

Agenda Item Details

Meeting	Dec 13, 2022 - Regular Meeting, 5:00 p.m.
Category	I. Superintendent's Consent Agenda
Subject	49. Determine that the Tubman Village Charter School Whole Site Modernization Project has Been Adequately Analyzed by the California Environmental Quality Act (CEQA) Consistency Evaluation Process, as Allowed by Section 15168(c)(2) of the State CEQA Guidelines, and that no Further Environmental Documentation is Required; and Approval of Master Site Lease Agreement and Master Facilities Lease Agreement with Balfour Beatty Construction, LLC, to Provide Preconstruction Services for the Tubman Village Charter School Project (Lease-Leaseback); BUDGETED: YES, MEASURE YY FUNDS
Access	Public
Type	Action (Consent)
Fiscal Impact	Yes
Dollar Amount	310,000.00
Budgeted	Yes
Budget Source	Measure YY Funds

Public Content

RECOMMENDATION: Determine that the Tubman Village Charter School Whole Site Modernization Project has been adequately analyzed by the California Environmental Quality Act (CEQA) consistency evaluation process, as allowed by section 15168(c)(2) of the State CEQA Guidelines, and that no further environmental documentation is required; and Approve Master Site Lease Agreement and Master Facilities Lease Agreement with Balfour Beatty Construction, LLC, to provide preconstruction services at Tubman Village Charter School (Lease-Leaseback) CC23-0360-24. The term of this Agreement is effective December 13, 2022 and continues until the Project is complete. The preconstruction services for Tubman Village Charter School will complete the construction design and Division of the State Architects (DSA) approved plans and specifications and will be bid out to subcontractors by Balfour Beatty Construction, LLC. District staff will submit amended Agreements to the board for the construction of the project, which will include the total guaranteed maximum price (GMP) for the Agreements.

FISCAL IMPACT: Total not-to-exceed Preconstruction Services: \$310,000.00. Budget String: 9214-90505-00-6230-8500-0000-21500-8665.

PRIOR YEAR FISCAL IMPACT: None.

IMPACT TO DISTRICT STAFFING: None.

CONSULTATION WITH BOARD ADVISORY COMMITTEE: Not applicable.

BACKGROUND: On November 10, 2020, 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 G, which are projects at or above \$26,000,001.00 in estimated value. On November 12, 2020, the district issued a Request to Prequalify and for Statements of Qualification for Preliminary and Construction Services (RFQ) for Group G Lease-Leaseback Projects.

On December 17, 2020, 16 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 nine of the contractors met the requirements of the RFQ for Group G Projects. From those nine qualified contractors, the district issued a subsequent Request for Proposal (RFP) for Preconstruction Services for the Tubman Village Charter School project, utilizing the lease-leaseback delivery method under 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 to the RFP were due and received on October 20, 2022. The district received a total of two proposals from Balfour Beatty Construction, LLC, and Swinerton Builders.

Based on the strengths of the proposal submitted, Balfour Beatty Construction, LLC, has been determined to provide the best value to the district. The remaining firm was ranked in descending order based upon their proposal. Balfour Beatty Construction, LLC, is deemed a responsive and responsible proposer for this project, which is located at 6880 Mohawk Street, San Diego, CA 92115.

The scope of work is the multi-phased construction of a new two-story, 14 classroom building for the elementary and middle school grade levels, a new single story, three classroom kindergarten building, a new single story multi-purpose building with student locker rooms and kitchen, upgrades to the existing administration office and student restrooms. The project also includes a new staff parking lot, new lunch shelter, associated site and utility work. Phased demolition/removal of the existing relocatable classrooms, restroom buildings, foundations, system connections, etc. are also included in the scope of this project.

Tubman Village Charter School will be an active campus during all phases of construction. Coordination with the site operations and school schedule will be required of the contractor, so as to minimize impacts or inconvenience to the school's operations and teaching schedule.

On May 10, 2011, the board approved a resolution in support of service-disabled, veterans-owned businesses (SDVOBs) and disabled veteran business enterprises (DVBES) which established a three percent required participation of DVBEs for all district construction contracting opportunities. Once the Division of the State Architects (DSA) approves plans and specifications, Balfour Beatty Construction, LLC, will bid out the construction portion of the work to subcontractors. District staff will submit amended agreements to the board for the construction of the Project, which will increase the total guaranteed maximum price for the Agreements and include the mandatory DVBE percentage requirement.

CEQA ENVIRONMENTAL REVIEW: The approval of the Master Site Lease Agreement and Master Facilities Lease Agreement to provide preconstruction services for the Tubman Village Charter School Whole Site Modernization Project (Proposed Project) is subject to the California Environmental Quality Act (CEQA). A Subsequent Document Environmental Checklist (Attachment 1) for the San Diego Unified School District Capital Improvement Program, Final Program EIR (SDUSD CIP Program EIR) was prepared for the Proposed Project, which documents that no new environmental analysis is required, that the Proposed Project is consistent with the certified SDUSD CIP Program EIR, that all applicable SDUSD CIP Program EIR mitigation measures are made conditions of the Proposed Project approval, and that the CEQA obligation of the Proposed Project has been met by the previously certified SDUSD CIP Program EIR.

