Beverly Hills Unified School District
CREATING A WORLD CLASS EDUCATION
255 South Lasky Drive Beverly Hills, CA 90212-3697

FACILITIES & PLANNING PROCEDURES MANUAL

MEASURE E
BOND
PROGRAM

May 2011

Facilities & Planning Procedures Manual

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2. Procedures and Flow Charts

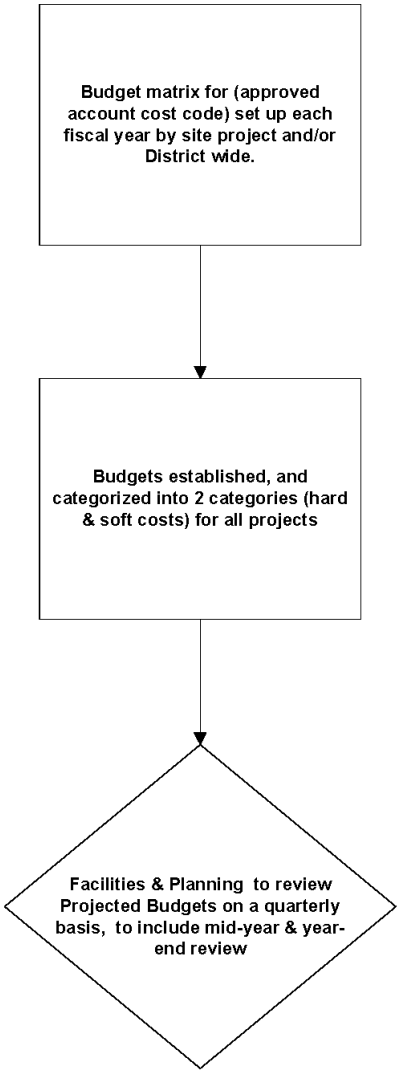
A. FACILITIES AND PLANNING BUDGET PROCEDURES

Step 1: Project budgets will be set-up on the approved account cost code for budget matrix for each fiscal year by site/project and/or District-wide for Facilities & Planning Department Budget.

Step 2: Budgets are established and broken down into (2) two major categories (hard and soft costs) for all projects and for Facilities & Planning Department budget.

Step 3: Projected budgets will be reviewed by the Facilities & Planning Department on a quarterly basis to include mid-year and year-end review.

FACILITIES AND PLANNING BUDGET PROCEDURES



B. ARCHITECTURAL SERVICES SELECTION PROCESS

The architect selection process is structured to choose competent architectural firms to provide design services for the District. Architectural firms interested in competing for the project commission are invited to provide information on their qualifications and experience to an Architect Selection Committee. The committee, which is chaired by Nelson Cayabyab, Chief Facilities Official, includes board members, a representative of the COC, FAC, Director of Maintenance and Operations, and the Program Manager. They will evaluate the information, interview the short listed candidates, select the best qualified firms for the future modernization projects, and nominate those firms to the Board of Education to receive the design contract award. The Board may accept or reject the committee's recommendation.

SEQUENCE OF EVENTS

Step 1: Develop and approve the Request for Qualifications (RFQ)

The RFQ has been developed and will be submitted to the Board of Education for approval.

The RFQ follows a set format to request Statement of Qualifications (SOQ) for architectural/engineering firms to provide design services for modernization projects.

The RFQ includes dates and a schedule that will be met throughout this phase of the selection process.

Step 2: Posting of the RFQ

After the board approves the RFQ and in order to maximize the number of respondents, the RFQ will be posted on the District website. In addition, the Facilities Planning Department will notify architectural firms that the RFQ is available. Consulting firms will begin downloading the RFQ and potentially ask questions. Any questions and answers will be posted on the District website.

Step 3: Submission of Statements of Qualifications (SOQ)

Consulting firms submit their qualifications to the Chief Facilities Official.

Consulting firms must submit their qualifications by the deadline contained in the RFQ. The District reserves the right to refuse any SOQ's that are submitted after the deadline. The Facilities Planning staff will receive and log in all documents.

Step 4: Formation of a Selection Committee

A selection committee composed of the Chief Facilities Official (Chair), board members, representatives from the COC, FAC, Director of Maintenance and Operations, and the Program Manager, will be created to review and nominate the most qualified firms to the Board of Education.

The selection committee members suggested above is balanced and broad-based.

The Chair will notify the committee members of their selection and the schedule for the interviews.

Step 5: Short listing of the Most Qualified Firms

Upon receipt of the SOQ's, the Facilities Planning Department will short list ten (10) of the most qualified firms based on the requirements outlined in the RFQ.

The shortlisted architectural firms will be notified immediately for the time and date of the interview.

The Facilities Planning Department will screen the SOQ's to determine which firms are the most qualified and to determine which firms will be interviewed for the project.

The staff will review the submittals and rate the respondents based on the selection criteria of:

Experience with modernization/renovation and structural upgrade projects;

Experience with the DSA;

Design and Understanding of problems and solutions;

Management Methodology to accomplish project;

Financial areas and ability to meet budget.

After the short list of the firms is developed, the Facilities Planning staff will notify the shortlisted firms by phone and mail or e-mail that they have been invited to interview. Firms not receiving an invitation will be sent a letter or an e-mail notification of their status.

Step 6: Interviews

In this step, the Selection Committee interviews the shortlisted firms and creates a ranked list of the most qualified firms to do the work. The Facilities Planning Department will arrange the interviews.

The Selection Committee will interview each of the firms for (70) seventy minutes. Interviews will be scheduled for a period of two days. At the end of the interview process of all of the firms, a formal scoring and discussion will take place to determine the ranked list.

Step 7: Board of Education Approval

The Board of Education approves the Most Qualified List submitted by the Selection Committee.

