



# San Diego Unified School District

PHYSICAL PLANT OPERATIONS CENTER ANNEX  
4860 Ruffner Street, San Diego, CA 92111-1522

(858) 496-1902  
Fax: (858) 496-1953

Graham Champion  
Labor Compliance and  
Construction Contracts Supervisor

April 1, 2021

Mr. Brian Pottenger  
Schneider Electric Buildings Americas  
1650 W. Crosby Rd.  
Carrollton, Texas 75006

VIA EMAIL ONLY  
brian.pottenger@se.com  
marc.starkey@se.com

Dear Mr. Pottenger:

**Subject: PS20-0831-11 Design & Construction of Solar Power Generation Systems**

**Notice to Proceed: No. 12R1 – Challenger Middle School  
(Project #: 93030175)**

This letter constitutes your *revised* notice to proceed for construction work at Challenger Middle School per the unilateral request from Nevine Grosso for the estimated scope of work breakdown dated March 22, 2021, for an additional \$18,782.06, the not-to-exceed amount of **\$1,422,291.31**.

Work shall begin on December 21, 2020, and is to be completed by **April 5, 2021**.

**Please note:** No ground-disturbing activities or site mobilization shall be permitted prior to approval of a Water Pollution Control Plan (WPCP) for the project by San Diego Unified School District (SDUSD) and signature of the Water Pollution Control Manager (WPCM).

*The Ready for PTO date previously agreed to and documented in the NTP for Design Services remains unchanged and is October 2, 2020. The Ready for PTO date can be adjusted upon Schneider providing detailed information sufficient to establish a contractually permitted extension of the Ready for PTO date and the District's concurrence. An adjustment of the Ready for PTO date can only occur through a revision to this NTP.*

Correspondence for this NTP is to reference Agreement PS20-0831-11; NTP 12R1; Project 93030175. In addition, invoices are to have a unique Schneider Electric invoice number.

Original invoice should be sent to:  
San Diego Unified School District  
PPO Center, Attn: Catherine Bendixen  
4860 Ruffner Street  
San Diego, CA 92111

Schneider Electric Buildings Americas, Inc.  
NTP # 12R1 Challenger MS  
April 1, 2021  
Page 2

Invoicing inquiries should be directed to Catherine Bendixen at (858) 637-6246.

Please call your construction manager if you have any questions regarding this NTP.

Sincerely,



Graham Champion  
Labor Compliance and Construction Contracts Supervisor

GC:mf

Attachments

C: S. Hawkins, Coordinator  
N. Grosso, CM  
R. Kessler, PM  
N. Shertzman, IOR  
I. Anderson, PSA



**San Diego Unified School District**

PHYSICAL PLANT OPERATIONS CENTER  
4860 Ruffner Street, San Diego, CA 92111

Facilities Planning & Construction



Construction Management Department

*ESTIMATE FOR CONSTRUCTION WORK*

**PS20-0831 NTP 12 Challenger MS Solar PV - Backfill of Unsuitable Materials**

**Description of Work:** Remove and install new breaker, supplied by District. Work to include all labor, material and equipment, except the breaker, to remove existing faulty breaker and install the new one.

No.	Description	Quantity	Unit	Unit Price	Total	Reference
1						
2	90 Yards of 2 sack slurry	90	Yrds	\$117.90	\$ 10,611.00	Tickets required
3	Removal 200 yards	20	Loads	\$123.00	\$ 2,460.00	Tickets required
4	Operator	20	hrs	\$91.77	\$ 1,835.40	State Prev Wage
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						

**SUB TOTAL** \$ 14,906.40  
**Sub's OH+P (15%)** \$ 2,235.96  
**GC's OH+P (11%)** \$ 1,639.70  
**GC's OH+P (16%)**  
**TOTAL** \$ 18,782.06

**Assumptions/Notes:**

Labor rates per DIR, equipment rates per the Caltrans Book, material per invoice. Submitted costs reviewed by A/E and accepted as submitted.

