



AGENDA

I. CALL MEETING TO ORDER

II. ACTION ITEMS

- A. Ratification of Collective Bargaining Agreement with the Oregon School Employees Association 2
Tom Colett
- B. Consent Agenda
 - a. Grants 3
 - b. Public Contracts 5

III. ADJOURNMENT

District Goal: WE Empower all students to achieve post-high school success.

The District prohibits discrimination and harassment based on any basis protected by law, including but not limited to, an individual's actual or perceived race, color, religion, sex, sexual orientation, gender identity, gender expression, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, veteran status, or because of a perceived or actual association with any other persons within these protected classes.



**RATIFICATION OF COLLECTIVE BARGAINING AGREEMENT WITH THE
OREGON SCHOOL EMPLOYEES ASSOCIATION**

POLICY ISSUE/SITUATION:

The Beaverton School District and the Oregon School Employees Association (OSEA) have completed negotiations and reached tentative agreement on a three-year contract, effective July 1, 2022-June 30, 2025.

BACKGROUND INFORMATION:

The District and OSEA entered into contract negotiations April 2022 through June 2022. The following significant language adjustments were agreed to by the parties.

1. Adjustments to out of class pay requiring that the higher job classification be worked for at least 4 hours.
2. Employees will receive one additional PTO day and may cash out any unused PTO days at the end of the year.
3. The addition of up to 3 days of bereavement leave as a new leave category.
4. Employees on 212 day, 222 day and 260 day calendars will be paid for the Juneteenth holiday.
5. The creation of a sick leave bank where employees may donate leave to be used by other members in need.
6. Market adjustments to the salary rates for 17 targeted positions.
7. The agreement to reopen the contract in the final year to re-negotiate salary after completing a market analysis for classified positions not analyzed this year.
8. Employees whose positions were not impacted by market analysis adjustments this year to receive a one-time bonus of \$1250.

COMPENSATION:

<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
\$1751 insurance cap	\$1826 insurance cap	Ins. Cap pending reopener
3.5% COLA plus an additional .5% due to MOU	4% COLA	COLA pending reopener
Step, if qualified	Step, if qualified	Step, if qualified

RECOMMENDATION:

It is recommended that the School Board approve the following resolution:

BE IT RESOLVED that the terms of the Collective Bargaining Agreement between the School Board and the Oregon School Employees Association, for the period of July 1, 2022 through June 30, 2025, be ratified by the School Board of the Beaverton School District.

District Goal: WE empower all students to achieve post-high school success.

The Beaverton School District recognizes the diversity and worth of all individuals and groups. It is the policy of the Beaverton School District that there will be no discrimination or harassment of individuals or groups based on race, color, religion, gender, sexual orientation, gender identity, gender expression, national origin, marital status, age, veterans' status, genetic information or disability in any educational programs, activities or employment.



GRANT REPORT

Grant Proposal	Funding Agency	Amount Requested	Submission Date	Decision Date	Action Required

Grant Proposal In Review	Funding Agency	Amount Requested	Submission Date	Decision Date
Diesel Emissions Mitigation Fund	Oregon DEQ	\$1,321,360	7 Jun 2022	8 Aug 2022
<p>In 2019, the Oregon Legislature authorized the creation of this grant program for businesses, governments and equipment owners to replace older and more polluting diesel engines with new, cleaner technologies and exhaust control retrofits. DEQ is providing \$8 million in grant funding to reduce Oregon’s diesel emissions in 2022.</p>				
Latino/a/x and Indigenous Student Success Grants	Oregon Dept. of Education	\$222,777	3 Jun 2022	11 Jul 2022
<p>These funds support community-led efforts towards policy and systems change to improve educational outcomes for Latino/a/x and Indigenous students. Projects must emphasize strategies to meet ODE’s Latino/a/x and Indigenous Student Success Plan objectives using a policy and systems change lens to create conditions for long-term change.</p>				
McKinney-Vento Homeless Education Subgrant	Oregon Dept. of Education	\$92,132	23 May 2022	30 Jun 2022
<p>The purpose of McKinney-Vento (MV) funds is to identify and address barriers encountered by students experiencing homelessness. Services must supplement and/or enhance activities provided by a district.</p>				
Summer Work Experience Services for Transition-Age Students with Disabilities	Oregon Department of Human Services & Oregon Department of Education	\$72,954	5 May 2022	15 Jun 2022
<p>Grant funds provide BSD transition age students impacted by disabilities an opportunity for competitive paid employment in an inclusive environment. Data shows that pre-employment transition services and work experience lead to better post-secondary outcomes for special education students.</p>				

Grant Proposal Final Status	Funding Agency	Amount Requested	Amount Funded
Title IC (Summer School)– Education of Migratory Children	Oregon Dept. of Education	\$197,811	\$197,811
<p>The migrant summer school program provides help with reading and math for children who move frequently because they, their parents, or guardians work in agriculture, fishing, or forestry.</p>			

District Goal: WE empower all students to achieve post-high school success.