The Board must approve the selection list before contract negotiations can be concluded and a contract signed.

Step 8: Contract Negotiations

Summer project(s) will be assigned to the firm(s). The Program Manager will lead negotiations with the selected consulting team and will create a fair and equitable contract to perform the work.

The negotiations will be based on a clear scope of work and fee for the project.

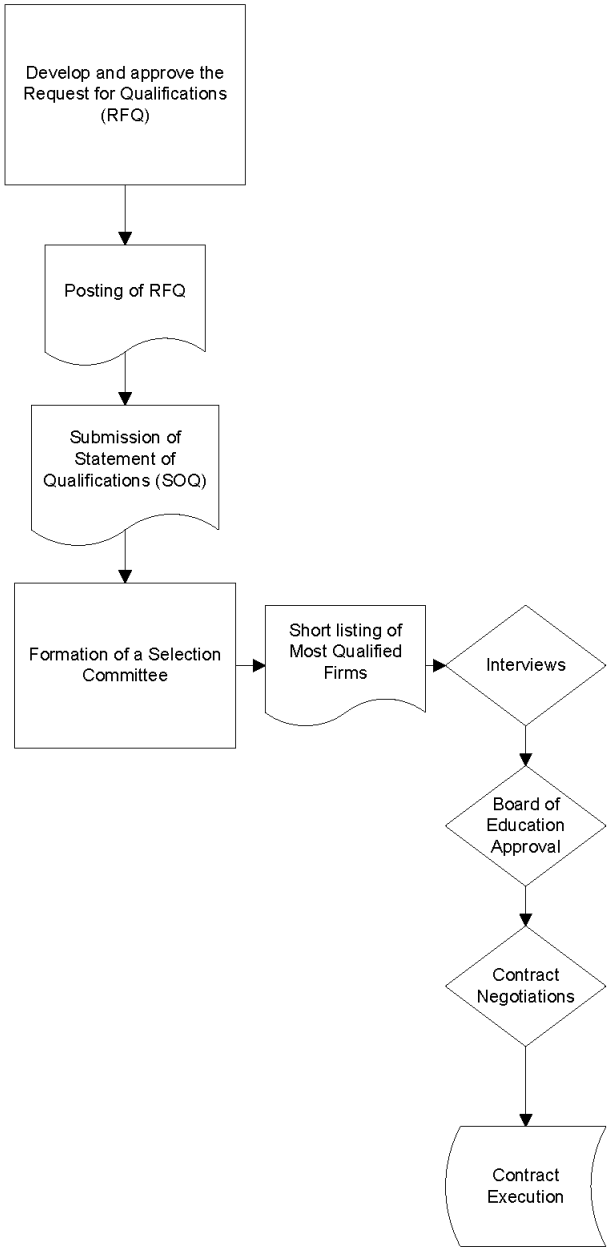
The architectural firm will submit a fee proposal based on their understanding of the scope of work. The Program Manager and Chief Facilities Official will review the draft proposal and fee and make suggestions that will be given back to the architectural firm. There may be several iterations of this step. The end result will be a proposal that is balanced and appropriate for the proposed scope.

In the event that a fee cannot be negotiated, the District has the option of terminating negotiations and starting negotiations with the second most qualified firm. The District can move to the third most qualified firm if negotiations fail with the second.

Step 9: Contract and Execution

Once a proposal has been accepted by the District, and approved by the Board of Education a formal contract is prepared and routed for signatures. Then the Consultant, the Chief Facilities Official and the Assistant Superintendent of Business Services will execute the contract, the design process begins for the summer projects.

ARCHITECTURAL SERVICES SELECTION PROCESS



C. PROCEDURES TO AWARD CONSTRUCTION CONTRACTS

Step 1: After the lowest responsible bidder has been determined by the Facilities Department. Administrative Assistant will prepare and provide (1) one copy of the bidder's packet to Cost Engineer/Director of Facilities as "Draft".

Step 2: Bids will be made available for review upon a contractor's written request to the Facilities Department. (per Public Records Act)

Step 3: (5) five Day bid withdrawal period (per PCC 5101-5103)

Step 4: Bid Protest Process and Period

Step 5: Chief Facilities Official and/or Facilities Consultant processes the board item for recommendation of the "Lowest Responsible Bidder" for approval by the Board of Education.

Step 6: Chief Facilities Official/Admin. Assistant will post the "Approval of Bid #" on the BHUSD website, the following morning after the Board of Education Meeting.

Step 7: The day following Board Approval, the "Notice of Intent to Award" will be drafted by Cost Engineer approved by Director of Facilities for signature. The following items will be required:

- Performance Bond in the amount of 100% of the total bid,
- Payment Bond in the amount of 100% of bid,
- (3) three "Agreements" with total amount entered in each agreement to be signed,
- request Insurance Certifications for GL with BHUSD as the additional insured and
    - Auto
    - Excess Umbrella Liability
    - Workers Comp.

Step 8: Admin. Assistant will send out via fax, email, and mail hard copy to Contractor. A copy to be provided to Cost Engineer for file

Step 9: Agreement(s), Performance Bonds, Payment Bond must be submitted are required within (5) five days of receipt of Notice of Intent to Award Letter.