As described in the attached Subsequent Document Environmental Checklist and the attached CEQA findings in connection with the approval of the Proposed Project (Attachment 2), the Proposed Project is within the scope of the adopted SDUSD CIP Program EIR, certified by the Board on July 27, 2021. The certified SDUSD CIP Program EIR was completed in accordance with CEQA and the State CEQA Guidelines. Further, the certified SDUSD CIP Program EIR remains pertinent and continues to have strong informational value. The Proposed Project has undergone a Consistency Determination process in accordance with CEQA Guidelines 15168(c)(2) to determine whether such changes in the project, circumstances, or information would trigger the need for any supplemental environmental documentation based on new or substantially more severe significant environmental impacts. After a

thorough factual evaluation, staff has determined that no further supplemental environmental review is required because:

1. The Proposed Project is consistent with and within the scope of the SDUSD CIP Program EIR.
2. The potential environmental impacts of the Proposed Project, including cumulative impacts, were fully considered in the SDUSD CIP Program EIR.
3. All SDUSD CIP Program EIR mitigation measures applicable to the Project (i.e., all Programmatic Mitigation Measures of the Proposed Project), as identified in the Subsequent Document Environmental Checklist are made a condition of the Proposed Project's approval.
4. The Proposed Project will not result in environmental effects that were not adequately examined in the SDUSD CIP Program EIR. The Proposed Project will incrementally contribute to, but will not substantially increase the severity of, significant environmental impacts previously identified in the SDUSD CIP Program EIR.
5. All potentially significant effects on the environment due to the implementation of the Proposed Project have been eliminated or substantially lessened where feasible through SDUSD CIP Program EIR mitigation measures adopted in connection with the board's approval of the SDUSD CIP Program EIR and incorporated as part of the Proposed Project.
6. All remaining significant and unavoidable environmental effects of the Proposed Project continue to be acceptable due to the reasons set forth in the SDUSD CIP Program EIR Findings and Statement of Overriding Considerations adopted by the board in connection with its approval of the SDUSD CIP Program EIR Final EIR, and in the Findings and Statement of Overriding Considerations adopted by the board in connection with the approval of the SDUSD CIP Program EIR Final EIR, as referenced and reaffirmed herein.
7. In accordance with Section 15168(c)(2) of the State CEQA Guidelines, none of the circumstances described in Section 15162(a) of the State CEQA Guidelines is present, and no further environmental review or documentation is required for the Proposed Project.

Approval of the project authorizes staff to file the Finding of Consistency Form (Attachment 3) with the Recorder/County Clerk of San Diego County, California, and Governor's Office of Planning and Research, State Clearinghouse and Planning Unit and approves the Master Site Lease Agreement and Master Facilities Lease Agreement with Balfour Beatty Construction, LLC, to provide preconstruction services for the Proposed Project.

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

CC23-0360-24_Tubman Agreement_LLB_MSL_MFL.pdf (2,807 KB)

Attachment_1_Tubman_Consistency_Checklist_15Nov2022_rev1.pdf (7,131 KB)

Attachment_2_Tubman_WSM_Consistency_Findings_15Nov2022.pdf (174 KB)

Attachment_3_Tubman_WSM_Subsequent_Action_NOD_15Nov2022.pdf (89 KB)

Administrative Content

Workflow

Workflow

Nov 17, 2022 4:06 PM :: Submitted by Sharon Cheng. Routed to Ashley Mains for approval.
Nov 18, 2022 5:30 PM :: Approved by Ashley Mains. Routed to Linda Hippe for approval.
Nov 29, 2022 2:08 AM :: Approved by Linda Hippe. Routed to Sandra Chong for approval.
Nov 29, 2022 1:08 PM :: Approved by Sandra Chong. Routed to Kimberly Chapin for approval.
Dec 7, 2022 1:26 PM :: Approved by Kimberly Chapin. Routed to Gary Stanford for approval.
Dec 7, 2022 4:03 PM :: Approved by Gary Stanford. Routed to George Harris for approval.
Dec 7, 2022 5:19 PM :: Approved by George Harris. Routed to Lee Dulgeroff for approval.
Dec 7, 2022 6:52 PM :: Approved by Lee Dulgeroff. Routed to Jodie Macalos for approval.
Dec 8, 2022 3:33 PM :: Approved by Jodie Macalos. Routed to Drew Rowlands for approval.
Dec 9, 2022 10:51 AM :: Final approval by Drew Rowlands

Last Modified by Drew Rowlands on December 9, 2022