

C.A.S.H. 29TH ANNUAL CONFERENCE ON SCHOOL FACILITIES

NEW PROGRAMS, NEW PROMISE CALIFORNIA SCHOOL FACILITIES 2008

Tuesday, February 26, 2008
8:00 a.m. - 11:30 a.m.
Sacramento Convention Center
Rooms # 306/307

Workshop #1

School Construction 101/201

School Construction 101

Moderator: Margaret Brown

San Ramon Valley Unified School District
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School Construction 201

Moderator: Philip Henderson

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CLEAR OBJECTIVES PLUS AN AGGRESSIVE
STRATEGY FOR RESOLUTION

C.A.S.H. Construction 101

“This may be a stupid
question, but . . . ”

CLEAR OBJECTIVES PLUS AN AGGRESSIVE
STRATEGY FOR RESOLUTION

Panel for Construction 101: There Are No Stupid Questions

Moderator:

Margaret E. Brown, San Ramon Valley Unified School District

Panelists:

Ed Mierau, Neff Construction

Mark Quattrocchi, Quattrocchi Kwok Architects

Andra Donovan, Miller Brown & Dannis

Notes

Notes



I have a "Sole Source" Request from Our Maintenance Department. Do I have to read PCC § 3400?

- Your Maintenance Director has left you a voicemail. There are certain items he wants to be part of the new bids on 2 projects.
- No problem, right?



Architect's Comments



CM's Comments



Lawyer's Comments

Is There a Problem With Our Drawings? Who Do I Tell?

E-mail That Needs Some Answers:

From: on-site-person@sprint.blackberry.net
To: boss-at-the-office@sprint.blackberry.net
Cc: my-legal-rep@sprint.blackberry.net;
my-district-arch@sprint.blackberry.net;
my-cm@sprint.blackberry.net
Subject: Questions About Architect's Plans

Boss,
I've gotten 7 calls from 2 contractors (plan holders).
My architect has gotten 6.
We've been answering all their questions.
I don't have to tell anyone else, do I?
Thx.

Architect's Comments

CM's Comments

Lawyer's Comments

My Budget is Blown. What are My Options?

- It's 45 minutes after your bid opening and your lowest bid is 35% more than your budget?
- What the ...?

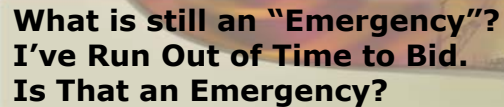
Bid Tabulation Worksheet Project: Cost-To-Much Elementary Modernization
Budget: **\$5,000,000**

Contractor Name	Bid Form	Bid Bond	NCA	Sub List	Base Bid Price	Altern. #1 Price	Total Bid
Really Good Contractor	X	X	X	X	\$6,645,344	\$50,000	\$6,695,344
Oh So Good Contractor	X	X	X	X	\$6,933,467	\$35,000	\$6,968,467
Kinda Good Contractor	X	X	X	No	\$7,456,333	No price	\$7,456,333
Fair Contractor	X	X	X	X	\$7,546,350	\$44,000	\$7,598,350
Bad Contractor	X	X	X	X	\$8,000,000	\$20,000	\$8,020,000
Very Bad Contractor	X	X	X	X	\$8,254,300	\$45,000	\$8,299,300

Architect's Comments

CM's Comments

Lawyer's Comments



**What is still an “Emergency”?
I’ve Run Out of Time to Bid.
Is That an Emergency?**

- You’re 28 days from the start of school and you need to replace the driveway (and parking lot) into the elementary school or no one will be able to drop off their children.
- You have a contractor you know who can do it in 25 days for a pretty good price.
- Is this an emergency?



Architect’s Comments



CM’s Comments



Lawyer’s Comments



**OK, I Still Need That Driveway,
But I Have Time to Bid.
Should I Prequalify Bidders?**

- You still need that driveway, but you figured it out early enough so that you have plenty of time to bid.
- There are some really scary paving contractors near you. Should you prequalify bidders?