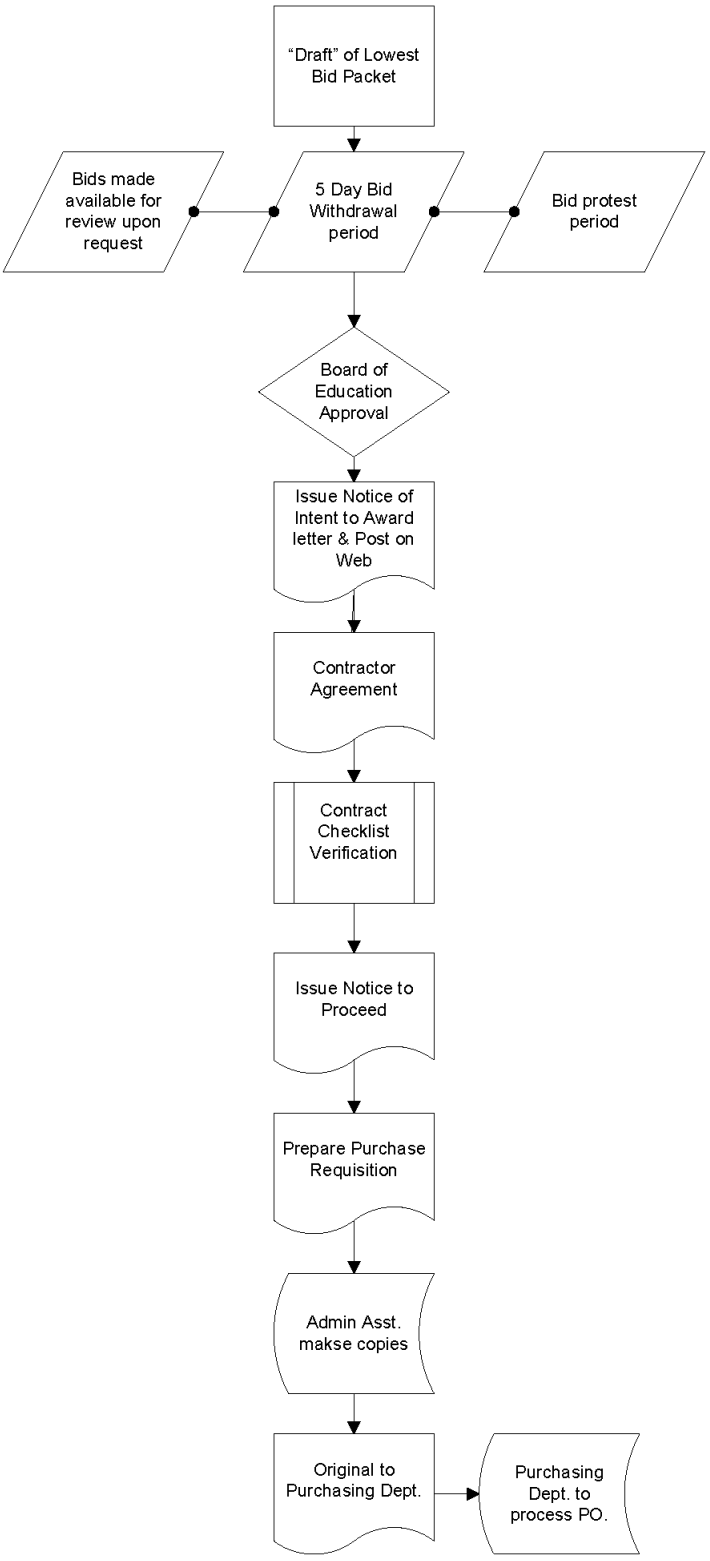
Step 10: Once all contract items have been returned from Contractor, Cost Engineer and/or Admin. Assistant to verify all items are in order by the "Checklist for Contract Items".

Step 11: Once all items are reviewed, checked off along with initial and dated Director of Facilities will verify check list and write the "Notice to Proceed" letter for signature by CFO.

Step 12: Admin. Assistant will make (2) two copies of entire package, (1) one for the Purchasing Department and (1) one for the Cost Engineer to file. The Admin. Assistant will send the Notice to Proceed letter via email and UPS to the contractor.

Step 13: Facilities Admin. Assistant to prepare Requisition and process for a Purchase Order.

PROCEDURES TO AWARD CONSTRUCTION CONTRACTS



D. REQUISITIONS/PURCHASE ORDERS/INVOICE PROCEDURES

Step 1: Board of Education approves each project budget and project budget is entered into the financial system in the Business Office and Prolog Manager for Facilities & Planning.

Step 2: Facilities & Planning to provide approved account cost code for budget matrix. Prepare a requisition (on line via the District PO site). When completed, print out (2) two copies, (1) one for the purchase order file and (1) one for the BHUSD Purchasing Dept.

Note: The account cost code structure for each project will be the matrix for controlling costs from start to finish on a project.

Step 3: Requisition approval is sent electronically to Chief Facilities Official for signature and approval and then the Business office for appropriation check, and then to the Chief Business Official at the District for a purchase order approval. (Note: If a copy of the Purchase Order has not been received in 10 business days, Facilities will send a reminder to the person whose approval is pending.)

Step 4: Cost Engineer enters information into the Purchase Order Log/ Invoice Log (requisition number, date, description, account cost code, school, and amount)

Step 5: Once Purchase Order is completed by the District. The Purchasing Dept. will send a copy of the Purchase Order to the vendor and also forward a copy to Facilities Planning. Cost Engineer will enter in the Purchase Order number, and date in to the log, and then file copy in the specified file.

Step 6: As Invoices are received for payment, the Administrative Assistant will review and route for PM/Director review and approval within (3) three days. Upon PM/Director approval, invoices will be signed and approved by the Chief Facilities Official, Facilities Director, and/or Facilities Consultant in Facilities Planning.

Step 7: Invoices are copied, logged in the invoice log and in the expenditure report per project, and then a copy is filed in the purchase order file by the cost engineer.

Step 8: Original invoices are put in an envelope and transmitted to the Chief Business Official for signature. Upon signature, the Chief Business Official shall deliver to Accounts Payable Department for processing payment with LACOE.

Note: If Chief Business Official is out of office for a period of time and unable to execute invoices, then Executive Director, Budget and Food Services will approve the invoices.