The District prohibits discrimination and harassment based on any basis protected by law, including but not limited to, an individual’s actual or perceived race, color, religion, sex, sexual orientation, gender identity, gender expression, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, veteran status, or because of a perceived or actual association with any other persons within these protected classes.

Education Staff Retention and Recruitment Grants	Oregon Department of Education	\$5,089,328	\$5,089,328
HB 4030 funds support implementation of strategies to: 1) Address high need specialties and workforce shortage areas for both classified and licensed staff; 2) Build on existing efforts which address root causes of workforce attrition while responding to urgent needs; and 3) Diversify the workforce, as well as ensure every educator and staff member can meet the academic and well-being needs of students, particularly students from historically and persistently underserved groups.			
Title VI Indian Education Formula Grant	U.S. Department of Education	\$38,136	\$38,136
Title VI grants address the unique education and culturally related academic needs of American Indian and Alaska Native students so that these students can achieve to the same challenging state performance standards expected of all students. Grant funds supplement the regular school program and help Native American students to improve their academic skills, become proficient in core content areas, provide students an opportunity to participate in enrichment, and build community with our Native families.			
Community stewardship and restoration grant	Metro	\$54,735	\$54,735
Community stewardship and restoration grants support and create partnerships in local communities that improve water quality, fish and wildlife habitat and connect people with nature.			
Seismic Rehabilitation Grant Program	Business Oregon	\$2,500,000	\$0
Provides funding for the seismic rehabilitation of critical public buildings, particularly public schools and emergency services facilities. These funds would be used at McKinley Elementary.			
Vision Screening Reimbursement	Oregon Dept. of Education	\$35,683	\$35,683
SB 187 (2017) establishes a reimbursement program for school districts in Oregon to be reimbursed up to \$3.20 per each student for costs incurred to provide vision screenings. Reimbursement is prioritized for vision screening of students in grades PK – 3.			

RECOMMENDATION:

It is recommended that the proposals be approved.

District Goal: WE empower all students to achieve post-high school success.

The District prohibits discrimination and harassment based on any basis protected by law, including but not limited to, an individual's actual or perceived race, color, religion, sex, sexual orientation, gender identity, gender expression, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, veteran status, or because of a perceived or actual association with any other persons within these protected classes.



WE INNOVATE



WE EMBRACE EQUITY



WE COLLABORATE



PUBLIC CONTRACTS – BOARD AUTHORIZATION OF SUPERINTENDENT TO OBLIGATE THE DISTRICT

POLICY ISSUE/SITUATION

School Board action is required to authorize the Superintendent or a designee to obligate the District for the attached public contract items.

BACKGROUND INFORMATION

On May 15, 2017, the Board adopted current policy language regarding Authority to Obligate the District (Board Policy DJ), which updates the School District's Public Contracting Rules in accordance with State Recommended Model Rules. Appropriate bidding procedures and Public Contracting Rules have been complied with before recommending the attached contract for Board approval. The following authorization of contract, subject to available budget appropriations, is a routine Board action that appears under the consent grouping of the Board agenda.

RECOMMENDATION

BE IT RESOLVED that the School Board authorizes the Superintendent or a designee to obligate the District for the public contract items listed in Attachment A.

District Goal: WE empower all students to achieve post-high school success.

The District prohibits discrimination and harassment based on any basis protected by law, including but not limited to, an individual's actual or perceived race, color, religion, sex, sexual orientation, gender identity, gender expression, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, veteran status, or because of a perceived or actual association with any other persons within these protected classes.

PUBLIC CONTRACTS
BOARD AUTHORIZATION OF SUPERINTENDENT TO
OBLIGATE THE DISTRICT
SUBMITTED FOR SCHOOL BOARD APPROVAL

Contract Name	Recommended By	Contract Selection Process	Contractor/Vendor	Contract Amount	Contract Timeline		Recommendation
					Start	End	
HVAC Upgrades Group 2- Nancy Ryles ES	Aaron Boyle	Invitation to Bid (ITB) 21-0035	Northwest Controls Company	\$418,400	7/2022	9/2023	Authorization to Award Contract
District-Wide Security Assessment	Aaron Boyle	Request for Proposals (RFP) 21-0029 Master Contract	IBI Group	\$174,424	7/2022	11/2022	Authorization to Award Contract
Architectural, Engineering, or Landscape Architectural Services- Landscape and Sports Facilities	Aaron Boyle	Request for Proposals (RFP) 21-0030	AKS Engineering and Forestry, Cameron McCarthy, NV5, Cardno, Inc. Harper Houf Peterson Righellis, Inc.	Master Contracts- No Specific Dollar Amount	7/2022	6/2028	Authorization to Award Contract
District-Wide Fire Alarm Resiliency- Generators	Aaron Boyle	Request for Proposals (RFP) 21-0029C Master Contract	IBI Group	\$302,391	7/2022	7/2023	Authorization to Award Contract
District-Wide Fire Alarm Resiliency- Fire Alarm Panel Replacement	Aaron Boyle	Sourcewell Cooperative Contract #030421-JHN	Johnson Controls, Inc.	\$210,458	7/2022	7/2023	Authorization to Award Contract
Erate Switch Replacement	Kevin McMillian	OETC Cooperative Agreement- #22B	Presidio	\$1,425,873.75	7/2022	9/2023	Authorization to Award Contract
Diesel Fuel and Petroleum Products Services	Craig Beaver	DAS Statewide Contract #8680	Bretthauer Oil Company, Inc.	\$1,750,000	7/2022	6/2023	Authorization to Award Contract

