



SAN MATEO-FOSTER CITY SCHOOL DISTRICT

BOND OVERSIGHT COMMITTEE MEASURE L & X

May 09, 2019 - Meeting Minutes

1) Call to Order:

- a) Bond Oversight Committee (BOC) called to order at 5:30 P.M. on May 09, 2019 at the District Office, Bowditch Conference Room.

2) Roll Call:

Bond Oversight Committee Measure X Members Present:

- Fred Baer - Board approved 2 year term expires 8/23/20
- Julie Scanlon - Board approved 2 year term expires on 8/23/20
- Wayne Pitcher - Board approved 2 year term expires 8/23/20
- Eric Holm - Board approved 2 year term expires 8/23/20
- Randy Raphael – Board approved 2 year term expires 8/23/20
- Ryan Nobrega - Board approved 2 year term expires 8/23/20
- Ananth Kadambi - New member, Board approved 2 year term expires 3/21/21
- James Sell - New member, Board approved 2 year term expires 3/21/21
- Charlie Royce – New member, Board approved 2 year term expires 3/21/21
- Albert DiMatteo – New member, Board approved 2 year term expires 3/21/21

Public

John Nibbelin, Chief Deputy County Counsel, Office of the San Mateo County Counsel

District and Facilities Staff Present

Joel Cadiz, Director of Facilities, Maintenance, Operations and Transportation

Carolyn Chow, Chief Business Official

Bob Price, Facilities Project Manager

Emma Oh, Facilities Financial Analyst

Mark Sherrill, Facilities Project Manager

Kevin Sanders, Facilities Project Manager

Corey Fong, Construction Facilities Planner

3) Public Comment:

No public comments.

4) Joel Introduction

- a) Joel explained that the Measure L and Measure X Bond committee has been combined. In August of 2018, The School Board approved, giving the Measure X committee expanded powers to have oversight over Measure L. Moving forward though, we will refer to this committee as the “Measure X Committee.”
- b) Joel introduced the School District’s Project Managers and their projects and mentioned Alex Kristal was currently out of town:
 - i) Alex Kristal – George Hall Shade Structure & Roofing
 - ii) Robert Price – Borel Middle School Gym & Classrooms, San Mateo Park Fencing, Borel Fencing.
 - iii) Kevin Sanders – Bayside Gym, New Elementary School Foster City
 - iv) Mark Sherrill – Abbott Gym & Classrooms, Abbott Roofing, Abbott Shade Structure
- c) Joel continued and introduced current and new Bond Committee Members.

5) Joel gave the floor to John Nibbelin, Chief Deputy County Counsel to discuss roles, responsibilities, and regulations of the Bond Oversight Committee.

- a) The District ask John to come to discuss the role, responsibilities and regulations of the Bond Oversight Committee.
- b) John went on to go through his presentation:
 - i) General facts and history of Bond Oversight Committee facts prior to Proposition 39.
 - ii) What Prop 39 Did
 - iii) Effect of Prop 39
 - iv) Establishment of Bond Oversight Committees
 - v) Composition of Bond Oversight Committees
 - vi) What Bond Oversight Committees can do
 - vii) Compliance with Requirements
 - viii) Peripheral Bond Oversight Committee responsibilities
 - ix) Core Bond Oversight Committee responsibilities
 - x) The School District responsibilities
 - xi) Regulations & Compliance
- c) Joel asked John, can we elect a new Chairman, even though the item wasn’t agendize. John recommended to wait until the next CBOC meeting to agendize the item and then elect a new Chairman at that time.
- d) John gave the floor to Joel Cadiz.