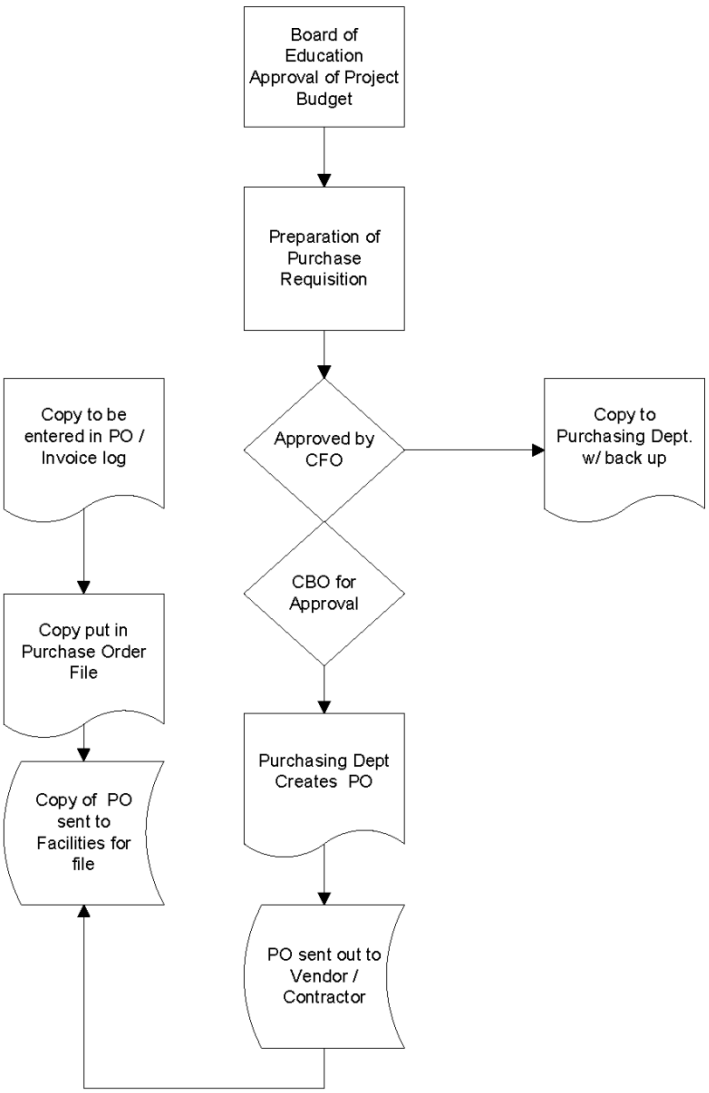
Step 9: Accounts payable receives check from LACOE, and issues payment to Contractor / Vendor. Note: at the end of each month, a copy of the commercial warrant register is issued to Facilities to update the invoice log and expenditure report.

Step 10: Expenditure Report is checked against LACOE/RAD Report.

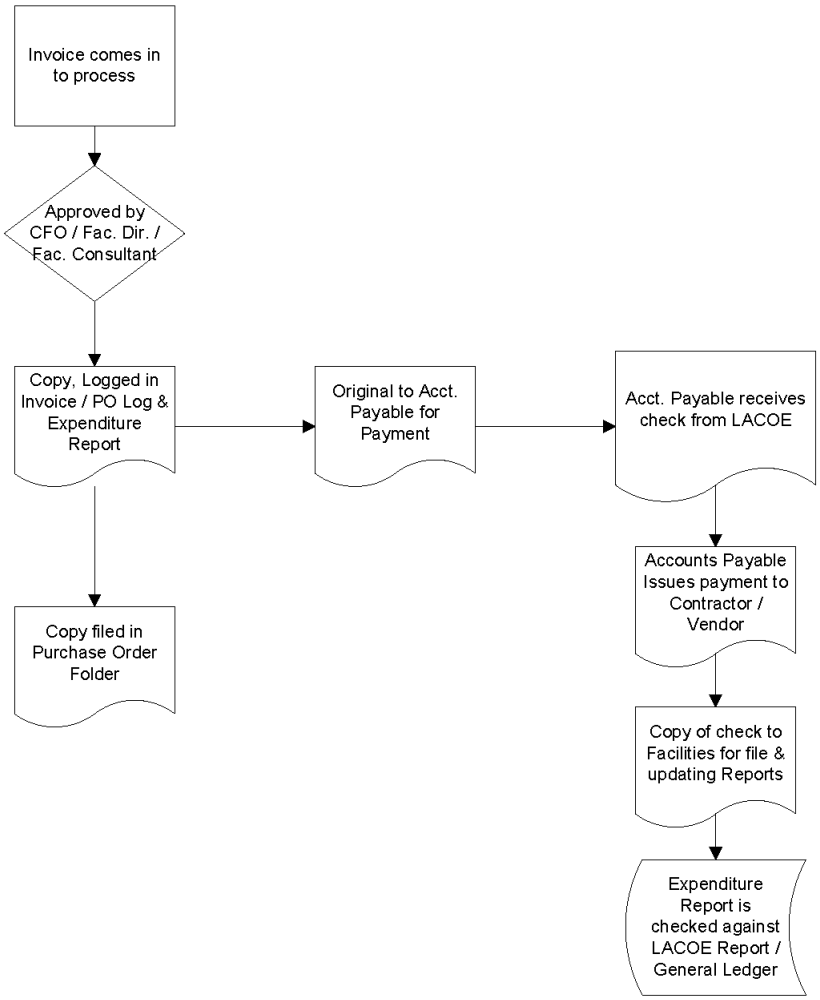
Notes:

1. RAD Report to be run on the 15th of the month, for the previous month.
2. Any discrepancies are to be discussed with the Business Office no later than the 30th of each month.