PUBLIC CONTRACTS
 BOARD AUTHORIZATION OF SUPERINTENDENT TO
 OBLIGATE THE DISTRICT
 SUBMITTED FOR SCHOOL BOARD APPROVAL (CONTINUED)

Contract Name	Recommended By	Contract Selection Process	Contractor/Vendor	Contract Amount	Contract Timeline		Recommendation
					Start	End	
Vehicle and Equipment Fuel	Ron Umali	E&I Cooperative Contract #CRN01399	Wex Bank	\$210,000	7/2022	6/2023	Authorization to Award Contract
Propane Fuel Services	Craig Beaver	DAS Statewide Contract #8680	FerrellGas, Inc	\$500,000	7/2022	6/2023	Authorization to Award Contract
Aloha High School Office Relocation	Aaron Boyle	Request for Proposals (RFP) 21-0025E Master Contract	Opsis Architecture	\$540,599	8/2022	2/2024	Authorization to Award Contract
Annual Water Quality Facility Maintenance	Ron Umali	Request for Proposals (RFP) 20-0042 Master Contract	DeSantis Landscape, Inc.	\$224,185	7/2022	6/2023	Authorization to Award Contract
Enrichment Activities for Beaverton School District Students	Michael Schofield	Intergovernmental Master Agreement	Tualatin Hills Park & Recreation District	TBD	7/2022	6/2027	Authorization to Award Contract



PROJECT NAME: HVAC Upgrade Group 2 (Nancy Ryles ES, Greenway ES, Elmonica ES, Stoller MS)

PROJECTTIMELINE: 2/2022–9/2023

PROJECT BUDGET: \$1,210,000.00

PROJECT SCOPE: Nancy Ryles ES Controls Upgrade

CONTRACT NAME: Nancy Ryles Elementary School HVAC Upgrades

RECOMMENDED BY: Aaron Boyle

SOLICITATION METHOD: Invitation to Bid (ITB) 21-0035

CONTRACTTIMELINE: 7/2022–9/2023

CONTRACT AMOUNT: \$418,400.00

CONTRACT SCOPE: Controls upgrade from pneumatic to digital

RECOMMENDATION: Authorization to Award Contract to Northwest Controls Company Inc

FUNDING SOURCE: 2014 Bond; Modernization, Renovation Projects; Physical Facility Improvements, HVAC Upgrade Group 2 (Nancy Ryles ES, Greenway ES, Elmonica ES, Stoller MS)



PROJECT NAME: District-wide Security Assessment

PROJECTTIMELINE: 7/2022–11/2022

PROJECT BUDGET: \$200,000.00

PROJECT SCOPE: Review facility security standards relative to current best practices.

CONTRACT NAME: BSD Security Assessment

RECOMMENDED BY: Aaron Boyle

SOLICITATION METHOD: RFP 21-0029 Architectural/Engineering Services Master Contracts

CONTRACTTIMELINE: 7/2022 – 11/2022

CONTRACT AMOUNT: \$174,424.00

CONTRACT SCOPE: District-Wide review and update of existing security standards, site assessments and documentation.

RECOMMENDATION: Authorization to Award Contract to IBI Group

FUNDING SOURCE: 2022 Capital Improvement Bond



PROJECT NAME: 2022 Capital Improvement Bond

PROJECTTIMELINE: July 2022 through project completion

PROJECT BUDGET: These are Master Contracts to which no individual projects have been assigned. Individual projects will come before the Board as the Scopes of Work are developed and budgets are assigned.

PROJECT SCOPE: Contracts for design services for projects funded by the 2022 Capital Improvement Bond.

CONTRACT NAME: Architectural, Engineering, Landscape Architectural Services, or Landscape and Sports Facilities design and engineering

RECOMMENDED BY: Aaron Boyle

SOLICITATION METHOD: Request for Proposals (RFP) 21-0030

CONTRACTTIMELINE: Projects will be assigned beginning in July 2022

CONTRACT AMOUNT: These contracts do not have a specific Not-to-Exceed (NTE) amounts. The specific projects assigned will have NTE amounts and budgets. Specific projects assigned to the firms listed below will be presented to the Board for separate authorizations based on current BSD policy.

CONTRACT SCOPE: Design and Engineering Services

RECOMMENDATION: Authorization to Award Master Contracts and individual Project Work Authorizations to: AKS Engineering and Forestry, Cameron McCarthy, NV5, Inc., Harper Houf Peterson Rightellis, and Cardno, Inc.

FUNDING SOURCE: 2022 Capital Improvements Bond



PROJECT NAME: District-Wide Fire Alarm Resiliency

PROJECTTIMELINE: 4/2021–9/2023

PROJECT BUDGET: \$2,474,120.00

PROJECT SCOPE:

Part 1: Replace unsupported fire alarm panels district wide.