Architect's Comments



CM's Comments



Lawyer's Comments

It's Bid Protest Time.

To Whom It May Concern:

Joe's Construction, Inc., with this letter formally contest the bid for the SD 6th Grade Relocatable Building Move & Install project. This is due to the fact that we feel that Vernon's Construction will not be able to manage the project in adequate form. Vernon's Construction failed to list a transportation company with the correct specialty license as their subcontractor. Due to this fact Vernon's Construction should be considered a non-responsive bidder and the project should be awarded to the next lowest bidder, Joe's Construction, Inc.

If you have any questions or concerns, please do not hesitate to contact us.

Sincerely,

- How would you handle this letter?

Architect's Comments

CM's Comments

Lawyer's Comments

My Contractor Won't Do What He's Supposed to Do.

- My contractor is not sending me a schedule.
- I want to send him this letter.
- Can I fire him? Really, I want to fire him.



WHERE KNOWLEDGE GROWS

JOHN SMITH, Ed.D.
Superintendent
jsmith@oursd.k12.ca.us

BOARD OF TRUSTEES

BOBBY BROWN
Board President

TERRY WHITE
Chair of the Board

CAROL PINK
Member

GEORGE GREENE
Member

STEVEN BLUE
Member

OUR OWN SCHOOL DISTRICT

1234 APPLE AVENUE ♦ OUR TOWN, CA 91234 ♦ (415) 555-1212 ♦ FAX: (415) 555-2121

www.oursd.k12.ca.us

February 25, 2006

Ron Jones
Project Manager
Not So Good Construction Company, Inc.
1234 Their Drive
Not Our Town, CA 92345

RE: 48-HOUR NOTICE, Old Yeller Middle School

Dear Ron,

The District has asked you over 3 times for a project schedule and you have not provided it. It is required, as stated in the General Conditions. You're already on site, with a fence and your trailer and your site subcontractor has started work.

We need your schedule in the next 48 hours or the District will have no choice but to terminate your contract and award this contract to the next lowest bidder.

Thank you for your immediate attention to this matter.

Sincerely,

Mr. Jones
Director of Facilities and Construction

Architect's Comments

CM's Comments

Lawyer's Comments



Now My Contractor Has Sent Me a Schedule of Values, But I Don't Believe the Values He Has Put In.

- First, what is this “schedule of values”?
- OK, I get that, but these values can't be right.
- Who can help with this?



Architect's Comments



CM's Comments



Lawyer's Comments

There are so Many Ways to Build? What is Right for Me?

- A Board member has heard about a new way to hire a contractor without bidding.
- He doesn't remember what it was called, but he's check out some websites.
- What are these?
 - DBB
 - DB
 - CM@R
 - LLB
 - CM/Multiple Prime

Architect's Comments

CM's / Architect's Comments

Lawyer's Comments



Here's Text From a Letter From Your Contractor.

“Attached to this letter is our final payment application. We are substantially complete (95%). We are waiting for the architect to review our punchlist completion. We believe we are down to only 4.5 pages. Please process this payment application as soon as possible so we can avoid stop notice filings.”



Architect's Comments



CM's Comments



Lawyer's Comments



I Love My Architect, but . . .

- I'm getting 3 RFIs a day.
 - What are they?
 - Is that too many?
 - My architect is responding to most of these RFIs. Usually within 2 weeks.
 - OK?



Architect's Comments



CM's Comments



Lawyer's Comments

CLEAR OBJECTIVES PLUS AN AGGRESSIVE
STRATEGY FOR RESOLUTION

Stump the Chumps

Smart Questions from the
Audience

Thank you

Margaret E. Brown, San Ramon Valley
Unified School District

Ed Mierau, Neff Construction

Mark Quattrocchi, Quattrocchi Kwok
Architects

Andra Donovan, Miller Brown & Dannis

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C.A.S.H. Construction 201

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Panel for Construction 201: There Are No Stupid Questions

Moderator:

Phil Henderson, Miller Brown & Dannis

Panelists:

Mark Mardock, McCarthy Building Companies Inc.