REQUISITIONS/PURCHASE ORDERS PROCEDURES



INVOICE PROCEDURES



E. CONTRACTOR PAYMENT PROCESS

Step 1: If requested, approval of escrow account for retention monies shall be Board Approved for each Contractor in accordance with PCC Section 10263, 22300.

Step 2: Contractor to submit an Application for Payment by the 25th of each month on the approved format, along with conditional progress release for the amount due, an unconditional release upon progress payment form for the preceding month, and their subcontractors/suppliers. (If applicable)

Note:

1. Preliminary Lien Notices will be copied and provided to Accounts Payables, and a copy to be filed in Contract file.
2. Lien Releases will be required and provided to Accounts Payables, and a copy to be filed in Contract file.
3. For fiscal year end Contractors shall submit invoices no later than June 15th for year-end accounting.

Step 3: Bernards Processing

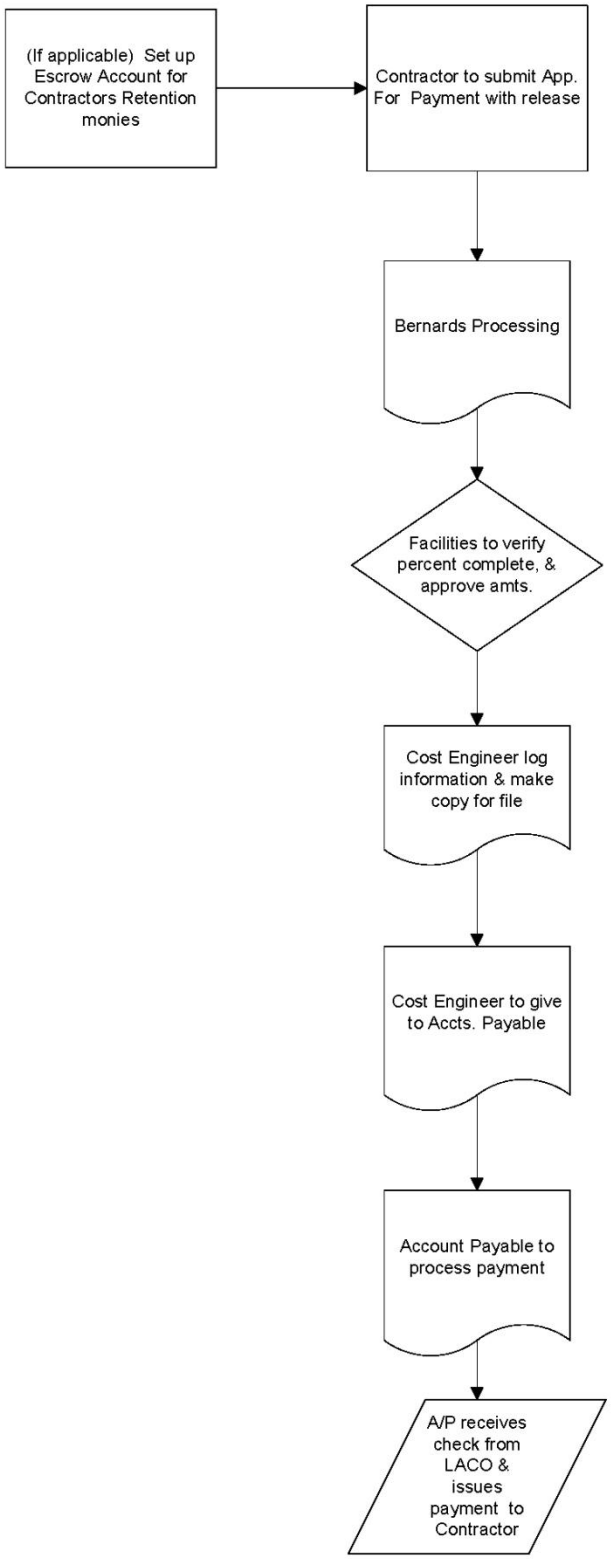
Step 4: Facilities will verify the (%) percent complete and amounts for the work completed thru that month, CFO will sign and date.

Step 5: CFO to give to Cost Engineer to log and make copies for file.

Step 6: Original invoices are put in an envelope and transmitted to the Chief Business Official for signature. Upon signature, the Chief Business Official shall deliver to Accounts Payable Department for processing payment with LACOE.

Step 7: Account Payables receives a check from LACOE & issues payment to Contractor (copy to go to Facilities to file and update expenditure report)

CONTRACTOR PAYMENT PROCESS



F. CONTRACTOR CHANGE ORDER PROCESS

Step 1: Contractor to submit change order request/potential change order in accordance with the General Conditions of the Contract. Added or deductive costs submitted for review and approval in response to a Request for Information clarification provided by the Architect, issuance of Architects Supplemental Instruction, Architects Instruction Bulletin, etc.

Step 2: The Architect and/or Construction Manager (if applicable) will review the proposed cost and verify that the information submitted is in alignment with additional instructions and/or the contract documents.

Step 3: Upon review and validation of costs submitted, the Architect and the Construction Manager will provide back-up and submit a formal letter of recommendation to the District to either approve and/or reject the additive or deductive change order request submitted by the Contractor.

Step 4: The Facilities Department will review all information submitted and cost validations provided by the Architect and/or Construction Manager against the contract documents and work completed to date. Due diligence by the Facilities Department will include information provided by the Inspector of Record for the project. If additional work is validated by Facilities Department, the cost of the change order request will be verified against the overall contract amount which includes any prior change orders to ensure the Contract will not exceed the 10% contract change order limit.