Part 2: Add generators and emergency circuits to schools that do not currently have them.

Part 3: Refurbish generators and modify emergency circuits as necessary at schools that current have them.

Part 4: Provide main electrical disconnects at schools where they are currently missing.

CONTRACT NAME: District-Wide Fire Alarm Resiliency - Generators

RECOMMENDED BY: Aaron Boyle

SOLICITATION METHOD: Deferred Maintenance Master Contract 21-0029C

CONTRACTTIMELINE: 7/2022–7/2023

CONTRACT AMOUNT: \$302,391.00

CONTRACT SCOPE: Part 2: Architectural/Engineering services to design for added generators and emergency circuits to schools (10) that do not currently have them.

RECOMMENDATION: Authorization to Award Contract to IBI Group

FUNDING SOURCE: 2014 Bond, Modernization, Renovation Projects; Physical Facility Improvements; District-Wide Fire Alarm Resiliency



PROJECT NAME: District-Wide Fire Alarm Resiliency

PROJECTTIMELINE: 4/2021–9/2023

PROJECT BUDGET: \$2,474,120.00

PROJECT SCOPE:

Part 1: Replace unsupported fire alarm panels district wide.

Part 2: Add generators and emergency circuits to schools that do not currently have them.

Part 3: Refurbish generators and modify emergency circuits as necessary at schools that currently have them.

Part 4: Provide disconnects at main electrical panels at schools where they are currently missing.

CONTRACT NAME: Fire Alarm Panel Replacement

RECOMMENDED BY: Aaron Boyle

SOLICITATION METHOD: Sourcewell Cooperative- 030421-JHN

CONTRACTTIMELINE: 7/2022–7/2023

CONTRACT AMOUNT: \$210,458.00

CONTRACT SCOPE: Replace unsupported end-of-life fire alarm panels with new fully supported panels. (Group 3)

RECOMMENDATION: Authorization to Award Contract to Johnson Controls, Inc.

FUNDING SOURCE: 2014 Bond; Modernization, Renovation Projects; Physical Facility Improvements; District-Wide Fire Alarm Resiliency



PROJECT NAME: Erate Switch Replacement

PROJECTTIMELINE: 7/30/2022 -9/1/2023

PROJECT BUDGET: \$1,425,873.75

PROJECT SCOPE: Replace aging switches and related infrastructure at schools as required based on age and technical capacity as part of the 2022 Bond

CONTRACT NAME: BSD Switch replacement and technology upgrades

RECOMMENDED BY: Kevin McMillian

SOLICITATION METHOD: OETC Cooperative Agreement- #22B

CONTRACTTIMELINE: 7/30/2022 - 9/1/2023

CONTRACT AMOUNT: \$1,425,873.75

CONTRACT SCOPE: Planned replacement of switching infrastructure at schools as part of the 2022 Bond project.

RECOMMENDATION: Authorization to execute Purchase Order with Presidio

FUNDING SOURCE: Erate RFP



PROJECT NAME: Diesel Fuel and Petroleum Products Services

PROJECT TIMELINE: 07/01/2022 – 06/30/2023

PROJECT BUDGET: \$1,750,000.00

PROJECT SCOPE: Purchase of Diesel Fuel and Petroleum Products for School Buses for the Purpose of Transporting Students Home to School per ORS 327.043 & IEP Requirements.

CONTRACT NAME: Propane Fuel Services

SOLICITATION METHOD: DAS Statewide Contract #8680

CONTRACT TIMELINE: 07/01/2022 – 06/30/2023

CONTRACT AMOUNT: \$1,750,000.00

CONTRACT SCOPE: Purchase of Diesel Fuel and Petroleum Products for School Buses for the Purpose of Transporting Students Home to School per ORS 327.043 & IEP Requirements. Expenses are eligible for 70% Reimbursement from Student Success Fund.

CONTRACTOR SELECTED: Bretthauer Oil Company, Inc. Hillsboro OR

RECOMMENDATION: Authorize Award of Contract

RECOMMENDED BY: Craig Beaver/Administrator for Transportation

FUNDING SOURCE: General Fund



PROJECT NAME: Vehicle and Equipment Fuel

PROJECT TIMELINE: 7/2022 - 6/2023

PROJECT BUDGET: \$210,000.00

PROJECT SCOPE: For the provision of fuel for all Maintenance and Custodial vehicles and equipment.

CONTRACT NAME: Vehicle and Equipment Fuel

RECOMMENDED BY: Ron Umali

SOLICITATION METHOD: E&I Cooperative Contract #CRN01399

CONTRACT TIMELINE: 7/2022 – 6/2023

CONTRACT AMOUNT: \$210,000.00

CONTRACT SCOPE: To provide fuel for all owned or leased vehicles and equipment in the Maintenance and Custodial Service departments.