Mary Morris, HMC Architects

Cate Boskoff, Oakland Unified School District

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It's Bid Withdrawal Time

Dear Ms. Hickman,

On behalf of _____ Development Company, Inc. we wish to withdraw our bid for middle school #8 that bid on November 20, 2007 due to a clerical error made on our proposal.

Thank you for your consideration in this matter.

Sincerely,

- Is this good enough?

Architect's Comments


CM's Comments

Lawyer's Comments

Early Plans

- Can I bid without stamped plans?
- Can I award without stamped plans?
- Will I go to jail?
- Will my Board members go to jail?

**INTERPRETATION
OF
REGULATIONS**

 Division of the State Architect

Architect's Comments

CM's Comments

Lawyer's Comments



Most of Our Bidders Are Stuck In Traffic. Please Tell Me I Can Bump Out My Bid Opening

- You get a phone call from your favorite contractor telling you about a traffic jam on the freeway. You want to move the opening for 3 hours.
 - Can you?
- OK, I didn't move the bid opening and 2 bidders walked in 3 minutes late.
 - Do I accept their bids?



Architect's Comments



CM's Comments



Lawyer's Comments



Our Board Has Requested Changes After We Awarded the Contract.

- **The Board wants an entire new wing – 8 classrooms.**
 - Our contractor's PCO is for about 14% of its current contract.
 - How do I get this work done?
 - OK, I've talked with our contractor, they've got it down to 9.8% of their contract.
 - That brings our total project change orders to about 16%.
 - OK?



Architect's Comments



CM's Comments



Lawyer's Comments

DSA Does Not Approve of My Portables.

- I've issued documents to DSA related to 16 of my portables.
 - DSA says I have “open” A numbers.
 - What is that?
 - How do I fix it?

Architect's Comments

CM's Comments

Lawyer's Comments



**My Contractor is a Month Behind Its Own Schedule.
Can It Catch Up?**

- My contractor's schedule shows that it should be 62% complete by now.
 - It is barely 40% done and is about 28 days late.
 - I don't think this contractor can catch up.
 - Is this schedule awful?
 - Is the contractor awful?
 - Do I call the surety?



Architect's Comments



CM's Comments



Lawyer's Comments



Donors, Volunteers, and Booster Clubs

- Parents at a site have raised funds and hired . . . someone . . . to build a snack shack.
- Who approves this?
 - How about if it has a hot dog oven?
 - It's 200 square feet.
 - It's 300 square feet.



Architect's Comments



CM's Comments



Lawyer's Comments



Donors, Volunteers, and Booster Clubs

- **Oh, sorry, it's not a snack shack, it's a boy's dugout with only one exit/entrance.**
 - OK?
- **The girl's softball team has a nice bench.**
 - OK?



Architect's Comments



CM's Comments



Lawyer's Comments



Fair Warning From Your Neighbor

- I just got a call from a neighboring district. My low bidder is doing very poorly at that district.
 - They are apparently really awful
 - Can I reject their bid?



Architect's Comments



CM's Comments



Lawyer's Comments

you just got this text msg from a client. wat do u say?

From: on-site-person@sprint.blackberry.net
To: boss-at-the-office@sprint.blackberry.net
Cc: my-legal-rep@sprint.blackberry.net;
my-district-arch@sprint.blackberry.net;
my-cm@sprint.blackberry.net

Subject: pickets!

**OMG! have picketers @ jhs site.
wat 2 do? local 1234 guy @ site
talkin w/ workers. wat 2 do?**

Architect's Comments

CM's Comments

Lawyer's Comments



I Love My CM, but . . .

- I'm getting 3 letters a day from our contractor.
 - My CM says not to worry and is not writing back to most of those letters.
 - What is the “paper war”?
 - Do I care?



Architect's Comments



CM's Comments



Lawyer's Comments

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