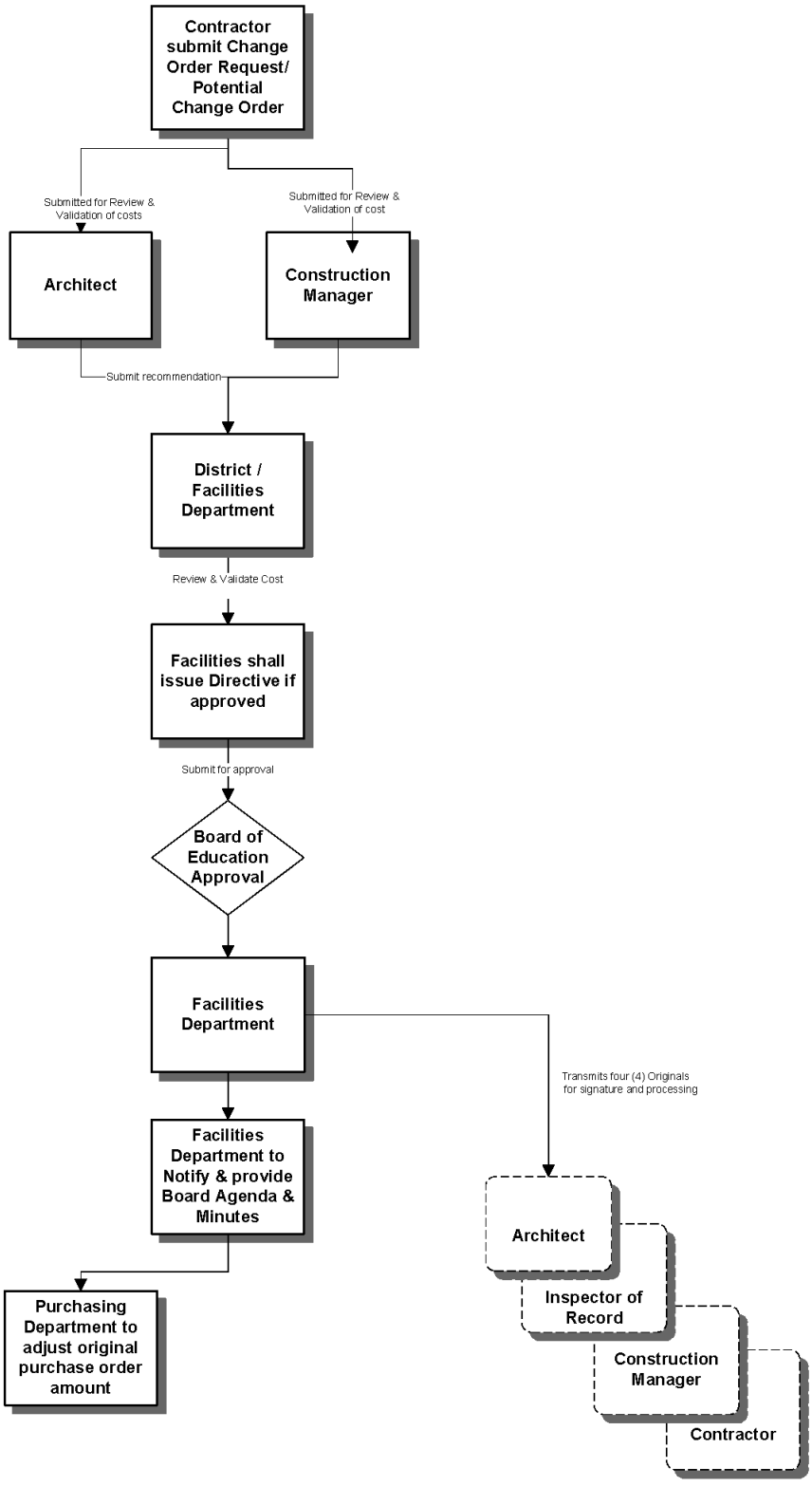
Step 5: Upon review and verification of costs and change order limits, the Chief Facilities Official shall approve the change order request and a formal Directive will be issued to the Contractor to carry out the work. The change order request will be included in a formal change order which adjusts the original contract amount and then submitted to the Board of Education for approval.

Step 6: Upon approval by the Board of Education, the Facilities Department will route the formal change order to the Architect, Inspector of Record, Construction Manager (if applicable) Contractor for signature and processing to the Division of State Architect.

Step 7: The Facilities Department will notify and provide the Board Agenda and Board Minutes for the change order to the Purchasing Department to adjust the original Purchase Order.

Step 8: Upon completion of the change order work, the Contractor will submit a separate change order billing.

CONTRACTOR CHANGE ORDER PROCESS



G. CONTRACTOR FINAL PAYMENT PROCESS

Step 1: Contractor to submit all close out information such as warranty, parts list operations and maintenance manuals, instructions, as-builts, additional material, etc. to the District and/or the Construction Manager (if applicable).

Step 2: The Contractor to prepare and submit Project Record Documents, property surveys and similar final record information. Complete final cleaning requirements.

Step 3: Contractor to submit a written request for inspection for Substantial Completion. On receipt of request Architect will either proceed with inspection or notify Contractor of unfulfilled requirements.

Step 4: A notification for Substantial Completion needs to be issued by Architect. The Architect and Construction Manager will prepare and submit a "Certificate of Final Inspection" to the CFO.

Step 5: Contractor to submit a Final Application for Payment on the approved form, along with conditional waiver and release upon final payment for the amount due. Contractors need to submit subcontractors/suppliers unconditional waiver and release upon final payment. (If applicable) Submit certified copy of Architects Substantial Completion inspection list (punch list) endorsed by Architect.

