In August of 2014, after a competitive Request for Qualifications and Proposals, the District entered into a Preliminary Services Agreement with CW Driver in preparation for construction of the new Athletic Fields project utilizing the lease-leaseback delivery method.

Over the past eight months, CW Driver provided design review, constructability, estimating and scheduling services to assist the architect and the District in finalization of the project bid documents. Subsequently, CW Driver provided bidding services to achieve multiple competitive trade-contractor bids. The lowest responsible bids from each trade and the indirect costs provided by CW Driver during the Request for Proposal phase have been combined into a Guaranteed Maximum Price (GMP) for delivery of the new Athletic Fields project. The GMP is $9,730,531.

With agreement to the GMP, the District will enter into two related lease agreements (Site Lease and Facilities Lease) with CW Driver to allow the start of construction on May 26, 2015. The Substantial Completion of the project is August 2016 including an interim milestone for early occupancy of the Baseball and Softball fields.

After execution of the lease agreements the District will file a validation action. The validation action enables the District to obtain a court order declaring that the District’s action in entering into the contract is in conformance with California law and allows the District to move forward with the project confident that no one can challenge the agreement.

Funding will be provided from Fund 43 – Measure G funds.

RECOMMENDATION

The President/Superintendent recommends the Board of Trustees approves the Site Lease Agreement with CW Driver.