\_\_\_\_\_  
Nevine Grosso  
Construction Manager

\_\_\_\_\_  
Date

## Request for Information (RFI)

 Upper Form

### Record Information

District RFI #: 002

Creator: Brian Pottenger

Record Number: RFI-000002

Creation Date: 01/12/2021 09:41 AM  
(UTC-8)

Project Name: Challenger MS Solar  
PV

Status: Submitted

Project Number: 93030175

Record Last Update 02/01/2021 02:03 PM  
Date: (UTC-8)

### General Information

Title: Unsuitable Material for  
Backfill

Required Date: 01/12/2021

Reference Purchase PO-000007  
Order:

DSA Project?: Yes

Contract Number: PS20-0831

Reference DSA #: 04-119466

Vendor Name: Schneider Electric  
Buildings Americas In

Plan Reference #: CM-E502

Building/Area #: Parking Lots

Reference Spec Section  
#:

Subcontractor RFI Ref #: 1

### RFI Revision Tracking

Rev #: 0

Revision Created Date:

## RFI Information

Question: There are several different formations of material at this location: wet black clay (with organics), cliche, brown clay, greyish clay (organics), and a silty loam with cobbles. This material will be very difficult to achieve compaction requirements. The material is expansive, and comes out in a monolith making it difficult to shake free from the bucket. How should we proceed with the backfilling?

Proposed Solution: Response from 4STEL (engineer in general responsible charge) - This question needs to be answered to by the geotechnical engineer of record for this project, which is an SDUSD consultant.

Added 1/29/21: All soil from drilling has been exported by MBarC and is no longer onsite. All soil from trenching is not suitable for Backfill due to large cobble stone and Clay material. See attachments showing affected areas. We recommend using Geotechnical reports option of using Slurry to backfill trenches, Please Confirm

Revised RFI Question:

## A/E Response

Response Date: 01/26/2021

Answer: The problem is, contractor can not sift this material because of the clay and cobble, see attached photos. Please advise, thank you.



Record - General Comments

2 Item(s)

Comment Date	Created By	Company
01/18/2021 10:25 AM (UTC-8)	Randy Biegenzahn	PLATT
<b>Comment Text</b>		
<p>Answer: Response from Matt Love (Geocon - LOR) - We have observed the subject trench spoils and concur that the materials are composed of a mix of clay, cobble, clayey sand, pavement base materials and some debris - however, the majority of the material is clay with cobbles. The geotechnical investigation for the project (prepared by Leighton) indicates that soils at the site are primarily silty sand/sandstone with cobble and that the upper portion of the native materials at the site consist of isolated zones of lean claystone with gravel and cobble (report page 5). While the geotechnical report does not include specifications for expansion index of the pavement subgrade, it does provide recommendation that the upper 1 foot of pavement subgrade be screened of 3-inch plus materials (report page 18) and be compacted to 95% relative compaction (report page 27). Backfill soils below the subgrade zone should consist of materials screened of 6-inch plus rock and should be compacted to at least 90% relative compaction (report page 19). Therefore, the backfilling should be performed in accordance with the geotechnical report recommendations. If the contractor opines that the existing trench spoils are not suitable for screening or compaction to 90-95%, other materials should be considered. Spoils from the drilling operations consisted of silty sands with cobble that would be suitable for use as backfill after screening of the oversize materials. Alternatively, imported soils with an expansion index of 50 or less (page 20 of report) could be used for the backfilling. Furthermore, the report provides an additional option for use of CLSM or slurry (page 20) as fill. Our primary concern is that the backfill materials are compacted to at least 90 or 95% - the materials and/or methodology to achieve this should be determined by the contractor. However, we do concur that it would be very difficult to screen and compact the existing trench spoil materials to meet the project specifications.</p>		
02/01/2021 02:03 PM (UTC-8)	Randy Biegenzahn	PLATT
<b>Comment Text</b>		
<p>The Criteria Consultant take no exception to the use of recommended procedure using Slurry (CLSM) as recommended in Geotechnical report as referenced below. Contractor shall maintain complete documentation on all materials removed or imported.</p>		

Attachments (4)

Linked Records (0)

Linked Mail (0)

## Flores Mayra

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**From:** Grosso Nevine  
**Sent:** Monday, March 15, 2021 7:33 AM  
**To:** 'Troy Graham'  
**Cc:** Kessler Richard; Brian Pottenger; Bjorn Dinger-Park; Robert Cadman; Shertzman Norman  
**Subject:** RE: Challenger Parking Lot Backfill RFI and CO - Revised

Good morning Troy,

What about the 6" base ? If slurry will be poured to bottom of asphalt then a credit is due to the District.