6) Overview of Current Status of Measure L Projects

Joel advised each project manager would present the current status of each of their assigned projects and proceeded to present the George Hall Measure L projects for Alex Kristal who was out of town.

a) George Hall Measure L Projects

- i) Roofing & Metal Shade Structure Projects
 - (1) Joel presented the George Hall Elementary School Projects: Roofing Project and Metal Shade Structure: current status, scope of work, bid schedule and award schedule (See 1st Quarterly Report Presentation for Details.)

b) Abbott Middle School Measure L Projects

Joel yielded the floor to Mark Sherrill to present the Abbott Middle School Measure L Projects

i) Roofing & Metal Shade Structure Projects

- (1)** Mark Sherrill presented the Abbott Middle School Measure L Projects: Roofing Project and Shade Structure Projects: current status, scope of work, bid schedule and award schedule (See 1st Quarterly Report Presentation for Details.)

c) Borel Middle School & San Mateo Park Security Fencing Measure L Projects

Mark Sherrill yielded the floor to Robert Price to present the Borel Middle School Measure L Project

i) Security Fencing Installation Project: Borel Middle School & San Mateo Park Elementary School

- (1)** Robert Price presented the San Mateo Park & Borel Middle School Measure L Security Fencing Installation projects: current status, scope of work, bid schedule and award schedule (See 1st Quarterly Powerpoint Presentation for Details.)

7) Overview of Current Status of Measure X Projects

Robert Price segwayed into Measure X Projects, presenting Borel Middle School New Gym & Classrooms Project.

a) Borel Middle School – Phase I: Site Work for New Gym & Modular Classrooms

- i)** Robert Price presented the Phase I: Site Work for New Gym & Modular Classrooms Measure X Project's current status, scope of work, construction schedule, bid schedule and award schedule (See 1st Quarterly Report Presentation for Details.)

b) Abbott Middle School New Gym & Classrooms

Robert Price yielded the floor to Mark Sherrill to present the Abbott Middle School Measure X Project.

- i)** Mark Sherrill presented the Abbott Middle School Measure X Project, New Gym & Classrooms current status, scope of work, construction schedule, bid schedule and award schedule (See 1st Quarterly Report Presentation for Details.)

c) Bayside Academy New Gym

Robert Price yielded the floor to Kevin Sanders to present the Bayside Academy New Gym Measure X Project.

- i)** Kevin Sanders presented the Bayside Academy New Gym project: current status, scope of work, construction schedule, bid schedule and award schedule (See 1st Quarterly Report Presentation for Details.)

d) New Elementary School in Foster City

Kevin Sanders continued on to present the New Elementary School in Foster City Measure X Project.

- i)** Kevin Sanders presented the Bayside Academy New Gym project: current status, scope of work, bid schedule and award schedule (See 1st Quarterly Report Presentation for Details.)
- (1)** Julie Scanlon asked if there was no kindergarten classrooms. Joel responded, "Originally the five cluster classroom section was valued engineered out because of its cost. Kindergarten rooms are located in that space but was relocated."
- (2)** Julie Scanlon also asked, "Are the Library or MPR sized for the 420 student count?"
- (a)** Carolyn Chow responded, "The MPR is designed for 420-600 student count. It was designed for the original classroom cluster. But what happened the costs were exceeding original budget and the cluster was value engineered out. The cluster is DSA approved and has been added as an add alternate on the bid. If bid comes in low, we can bring it in as an Add Alternate. If funds become available later, the cluster can be built at a later date to accommodate more students. The MPR, library and play structures are all built for the originally planned 600 student count."
- (b)** Kevin Sanders added, "In the almost 6 acre parcel, there is room for growth."
- (c)** Charlie Royce asked, "...One of the features of the design that fencing wasn't necessary because the building would protect the interior..." Joel went on to point out the specific

