Restroom Building at Oak View High School on certain real property hereinbefore described: that said building and improvements were actually completed on April 18, 2013: that the address of said Oak Park Unified School District is 5801 Conifer Street, Oak Park, CA 91377, Ventura County, California.

*OAK PARK UNIFIED SCHOOL DISTRICT*

By Anthony W. Knight, Ed.D., Superintendent, Secretary to  
the Oak Park Unified School District Board of Trustees

Anthony W. Knight, being first duly sworn, deposes and says: that he is secretary of the Board of Trustees of the Oak Park Unified School District, a school district of Ventura County, California: that he therefore verifies the foregoing Notice of Completion on behalf of said Oak Park Unified School District: that the Oak Park Unified School District of Ventura County, California is owner of the property described in the foregoing notice: that he has read the foregoing notice and knows the contents thereof: that he has personal knowledge of the facts therein stated: that the same are true.

STATE OF CALIFORNIA  
COUNTY OF VENTURA

\_\_\_\_\_  
Anthony W. Knight, Ed.D., Superintendent  
Oak Park Unified School District

On \_\_\_\_\_ before me, Linda Sheridan, Notary Public, personally appeared Anthony W. Knight, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (SEAL)

**TO: MEMBERS, BOARD OF EDUCATION**  
**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**  
**DATE: APRIL 18, 2013**  
**SUBJECT: C.1.a. APPROVE NOTICE OF COMPLETION, PROJECT 12-08R, BUILDING E ADMINISTRATION MODERNIZATION AT OAK PARK HIGH SCHOOL**

CONSENT

**ISSUE:** Shall the Board approve the Notice of Completion for Project 12-08R, Building “E” Administration Modernization at Oak Park High School, contracted with Ventura Construction, Inc.?

**BACKGROUND:** On May 15, 2012, the Board awarded a contract for Project 12-08R, Building “E” Administration Modernization at Oak Park High School, to Ventura Construction, Inc. The projected construction budget for this project was \$503,833, and the original contract amount awarded by the Board for this work was \$423,600. There was one change order, in the amount of \$41,417, increasing the final contract amount to \$465,017.00, representing a budget savings of \$38,816.

The work under this contract is now complete, and District staff and construction manager Balfour Beatty Construction, Inc. have inspected the finished project and are satisfied that it has been completed in compliance with all contract specifications. It is recommended that the Board approve a Notice of Completion accepting the finished project.

**ALTERNATIVES:**

1. Approve the Notice of Completion for Project 12-08R, Building “E” Administration Modernization at Oak Park High School, contracted with Ventura Construction, Inc.
2. Do not approve the Notice of Completion.

**RECOMMENDATION:** Alternative No. 1

Prepared by: Martin Klauss, Assistant Superintendent, Business and Administrative Services

Respectfully submitted,

\_\_\_\_\_  
 Anthony W. Knight, Ed.D.  
 Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
von Schneidau	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

Notice of Completion

Notice is hereby given that the Oak Park Unified School District, a school district in Ventura County, is the owner in fee of the following described and real property, to-wit:

Description: Oak Park High School, 899 N. Kanan Road, Oak Park, CA 91377

That on or about May 15, 2012 the said Oak Park Unified School District of Ventura County entered into a contract with Ventura Construction, Inc. of Westlake Village, California, for Project 12-08R, Building "E" Administration Modernization at Oak Park High School on certain real property hereinbefore described: that said building and improvements were actually completed on April 18, 2013: that the address of said Oak Park Unified School District is 5801 Conifer Street, Oak Park, CA 91377, Ventura County, California.

*OAK PARK UNIFIED SCHOOL DISTRICT*

By Anthony W. Knight, Ed.D., Superintendent, Secretary to  
the Oak Park Unified School District Board of Trustees

Anthony W. Knight, being first duly sworn, deposes and says: that he is secretary of the Board of Trustees of the Oak Park Unified School District, a school district of Ventura County, California: that he therefore verifies the foregoing Notice of Completion on behalf of said Oak Park Unified School District: that the Oak Park Unified School District of Ventura County, California is owner of the property described in the foregoing notice: that he has read the foregoing notice and knows the contents thereof: that he has personal knowledge of the facts therein stated: that the same are true.