RECOMMENDATION: WEX Bank in partnership with Enterprise Fleet Management

FUNDING SOURCE: Maintenance and Custodial General Funds

ADDITIONAL INFORMATION: Due to the rising fuel costs, the Maintenance and Custodial Departments had an unforeseen increase in fuel expenses in fiscal year 2021-22. Based on the unstable market and price fluctuations, the predication is fuel costs will remain higher in this fiscal year as well.



PROJECT NAME: Purchase of Propane Fuel Services

PROJECT TIMELINE: 07/01/2022 – 06/30/2023

PROJECT BUDGET: \$500,000 .00

PROJECT SCOPE: Purchase of Propane Fuel for School Buses for the Purpose of Transporting Students Home to School per ORS 327.043 & IEP Requirements.

CONTRACT NAME: Propane Fuel Services

SOLICITATION METHOD: DAS Statewide Contract #8680

CONTRACT TIMELINE: 07/01/2022 – 06/30/2023

CONTRACT AMOUNT: \$500,000 .00

CONTRACT SCOPE: Purchase of Propane Fuel for School Buses for the Purpose of Transporting Students Home to School per ORS 327.043 & IEP Requirements. Expenses are eligible for 70% Reimbursement from SSF.

CONTRACTOR SELECTED: FerrellGas, Inc. Portland OR

RECOMMENDATION: Authorize Award of Contract

RECOMMENDED BY: Craig Beaver/Administrator for Transportation

FUNDING SOURCE: General Fund



PROJECT NAME: Aloha High School Office Relocation

PROJECTTIMELINE: 08/2022–02/2024

PROJECT BUDGET: NTE \$6,000,000.00

PROJECT SCOPE: Construct main office in the courtyard and renovate the existing space to provide a secure entrance.

CONTRACT NAME: Architectural & Engineering Services for AHS office relocation

RECOMMENDED BY: Aaron Boyle

SOLICITATION METHOD: Request for Proposal (RFP) 21-0025E via Master Contract

CONTRACTTIMELINE: 08/2022–02/2024

CONTRACT AMOUNT: \$540,599.00

CONTRACT SCOPE: Architectural, Structural, Civil, Landscape Architecture, Mechanical, Plumbing, Electrical, Fire Suppression, Low Voltage, and Technology Engineering scope, for the program addition and renovation.

RECOMMENDATION: Authorization to Award Contract to Opsis Architecture

FUNDING SOURCE: 2022 Capital Improvement Bond

ADDITIONAL INFORMATION: This project is awarded to OPSIS Architecture as a single project award stemming from the Master Contracts awarded via RFP 21-0025.



PROJECT NAME: Annual Water Quality Facility Maintenance

PROJECTTIMELINE: 7/7/2022-6/30/2023

PROJECT BUDGET: N/A

PROJECT SCOPE: At all facilities provide labor, materials and equipment to improve and maintain facilities as directed by the Beaverton School District.

All Facilities are to be maintained at a Clean Water Services Private Water Quality Rating of 2(Good) as stated below:

Rating 2 (good) : The Facilities is generally in operational condition. All components appear to be operating properly and do not show any serious structural problems. Storm filter style vaults and catch basins may have minor sediment accumulation but are generally clean. If applicable, the facility does not have any serious vegetation problems, is not overgrown by invasive species and has only minor sediment accumulation. Any erosion is minor. Maintenance tasks are limited to minor trash clean up.

Maintenance duties to include but not limited to: Hand weeding of invasive species/ non-desirable plantings, removal of built-up sediment, replanting of lost plants up to 15% of total swale area, removal of debris found on site. Before and after photos sent to BSD rep from each site visit.

A Monthly schedule must be given to a District Representative for all sites. A 6-month Maintenance report/ summary must be provided to the District representative.

CONTRACT NAME: 2022/2023 Water Quality Facilities Maintenance

SOLICITATION METHOD: RFP 20-0042 Master Contract

CONTRACTTIMELINE: 7/7/22-6/30/2023

CONTRACT SCOPE: To provide all labor, materials and equipment to maintain a Clean Water Services rating of 2 or better at all Beaverton School District Facilities.

CONTRACT AMOUNT: \$224,185.00

RECOMMENDATION: My Recommendation is to approve the contract DeSantis Landscape Inc.

FUNDING SOURCE: Maintenance General Fund

The Beaverton School District recognizes the diversity and worth of all individuals and groups. It is the policy of the Beaverton School District that there will be no discrimination or harassment of individuals or groups based on race, color, religion, gender, sexual orientation, gender identity, gender expression, national origin, marital status, age, veterans' status, genetic information or disability in any educational programs, activities or employment.



PROJECT NAME: Intergovernmental Master Agreement for Enrichment Activities for Beaverton School District Students

PROJECTTIMELINE: 07/2022 -07/ 2027

PROJECT BUDGET: Varies – A Project Work Authorization will be assigned to each project.

PROJECT SCOPE: Enrichment Activities for Beaverton School District Students. For the Migrant Department, Facilities Department, and Summer School programs.

CONTRACT NAME: Tualatin Hills Park and Recreation District

RECOMMENDED BY: Michael Schofield, Associate Superintendent Business Services

SOLICITATION METHOD: Intergovernmental Master Agreement

CONTRACTTIMELINE: 07/2022 -07/ 2027

CONTRACT AMOUNT: Varies – A Project Work Authorization will be assigned to each project .