- fenced off areas and entrances. Kevin Sanders also added, "The buildings and fences will work together to create a fully enclosed area and that there will be cameras."
- (d) Fred Baer asked, "Since there has been so many changes to the project since last meeting, can we get an updated cost breakdown?"
- (i) Joel responded, "The numbers that Westlake provided was too high for the District. So the District decided to sever the relationship with Westlake. Westlake is to deliver a clean site so they are handling the demolition portion of the project. So the District will take it's roll in bidding the new construction work. Tomorrow is the bid opening at 4:30pm. If the bid is within the budget then board will consider the bid in June meeting. If the bid is not within the budget, then the District will explore its options."
- (e) Fred Baer asked, "Did we run into any site contamination?"
- (i) Kevin Sanders responded, "Yes. During excavation the existing fire lines and storm drain lines were Transite and needed to be removed. One of the unique things about the site is we have a dewatering process. The site is so close to the bay you can watch the water in the holes go in and out with the tide. We brought in specialist to remove contaminants. Fabric and rock has now been put in. And also some chemical contaminants from the old dry cleaner business that part of the original shopping center."
- (ii) Joel added, "Bayside has the same water issue. You dig a whole 3'-4' and the next day it is filled with water." Kevin added, "We are using matte slab floating foundations vs piles, a new technology that allows the building to move with the water and shifting grounds."
- (f) Fred Baer asked, "What was the remaining budgets given out to bidders and what were the cut backs needed to meet the budget?"
- (i) Joel responded, "...January of last year we presented to the Board some things that were taken out were: the eyebrows, arches, wooden ceiling in library, the 5 cluster classroom we mentioned earlier, the wood look finish on the MPR room replaced with stucco. Design changes were made, but not the function."

8) General Discussion

- a) Julie Scanlon commented, "The 3 middle school gyms were over budget last time we met. How was the difference funded?"
- i) Joel responded, "If you look at Measure X financial report, overall program summary report expenses and currently liabilities up to April 2019. Budget for the gyms: Abbot \$18.8M, Borel \$18.8M. If you look on budget change column it shows the additional funding to cover the difference."
- ii) Carolyn Chow responded, "All projects have exceeded the budget from 2014. The board has made decisions from fund 25. Fund 25 is a fund for use for expansion, so we're able to use those monies to accommodate growing enrollment. We have used some general fund money. When we rent out our facilities to user groups, we share those revenue with the sites that is actually being used. The District has been accumulating those funds and we saw a need to fund these projects, so we used those funds to cover the shortfalls."
- iii) Julie Scanlon asked, "Compared to engineer's estimate on these projects, what was the overage?"
- (1) Kevin Sanders responded, "On the Bayside Gym, the bid came in under approximately \$40k."
- (2) Mark Sherrill responded, "On Abbott Gym, bid came in over \$1M compared to engineer's estimate."
- (3) Robert Price responded, "The Borel Gym project has been broken up into 3 increments. On increment 1. And the bid was dead on to engineer's estimate."
- (a) Joel added, "It was divided into phases because the school needed the use of the classrooms immediately."
- iv) Ananth Kadambi asked, "If the Gyms were 'cookie cutter', why is there a cost difference between the gyms?"
- (1) Carolyn responded, "To clarify they are not cookie cutter gyms. They were intended to have all the

same amenities. EG: They would have all have locker rooms that would accommodate the number of each student in each school; they would have bleachers to accommodate a certain percentage of students at each school; that would have a lobby that could be used as a flex room on rainy days. However each is tailored for each site's uniqueness with a different scope of work, but provide have the same amenities.