STATE OF CALIFORNIA  
COUNTY OF VENTURA

\_\_\_\_\_  
Anthony W. Knight, Ed.D., Superintendent  
Oak Park Unified School District

On \_\_\_\_\_ before me, Linda Sheridan, Notary Public, personally appeared Anthony W. Knight, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (SEAL)

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**

**DATE: APRIL 18, 2013**

**SUBJECT: C.2.a. APPROVE AWARD OF BID 13-01R, BUILDING 200 MODERNIZATION AT BROOKSIDE ELEMENTARY SCHOOL (RE-BID)**

ACTION

**ISSUE:** Shall the Board award the re-bid of Bid 13-01R, Building 200 Modernization at Brookside Elementary School?

**BACKGROUND:** In its approval of the District’s Facility Master Plan in December 2012, the Board authorized Project 13-01R, Building 200 Modernization at Brookside Elementary School. Bids for this project were received and opened on March 8, 2013. All bids received were thoroughly reviewed and analyzed, and many irregularities were found in each of the bids. After review by District’s legal counsel, it was advised that all bids be rejected. Based on this recommendation, the Superintendent, as authorized by the Board of Education, rejected all bids received for this project and directed staff to re-bid the work. This action was ratified by the Board at its meeting on April 9, 2013.

Bids for the re-bid project were received and opened on April 12, 2013, and are currently under review and analysis by District staff and construction manager Balfour Beatty Construction. After completion of the review, a recommendation for award will be prepared and forwarded to the Board in advance of this morning’s meeting.

- ALTERNATIVES:**
1. Award Bid #13-01R (Re-Bid) to the lowest responsive and responsible bidder as recommended.
  2. Do not award Bid #13-01R (Re-Bid), and reject all bids.

**RECOMMENDATION:** Alternative No. 1

Prepared by: Martin Klauss, Assistant Superintendent, Business and Administrative Services

Respectfully submitted,

\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
von Schneidau	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

**TO: MEMBERS, BOARD OF EDUCATION**  
**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**  
**DATE: APRIL 18, 2013**  
**SUBJECT: C.2.b. APPROVE AWARD OF BID NO. 13-03R, BUILDING C  
MODERNIZATION AT OAK PARK HIGH SCHOOL**

ACTION

**ISSUE:** Shall the Board approve the award of Bid No. 13-03R, Building C Modernization at Oak Park High School?

**BACKGROUND:** In its approval of the District's Facility Master Plan in December 2012, the Board authorized the modernization of Building C at Oak Park High School. Designated as Project 13-03R, the budget established for this work is \$1,731,141 for direct construction and \$335,155 as contingency, for a total budget of \$2,066,326. On March 28, 2013, four bids were received in response to the District's call for bids for this project. The following is a recap of the bids received; bid amounts are Base Bid and requested Additive Alternate Bids #1 and #2:

Contractor	Base Bid	Alt. Bid 1	Alt. Bid 2	Total Bid
Waisman Construction	\$1,461,500	\$16,000	\$ 8,000	\$1,485,500
SBS Corporation	\$1,523,018	\$11,788	\$ 0	\$1,534,806
Monet Construction	\$1,620,000	\$20,000	\$12,000	\$1,652,000
PUB Construction	\$1,750,000	\$39,000	\$ 4,800	\$1,793,800

All bids received were reviewed and analyzed by the District's staff and construction manager, Balfour Beatty Construction. District staff issued a Letter of Intent to Award Bid to all bidders, indicating its intent to recommend that the Board of Education award a contract for the base bid and both alternate bids to Waisman Construction. A bid protest letter was subsequently received by the District from SBS Corporation. In its letter SBS challenged the District's intended award of the project on the grounds that the subcontractor designated by Waisman to perform the structural steel work did not hold the appropriate license, and the authorized representative of Waisman wrote his initials, rather than his full surname, next to a correction on its bid proposal. The issues were thoroughly reviewed by District legal counsel, who advised that the District may properly deny the bid protest on the grounds that (1) Waisman intends to self-perform two unrelated trades, including structural steel, in compliance with relevant statutory requirements, and (2) the use of the representative's initials rather than his surname next to a correction on the bid proposal may be waived as a minor irregularity. The District has provided a written response to SBS Corporation detailing the basis for its denial of the bid protest.

- ALTERNATIVES:**
1. On advice of counsel, deny the bid protest submitted by SBS Corporation.
  2. Waive the use of the Waisman representative's initials rather than his surname next to a correction on the bid proposal as a minor irregularity, and award the Base Bid, Alternate Bid #1, and Alternate Bid #2, in the total amount of \$1,485,500 to Waisman Construction, as lowest responsive and responsible bidder.
  3. Reject all bids and direct staff to re-bid the project.

**RECOMMENDATION:** Alternative No. 1

Prepared by: Martin Klauss, Assistant Superintendent, Business and Administrative Services

Respectfully submitted,

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Anthony W. Knight, Ed.D.  
Superintendent

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Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
von Schneidau	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____