Please be advised that Project Management and Site Management are included in overhead cost and they will not be allowed.

Please provide tickets for the unsuitable material removed from the site and invoices for trucking.

Thanks,

***Nevine Grosso***

***Senior Construction Manager***

For the San Diego Unified School District

**Email:** [ngrosso@sandi.net](mailto:ngrosso@sandi.net)

**Cell Phone:** 760-497-8412



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**From:** Troy Graham <Troy.Graham@se.com>  
**Sent:** Thursday, March 11, 2021 11:45 AM  
**To:** Grosso Nevine <ngrosso@sandi.net>  
**Cc:** Kessler Richard <rkessler@sandi.net>; Brian Pottenger <Brian.Pottenger@se.com>; Bjorn Dinger-Park <Zylan.Park@se.com>; Robert Cadman <Robert.Cadman@se.com>  
**Subject:** Challenger Parking Lot Backfill RFI and CO - Revised  
**Importance:** High

Hi Nevine,

We had intended to sift the cobble and reuse existing soils. With the clay, it makes that task impossible to obtain 95% compaction due to it's expansive nature. Our intent is to use a 2 sack slurry for backfill per the previously send RFI. The slurry will be used to backfill the trenches to bottom of asphalt. Asphalt will match existing.

You can see in Exhibit A that we provided a credit under the subcontractor breakdown even though we would not have been able to separate the cobble from the clay. Hopefully this will suffice. We don't want to delay backfilling any longer with students returning, rain filling up the trenches, and the safety risk having them open presents. Let me know if you have any questions.

Thanks,

## Troy

### Troy L. Graham

Senior Program Manager, West Region  
Energy & Sustainability Services  
Schneider Electric

M +1 (909) 214 4380  
F +1 (401)792 2398  
E [Troy.Graham@se.com](mailto:Troy.Graham@se.com)

1660 Scenic Avenue  
Costa Mesa, CA 92626  
United States



### NTP Request (Add line to PO)

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#### Upper Form

##### Record Information

Record Number: NTPRA-000001	Creator: Nevine Grosso
Project Name: Challenger MS Solar PV	Creation Date: 03/22/2021 12:53 PM (UTC-8)
Project Number: 93030175	Status: Approved
	Record Last Update Date: 04/01/2021 02:28 PM (UTC-8)

##### NTP Information

Title: Challenger MS SPV - CO #1 Backfill
NTP Number: NTP 12R1 Challenger MS
Estimated Task Order Amount: \$18,782.06
Line Item Total Amount: \$18,782.06

##### NTP Processing

Contract Specialist: Mayra Flores
FPC Director / PPO: Don Webb
PPO Lead:

##### Contract Details

Reference SOV: PO-000007	
Peoplesoft PO Number: 0000	Vendor Name: Schneider Electric Buildings Americas In
Reference Contract: CON-000326	
Contract Number: PS20-0831	Contract Title: DB Solar Generation Systems at 9-Sites

##### Task Order Description

Description: Remove existing native soil and use slurry to backfill trenches.
Justification: Due to the presence of clay in the soil, native materials could not be used as it would not achieve required compaction. Clay was not shown on Geotech report.
Have you attached a proposal?: Not Required

PPO Request for Service

Campus/Tenant Name:  
 Is this a result of a Request for Service?:  
 Linked FPC Non-Site Discretionary RS:  
 Linked FPC Site Discretionary RS:

Job Order Contract (JOC) Required Fields

To activate these fields, verify a JOC Contract has been selected above.  
 Is a completed Job Order Cost Evaluation PDF attached and does it demonstrate the contractor's proposed fee for this project is reasonable and cost effective?:  
 Is contractor's complete list of employees and signed background check certification statement attached?:  
 Is contractor's complete list of subcontractors and signed certification statement attached?:  
 Is contractor's proposal attached and is it complete and accurate?:

Task Order Location

Proposed Task Order Start 03/29/2021 Date:	Final Task Order Start 12/21/2020 Date:
Proposed Task Order End 04/05/2021 Date:	Final Task Order End 04/05/2021 Date:

Project Costing Data

Business Unit: SDUSD	Peoplesoft Activity ID: (H) Construction
Project Name: Challenger MS Solar PV	Project Costing Resource: SVCS
Project ID: 93030175	