- b) Julie Scanlon asked, "How are the sub costs going on with the architects?"
 - i) Kevin Sanders answered, "Everything is in line on all projects."
 - ii) Joel added, "There were some minor add service because in order to make the gyms within budget we had slight redesigns. We lowered the overall volume for all the gyms. Gyms lost about 5 ft in height, but all gyms are within budget scope."
- c) Julie Scanlon asked, "On Bayside Gym, the City of San Mateo is in agreement?"
 - i) Kevin Sanders responded, "Yes. We did an MOU with schedule and fees and the city was happy with it."
- d) Julie Scanlon asked, "What is the feeling on the New Foster City Elementary School? Will it come in under?"
 - i) Kevin Sanders replied, "Good pre-bid RFI questions have come in. I feel confident that we will move forward based on the budgets and numbers."
- e) Julie Scanlon inquired about the latest audit.
 - i) Joel Cadiz responded, "We had one finished in April last month."
 - ii) Julie Scanlon asked if the entire committee could get copies and Carolyn Chow agreed.
 - iii) Emma Oh added, "Our auditors, Chavan & Associates asked the CBOC members to fill out a questionnaire and need to submit the questionnaires back to the auditors by end of the month."
- f) Julie Scanlon asked, "There seems to be a lot of legal costs. Was that because of the legal divorce with Westlake?"
 - i) Joel Cadiz responded, "Not necessarily. We have 2 lawyers we are using. DWK is solely for New Elementary Foster City School. Orbach have been with facilities with Measure L and we consult with them on a regular basis for our bids and other things. DWK has been with New Elementary Foster City School project."
 - (1) Kevin Sanders added, "There's a lot of things with a new school vs a new gym...front end documents, changes that need to be worked out, a lot of things that this District has never seen...new acquisitions...a lot goes into new school site that you want your legal counsel to review to protect you from at the end of the day."
- g) Ananth Kadambi asked, "Can somebody give me a quick definition of what falls under the other operating expense bucket. Such as Tish Buselle"
 - i) Joel Cadiz responded, "She is the consultant to the Superintendent."
 - ii) Carolyn Chow added, "Tish works on a monthly time sheet. What she does is all the communications for all the projects. Runs all the community meetings and attends all the meetings with the city."
 - (1) Julie Scanlon asked, "Is she dividing out her costs where she is doing other business for the District?"
 - (a) Carolyn Chow responded, "She does some other things for the District but it is minimal. And the only things listed on the Measure X budget is only work for the Measure X projects."
 - (2) Ananth Kadami asked, "Is there an audit on her timesheets and expense reports?"
 - (a) Carolyn Chow responded, "That is part of the financial audit. The auditors look at the dollars spent and if the items qualify to be under the Measure X budgets." "Tish works about 70 hours a month."
 - iii) Julie Scanlon asked, "What are the school advisors up to?"
 - (1) Carolyn Chow responded, "School advisors determined our eligibility for State funds. But the outcome was not positive. Right now we are in a slight decline in enrollment. Our eligibility is based on enrollment growth for new facilities. One of our challenges in our eligibility is that we have a vacant site at Knolls. Even though Knolls is not up to code, we would have to pour tens of

millions of dollars to bring it up to code. But it does account toward our eligibility.”

- h) Julie Scanlon asked, “These Procure licenses. Are these software for CM?”
 - i) Joel Cadiz responded, “Yes. That is exactly what it is for. We are using Procure on Bayside Gym project, Borel Gym, and Abbott Gym.”
- i) Julie Scanlon asked, “I see a lot of in and out expenses. Is that because it is shifting back over? For instance QKA in and out expenses.”
 - i) Carolyn Chow responded, “This first item from July 6th was an estimated payable. Which was paid and then charged back to the prior year.”
 - (1) Julie Scanlon responded, “Is that the same as the charges in Part A?”
 - (a) Carolyn Chow responded, “These are indirect costs that are charged to each of the projects. These are probably a year end charge that was transferred over at the end of the year. For example, the Facilities Department is here in the District Office. And all of the utilities that we use to house the Facilities Department. Instead of doing it on a monthly department rather than a monthly basis.”
- j) Julie Scanlon asked, “\$17M is planned out of X for Foster City. And the rest of coming out of L and various funds. If Kevin’s bidding goes well, then we’ve lost 5 classrooms.”
- k) Julie Scanlon asked, “Is there any way to get financial report in advance. There is hours’ worth of information here and not enough time at these meetings to review everything.”
 - i) Joel Cadiz responded, “Yes.”
- l) Fred Baer commented, “Is it possible to see everything together? Such as the differences between X and L? How much comes out of one and how much comes out of the other”
 - i) Julie Scanlon added, “There’s other measures that were little bits that were found and used to be listed that were used to pay for cameras and little stuff.”
 - (1) Joel Cadiz responded, “That was mostly under L and E is mostly gone now and that’s why we don’t list it.”

9) Next CBOC Meeting Date – Wednesday, July 31, 2019

10) Future Agenda Items

- a) Election for Chair

Meeting adjourned @ 7:01pm