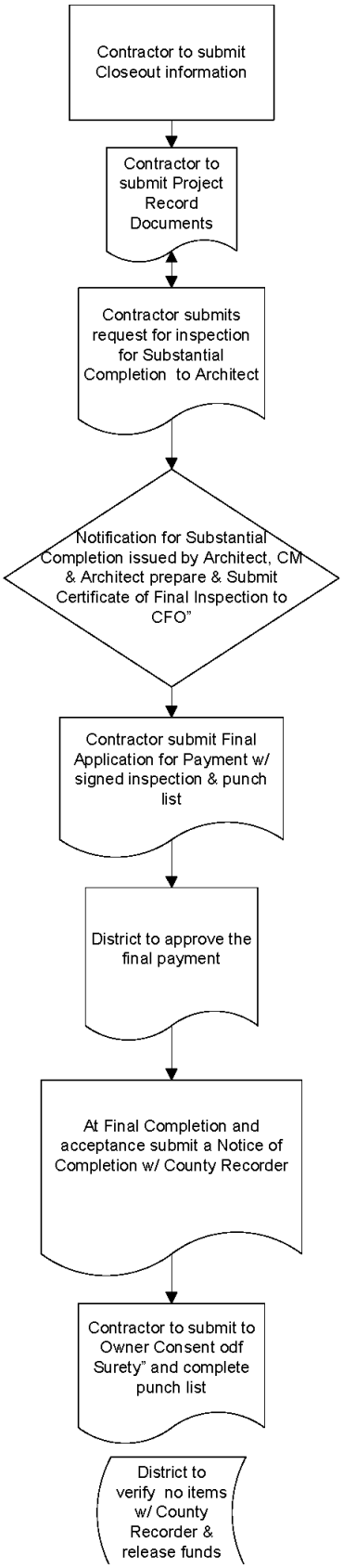
Step 6: District to approve the final payment of 10% or the value of work done under contract, if unencumbered, shall be made (35) thirty-five days after acceptance of work by District.

Step 7: At the Final Completion of the project and acceptance by the Architect, Construction Manager, Inspector, and Owner, the Owner will submit to the Board Approval to file a Notice of Completion with the County Recorder.

Step 8: Prior to the release of retention, the Contractor shall submit to the Owner a "Consent of Surety", and complete any punch list items.

Step 9: District (Accounts Payable) to verify no items are outstanding upon the expiration of the (35) thirty-five days from filing the Notice of Completion with County Recorder and then release funds.

CONTRACTOR FINAL PAYMENT PROCESS



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MEASURE "E" BUDGET AND COST SUMMARY

Beverly Hills Unified School District *Project Cost Status Report* Work Category	Budget	Total Project Budget						Total Contracts/Purchase Orders				Total				Comments/Action
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	
		Measure E	Measure E Interest	State Modernization	State Growth	Budget Transfers	Total Project Budget	Committed to Date (Contracts)	Change Orders	Total Committed Cost	Budget Balance	Total	Payments to Date (Spent)	% Complete	Final Project Variance	
							6=[1+2+3+4+5]					11=[9+10]		13=12/11	14=(6-11)	
(Budget is part of Annex Bldg) **District Office**	*See Notes															
Modernization - B01	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**		**0**	
Soft Cost (25%)		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Administrative		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Reports / Investigations		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Plan Check / Permit Fees		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Utility Fees		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Consultants		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Inspections / Testing		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
FF&E / Data (7-10%)		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Project Contingency (5%)		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Subtotal Soft Cost	*$0.00*	*$0.00*	*$0.00*	*$0.00*	*$0.00*	*$0.00*	*$0.00*	*$0.00*	*$0.00*	*$0.00*	*$0.00*	*$0.00*	*$0.00*			
Construction Cost (75%)	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Contractors		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Vendors / Separate Contractors		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Construction Contingency (5%)		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Subtotal Construction Cost	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00		0	*Status of Project : Not Started*
Total Cost (Soft & Hard)	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**		**0**	
	*See Notes															
Upgrade Existing NEC 2000/2400 Telecomm. - B02	**$321,615.00**	**$300,521.20**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$300,521.20**	**$257,292.31**	**$3,982.11**	**$261,274.42**	**$39,246.78**	**$300,521.20**	**$261,276.42**	**87%**	**0**	
Soft Cost (25%)	$64,323.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Administrative		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Reports / Investigations		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Plan Check / Permit Fees		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Utility Fees		$10,000.00	$0.00	$0.00	$0.00	$0.00	$10,000.00	$0.00	$0.00	$0.00	$10,000.00	$10,000.00	$0.00			
Consultants		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Inspections / Testing		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
FF&E / Data (7-10%)		$7,500.00	$0.00	$0.00	$0.00	$0.00	$7,500.00	$0.00	$0.00	$0.00	$7,500.00	$7,500.00	$0.00			
Project Contingency (5%)		$12,864.60	$0.00	$0.00	$0.00	$0.00	$12,864.60	$0.00	$0.00	$0.00	$12,864.60	$12,864.60	$0.00			
Subtotal Soft Cost	*$64,323.00*	*$30,364.60*	*$0.00*	*$0.00*	*$0.00*	*$0.00*	*$30,364.60*	*$0.00*	*$0.00*	*$0.00*	*$30,364.60*	*$30,364.60*	*$0.00*			
Construction Cost (75%)	$257,292.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Contractors		$257,292.00	$0.00	$0.00	$0.00	$0.00	$257,292.00	$257,292.31	$3,982.11	$261,274.42	-$3,982.42	$257,292.00	$261,276.42			
Vendors / Separate Contractors		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00			
Construction Contingency (5%)		$12,864.60	$0.00	$0.00	$0.00	$0.00	$12,864.60	$0.00	$0.00	$0.00	$12,864.60	$12,864.60	$0.00			
Subtotal Construction Cost	*$257,292.00*	*$270,156.60*	*$0.00*	*$0.00*	*$0.00*	*$0.00*	*$270,156.60*	*$257,292.31*	*$3,982.11*	*$261,274.42*	*$8,882.18*	*$270,156.60*	*$261,276.42*			*Status of project 99% complete*
Total Cost (Soft & Hard)	**$321,615.00**	**$300,521.20**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$300,521.20**	**$257,292.31**	**$3,982.11**	**$261,274.42**	**$39,246.78**	**$300,521.20**	**$261,276.42**	**87%**	**0**	