CONTRACT SCOPE: Enrichment Activities for Beaverton School District Students. For the Migrant Department, Facilities Department, and Summer School programs.

RECOMMENDATION: Authorization to Award Contract to Tualatin Hills Park and Recreation District

FUNDING SOURCE: Grants

Additional Info: THPRD is a long-term trusted partner with whom the District frequently contracts for services the District is not able to effectively provide. Having this Intergovernmental Master Agreement will allow these services to be provided more efficiently and be more cost effective for both agencies. Individual services will be contracted as a Project Work Authorization (PWA) and will appear in future board contracts if required.

**ALTERNATE CONTRACTING PROCEDURE
CM/GC CONSTRUCTION CONTRACT
FIVE OAKS MIDDLE SCHOOL SEISMIC AND REROOF PROJECT**

FINDINGS (per ORS 279C.337, 360):

- (a) *BSD Staff finds that this alternate contracting procedure is unlikely to encourage favoritism in awarding public improvement contracts or substantially diminish competition for public improvement contracts.*

The CM/GC will be selected through a competitive process in accordance with a Request for Proposals authorized by the Board of Directors. Pursuant to ORS 279C.360, a CM/GC solicitation will be advertised on the Daily Journal of Commerce, the Oregon Procurement Information Network, and the Beaverton School District procurement webpage in order to attract competitive proposals. The CM/GC proposals and interviews will be rated based on a predetermined list of criteria as required by ORS 279C.337 and the Attorney General’s Model Contract Rules. The District will enter into a contract with the highest-ranking firm.

- (b) *BSD Staff finds that awarding a public improvement contract for this project through the CM/GC method will likely result in substantial cost savings and other substantial benefits to the District.*

In making this finding, staff have considered the type, cost, and amount of the contract and, to the extent applicable to the contract, the following:

- A. Findings related to how many persons are available to bid:** Staff finds that granting this alternative contracting procedure will not unreasonably limit the number of firms available to bid, since procurement will be through a publicly-advertised request for proposals.
- B. Findings related to the construction budget and the projected operating costs for the completed public improvement:** Staff finds that the ability to select firms based on the firm’s performance history will positively affect the project outcome as it relates to cost by providing feedback on the design development phase and participating in the construction document phase of the design process. With the CM/GC participating in these phases they will be able to offer suggestions for improvement and make recommendations that will reduce costs. With the benefit of this knowledge, the CM/GC will also be able to guarantee a maximum price the District will pay to construct the project, which may result in savings accruing to the District.
- C. Findings related to public benefits that may result from granting the exemption:** Staff finds that the ability to select firms based on the firm’s performance history will significantly affect the project outcome as it relates to schedule, logistical coordination and value. The ability to coordinate the complex logistics involved in a large reroof and roof level seismic strengthening while attempting to complete all the work over two summers will be critical to maintain schedule, reduce risk and ensure safety throughout the project. Due to the unique demands of all the roofing work, as well as working throughout the building to implement seismic strengthening elements, we believe that utilizing the CM/GC method will reduce the project challenges inherent with maintaining operations and access to the existing building during

construction. The CM/GC process allows the CM/GC to inform and recommend the best practices in sequencing of work based on their early involvement in the project. This early involvement with the CM/GC will result in a better product and safer access for students, staff and the general public during construction and during the school year between phases of the work.

- D. Findings related to whether value engineering techniques may decrease the cost of the public improvement:** Staff finds that granting this alternate contracting procedure will provide the most comprehensive team evaluation of all factors that affect the cost, quality, and schedule of the project, which may decrease the cost of the improvement. The CM/GC process offers a unique opportunity for value engineering that is not as effective through the traditional design-bid-build process, since the general contractor does not have the opportunity to suggest cost savings measures during the design process. An essential part of each construction project is the value engineering evaluation, which is the means used to determine the best project design that meets the needs and priority of the Owner, within the Owner's budget and schedule constraints. Value engineering is done most effectively by a team consisting of the Owner, Architect, Consultants, and the CM/GC during design development and construction document completion.
- E. Findings related to the cost and availability of specialized expertise that is necessary for the public improvement:** Staff finds that granting this alternate contracting procedure will significantly affect the project outcome as it relates to specialized expertise. Due to the requirement to complete all of the improvements over two short summer phases, effectively coordinate a complex staging plan for the movement competing construction trades, and utility related restrictions, it is important to have a general contractor who understands the project complexity, has the proven ability to manage these types of projects, and who can help to develop construction documents to attract the qualified and appropriate subcontractors to perform the work. The request for proposal process will help ensure the selected CM/GC has the specialized expertise necessary for fast-track school construction.
- F. Findings related to any likely increases in public safety:** Staff finds that the ability to select firms based on the firm's performance history and experience in working on a occupied site will allow the District to select a contractor with a demonstrated record of safety.
- G. Findings related to whether granting the exemption may reduce risks to the contracting agency, the state agency or the public that are related to the public improvement:** Staff finds that granting this alternate contracting procedure will reduce safety risks by allowing early involvement of the contractor in planning for site usage, inherent safety challenges and coordination of access to the existing building.
- H. Findings related to whether granting the exemption will affect the sources of funding for the public improvement:** Staff finds that granting this may allow early and detailed application for grants for the seismic upgrades, allowing a positive impact on funding sources for the project.
- I. Findings related to whether granting the exemption will better enable the contracting agency to control the impact that market conditions may have on the cost of and time necessary to complete the public improvement:** With the multiple of construction market factors that exist today in Oregon (e.g. COVID supply chain issues, completion of other projects,