Budget Analyst Fields

Budget Transfer Journal: 462002  
 Budget Journal: 462004

Integration Rejection Comments

If a record is rejected in PeopleSoft, comments will be displayed here.  
 Rejection Comments:

Administrative Revision

Revision Description:
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Integrated Commitment

Integrated Commitment?: Non-Integrated
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 **Task Details**

**Record has been closed.**

Workflow Progress

Step Name	Assignee	Company	Status	Action	Completion Date
Creation (CM)	Nevine Grosso	SDUSD	Completed	Submit NTP	03/22/2021 12:53 PM
PM Review (Scope, Cost, Justi., Attach)	Rich Kessler	SDUSD	Completed	Send to CM (Change Acknowledged)	03/22/2021 02:07 PM
CM Review	Nevine Grosso	SDUSD	Completed	Submit NTP	03/22/2021 02:21 PM
01 Contracts Specialist	Mayra Flores	SDUSD	Completed	Send to CSE	03/22/2021 02:44 PM
02 CSE	Darryl Givens	SDUSD	Completed	Send to Supervisor	03/24/2021 07:55 AM
03 Supervisor	Sydney Hawkins	SDUSD	Completed	Send to Director	03/25/2021 06:47 PM
04 Director	Gary Stanford	SDUSD	Completed	Send for Funding	03/29/2021 07:55 AM
05 Lead CSE	Greg McFarlane	SDUSD	Completed	Send to Budget Analyst	03/29/2021 10:22 AM
06 Budget Analyst	Linda Bravo	SDUSD	Completed	Send to Contract Specialist	04/01/2021 10:38 AM
07 Contract Specialist	Mayra Flores	SDUSD	Completed	Send to Contracts Supervisor	04/01/2021 01:03 PM
08 Contract Supervisor	Graham Champion	SDUSD	Completed	Approve	04/01/2021 02:16 PM
09 CS Pplsoft	Mayra Flores	SDUSD	Completed	Close NTP Revision, Add line to PO	04/01/2021 02:28 PM

 **Line Items**

1 Item(s)

No.	Budget String	Revise Existing Line?	SOV Line	Cost Code	Code Name	Short Description	Amount	Line Type (for IDIQ)	Bond Series
001	9303-90503-00-6200-8500-0000-21500-8675	No	0	9303-Y.FPC-6200-8675-CONST	Y.FPC Construction EFFICNY	NTP 12R1 Challenger MS backfill	\$18,782.06	Base Item	21500-D1 ST

Total Amount \$18,782.06

 **Record - General Comments**

1 Item(s)

Comment Date	Created By	Company		
03/22/2021 12:42 PM (UTC-8)	Nevine Grosso	SDUSD		
<table border="1"> <thead> <tr> <th>Comment Text</th> </tr> </thead> <tbody> <tr> <td> <p>Unilateral Changes. In the absence of a written agreement between the District and Designer/Builder on the terms of a Change, the District may, as provided by law, by issuing a written Notice to Proceed and without invalidating the Contract, order changes in the Work consisting of additions, deletions, or other revisions directly related to the Scope of Work. The Designer/Builder shall, within seven (7) calendar days of issuance of the Notice to Proceed, notify the District in writing if the terms of the change are disputed. In the case of a disputed Notice to Proceed, the Designer/Builder shall track its time and material costs that it may use as the basis for a future dispute or claim pursuant to the "Disputes" provisions herein. If the Designer/Builder fails to provide written notification within seven (7) calendar days, it waives its rights to all additional claims.</p> </td> </tr> </tbody> </table>			Comment Text	<p>Unilateral Changes. In the absence of a written agreement between the District and Designer/Builder on the terms of a Change, the District may, as provided by law, by issuing a written Notice to Proceed and without invalidating the Contract, order changes in the Work consisting of additions, deletions, or other revisions directly related to the Scope of Work. The Designer/Builder shall, within seven (7) calendar days of issuance of the Notice to Proceed, notify the District in writing if the terms of the change are disputed. In the case of a disputed Notice to Proceed, the Designer/Builder shall track its time and material costs that it may use as the basis for a future dispute or claim pursuant to the "Disputes" provisions herein. If the Designer/Builder fails to provide written notification within seven (7) calendar days, it waives its rights to all additional claims.</p>
Comment Text				
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**Attachments (3)**

**Linked Records (0)**

**Linked Mail (0)**