environmental issues that limit construction materials, shortage of qualified craftsman, inflation, etc.), establishing the best work sequence is crucial to accurately estimating the cost and schedule implications of this project. Staff therefore finds that selecting a firm through the CM/GC process allows the District the advantage of working with a CM/GC who has knowledge of market conditions and experience in finding the best people qualified for this fast-track work, and to provide accurate estimates for subcontracts. In addition, the CM/GC may plan for early procurement of goods and services where shortages, inflation, or other market conditions could increase costs under the traditional design-bid-build method.

- J. Findings related to whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement:** Staff finds that granting this exemption will allow the School District to accept proposals only from contractors who have demonstrated considerable experience in delivering projects of similar complexity successfully.

- K. Findings related to whether the public improvement involves new construction or renovates or remodels an existing structure:** This project involves renovation of an existing structure and the integration of new building improvements. These factors involve a significant design element where the CM/GC's pre-construction input will prove valuable.

- L. Findings related to whether the public improvement will be occupied or unoccupied during construction:** This project is expected to be completed during the summer of 2023 and 2024. With the need to fully complete the first phase of work and have the building completely ready for the fall of 2023 and fall of 2024 classes, the design and planning support of a CM/GC will prove valuable.

- M. Findings related to whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions:** Staff finds that the project will have multiple phases of construction work to allow the project team to best address the site-related and schedule constraints, rendering CM/GC contracting (and the CM/GC's early input on these phasing issues) desirable.

- N. Findings related to whether the contracting agency or state agency has, or has retained under contract, and will use contracting agency or state agency personnel, consultants, and legal counsel that have necessary expertise and substantial experience in alternative contracting methods to assist in developing the alternative contracting method that the contracting agency or state agency will use to award the public improvement contract and to help negotiate, administer, and enforce the terms of the public improvement contract:** Staff will rely on their own experience, having successfully used the CM/GC method on many other large projects in the current and prior bond programs. In addition, architectural, engineering, and planning consultants with experience in alternative contracting will be retained for professional services. The District also relies upon outside legal counsel, appointed by the School Board to provide construction contracting legal advice. The combined expertise and experience of such staff, consultants, and professionals will oversee developing the alternative contracting method and its implementation including negotiating, administering, and enforcing the terms of the CM/GC contract.

**ALTERNATE CONTRACTING PROCEDURE
CM/GC CONSTRUCTION CONTRACT
ALOHA HIGH SCHOOL OFFICE ADDITION AND INTERIOR RENOVATION PROJECT**

FINDINGS (per ORS 279C.337, 360):

- (a) *BSD Staff finds that this alternate contracting procedure is unlikely to encourage favoritism in awarding public improvement contracts or substantially diminish competition for public improvement contracts.*

The CM/GC will be selected through a competitive process in accordance with a Request for Proposals authorized by the Board of Directors. Pursuant to ORS 279C.360, a CM/GC solicitation will be advertised in the Daily Journal of Commerce, the Oregon Procurement Information Network, and the Beaverton School District procurement webpage in order to attract competitive proposals. The CM/GC proposals and interviews will be rated based on a predetermined list of criteria as required by ORS 279C.337 and the Attorney General’s Model Contract Rules. The District will enter into a contract with the highest-scoring firm.

- (b) *BSD Staff finds that awarding a public improvement contract for this project through the CM/GC method will likely result in substantial cost savings and other substantial benefits to the District.*

In making this finding, staff have considered the type, cost, and amount of the contract and, to the extent applicable to the contract, the following:

- A. Findings related to how many persons are available to bid:** Staff finds that granting this alternative contracting procedure will not unreasonably limit the number of firms available to bid, since procurement will be through a publicly-advertised request for proposals.
- B. Findings related to the construction budget and the projected operating costs for the completed public improvement:** Staff finds that the ability to select firms based on the firm’s performance history will positively affect the project outcome as it relates to cost by providing feedback on the design development phase and participating in the construction document phase of the design process. With the CM/GC participating in these phases they will be able to offer suggestions for improvement and make recommendations that will reduce costs. With the benefit of this knowledge, the CM/GC will also be able to guarantee a maximum price the District will pay to construct the project, which may result in savings accruing to the District.
- C. Findings related to public benefits that may result from granting the exemption:** Staff finds that the ability to select firms based on the firm’s performance history will significantly affect the project outcome as it relates to schedule, logistical coordination, and value. The ability to coordinate the complex logistics involved in an occupied construction zone will be critical to maintain schedule, reduce risk and ensure safety throughout the project. Due to the unique restrictions of the site, and the occupied construction aspect we believe that utilizing the CM/GC method will reduce the project challenges inherent with maintaining operations and access to the existing building during construction while constructing the new building

addition and renovating portions of the existing building. The CM/GC process allows the CM/GC to recommend the best practices in sequencing of work based on their early involvement in the project. This early involvement with the CM/GC will result in a better final product and safer access for students, staff, and the general public during construction.

- D. Findings related to whether value engineering techniques may decrease the cost of the public improvement:** Staff finds that granting this alternate contracting procedure will provide the most comprehensive team evaluation of all factors that affect the cost, quality, and schedule of the project, which may decrease the cost of the improvement. The CM/GC process offers a unique opportunity for value engineering that is not as effective through the traditional design-bid-build process, since the general contractor does not have the opportunity to suggest cost savings measures during the design process. An essential part of each construction project is the value engineering evaluation, which is the means used to determine the best project design that meets the needs and priority of the Owner, within the Owner's budget and schedule constraints. Value engineering is done most effectively by a team consisting of the Owner, Architect, Consultants, and the CM/GC during design development and construction document completion.
- E. Findings related to the cost and availability of specialized expertise that is necessary for the public improvement:** Staff finds that granting this alternate contracting procedure will significantly affect the project outcome as it relates to specialized expertise. Due to the requirement to maintain operations and access to the existing building, effectively coordinate a complex staging plan for the movement of staff and students in/out of the building, and unique site constraints, it is important to have a general contractor who understands the project complexity, has the proven ability to manage these types of projects, and who can help to develop construction documents to attract the qualified and appropriate subcontractors to perform the work. The request for proposal process will help ensure the selected CM/GC has the specialized expertise necessary for fast-track school construction.
- F. Findings related to any likely increases in public safety:** Staff finds that the ability to select firms based on the firm's performance history and experience in working on an occupied site will allow the District to select a contractor with a demonstrated record of safety.
- G. Findings related to whether granting the exemption may reduce risks to the contracting agency, the state agency or the public that are related to the public improvement:** Staff finds that granting this alternate contracting procedure will reduce safety risks by allowing early involvement of the contractor in planning for site usage and coordination of access to the existing building. Further it will reduce schedule risk to the School District, by allowing critical path equipment procurement, and allowing early work packages to proceed during final design to meet the required deadlines.
- H. Findings related to whether granting the exemption will affect the sources of funding for the public improvement:** Not applicable. Staff finds that granting this exemption will have no effect on funding sources for the project.
- I. Findings related to whether granting the exemption will better enable the contracting agency to control the impact that market conditions may have on the cost of and time**

necessary to complete the public improvement: With the multiple of construction market factors that exist today in Oregon (e.g. COVID supply chain issues, completion of other projects, environmental issues that limit construction materials, shortage of qualified craftsman, inflation, etc.), establishing the best work sequence is crucial to accurately estimating the cost and schedule implications of this project. Staff therefore finds that selecting a firm through the CM/GC process allows the District the advantage of working with a CM/GC who has knowledge of market conditions and experience in finding the best people qualified for this fast-track work, and to provide accurate estimates for subcontracts. In addition, the CM/GC may plan for early procurement of goods and services where shortages, inflation, or other market conditions could increase costs under the traditional design-bid-build method.

- J. Findings related to whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement:** Staff finds that granting this exemption will allow the School District to accept proposals only from contractors who have demonstrated considerable experience in delivering projects of similar complexity successfully.
- K. Findings related to whether the public improvement involves new construction or renovates or remodels an existing structure:** This project involves construction of a new building addition and renovation of existing structures.
- L. Findings related to whether the public improvement will be occupied or unoccupied during construction:** This public improvement will occur in a time period in which a significant portion of the work will occur while the building is fully or partially occupied. Due to the added complexity of maintaining building operations and access to occupied facilities, the CM/GC process will allow the District to select proposals from contractors who have demonstrated experience in delivering projects of similar complexity successfully.
- M. Findings related to whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions:** Staff finds that the project will have multiple phases of construction work to allow the project team to best address the site-related and schedule constraints, rendering CM/GC contracting (and the CM/GC's early input on these phasing issues) desirable.
- N. Findings related to whether the contracting agency or state agency has, or has retained under contract, and will use contracting agency or state agency personnel, consultants, and legal counsel that have necessary expertise and substantial experience in alternative contracting methods to assist in developing the alternative contracting method that the contracting agency or state agency will use to award the public improvement contract and to help negotiate, administer, and enforce the terms of the public improvement contract:** Staff will rely on their own experience, having successfully used the CM/GC method on many other renovation projects in the prior bond program. In addition, architectural, engineering, and planning consultants with experience in alternative contracting will be retained for professional services. The District also relies upon outside legal counsel, appointed by the School Board to provide construction contracting legal advice. The combined expertise and experience of such staff, consultants, and professionals will oversee

developing the alternative contracting method and its implementation including negotiating, administering, and enforcing the terms of the CM/GC contract.