Note:
1. Reporting Period - July 1, 2010 - Jan.31. 2011 County Ledger
2. Reporting Period includes invoices processed to date.
3.Budget amount is for the D.O. Annex-Develop/ Alternative Ed Center (see Alt. Ed)
4. NEC Upgrade part of D.O. Annex - Develop/Alternative Ed Center Budget

CHECK LIST FOR CONTRACT ITEMS

Initial/ Date

_____ Performance Bond in the amount of 100% of the total bid.

_____ Payment Bond (Labor and Material) in the amount of 100% of the total bid.

_____ (3) "Agreements" signed and dated by an authorized representative of company.

Insurance certification for the following:

_____ General Liability cert. (naming Beverly Hills USD as the additional insured)

_____ Excess /Umbrella Liability (5,000,000 EA Occurrence, 5,000,000 Aggregate)

_____ Automobile Liability (1,000,000 combined single limit)

_____ Worker's Compensation (1,000,000 E.L.Each Accident, 1,000,000 E.L. Disease –EA Employee, 1,000,000 E.L. Disease-Policy Limit)

_____ Check the status Contractors License Detail at the Contractors State License Board https://www.cslb.ca.gov

_____ Check the Surety Profile at the following link below

http://interactive.web.insurance.ca.gov/webuser/idb_co_list$.startup

_____ Fingerprinting Procedures and List of Staff to be onsite

_____ Drug Free Workplace Certification

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

Beverly Hills Unified School District
Attn: Planning and Facilities
255 S. Laksy Dr.
Beverly Hills, CA 90212

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

(Notice pursuant to Civil Code Section 3093, must be recorded within 10 days after completion)

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is an owner or agent of an owner of the interest or estate stated below.
2. The full name of the owner Beverly Hills Unified School District
3. The full address of the owner is 255 S. Laksy Dr., Beverly Hills, CA 90212
4. The nature of the interest or estate is: in fee.
   Public Agency
   (If other than Fee, strike "In fee" and insert, for example, "purchaser under contract of purchase," or "Lessee")
5. The full names and full addresses of all persons, if any who hold title with the undersigned as joint tenants or as tenants in common are:
   NAMES ADDRESSES
6. The full names and full addresses of the predecessors in the interest of the undersigned, if the property was transferred subsequent to the commencement of the work or improvements herein referred to:
   NAMES ADDRESSES
7. A work of improvement of the property hereinafter described was completed on xxxxxxxx . This work done was:
8. The names of the contractor, if any, for such work on improvement was
   xxxxxxxxxxxxxxxxxxxxxxxxxx
   (If no contractor for work of improvement as a whole, insert "None") (Date of Contract)
9. The property on which said work of improvement was completed is in the City of Beverly Hills, County of Los Angeles, State of California, and is described as follow:
   xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
10. The street address of said property is xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
    (If no street address has been officially assigned, insert "none".)

Dated _____

_____
(Signature of Owner or corporate officer of Owner named in paragraph 2, or his agent)

VERIFICATION

I, the undersigned, say: I am the xxxxxxxxx the declarant of the foregoing Notice of Completion;
(President of, Manager of, Partner of, Owner of, ect.)

I have read said Notice of Completion and know the contents thereof; the same is true to my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, xxxxx at Beverly Hills, California.

_____
(Personal signature of the individual who is swearing that the Notice of Completion are true)

Beverly Hills
Unified School District
CREATING A WORLD OF CLASS EDUCATION

BERNARDS
BUILDERS • MANAGEMENT SERVICES

PROJECT DELIVERY METHODS

March 4, 2011

Construction projects in the public works sector are procured and constructed using various delivery methods. The decision to use a specific method depends on numerous project factors: complexity of the work, dollar value, fund sources, project phasing, completeness of the design, willingness of the District to take on risk, and time constraints. The decision to proceed with a specific method must be determined in the early phases of a project. Delayed decisions on the delivery method, can hamper the design process, ultimately leading to cost overruns and schedule delays. The most common delivery methods used by Districts include traditional Design-Bid-Build, Lease-Leaseback, Multi-Prime Construction Management, and Design Build. The following is a brief discussion on the project delivery methods, along with some important points about advantages and disadvantages of each:

- **DESIGN-BID-BUILD**
  - **Description:** Design-Bid-Build (DBB) is the traditional construction delivery method used to complete construction projects in the public works sector. The DBB model separates design and construction responsibilities by awarding them to an Architect and/or Engineers (A/E) and a General Contractor (GC). By doing so, DBB separates the delivery process into three (3) phases: Design Phase, Bid and Award Phase, and Construction Phase.

    During the Design Phase, the District awards a design contract to an Architect. The Architect is responsible for completing a final project design and providing detailed construction drawings, specifications and supporting documents.

    In the Bid and Award Phase, the District uses the documents prepared by the Architect to assemble construction bid documents. GCs are invited to submit competitive, lump-sum bids, and the District awards the construction contract to the GC submitting the lowest responsive responsible bid for a lump sum price. The project then moves into the Construction Phase.

    The District retains responsibility for monitoring the contractor's performance by hiring inspectors of record, and usually retains the architect to provide administration of the Construction Phase.

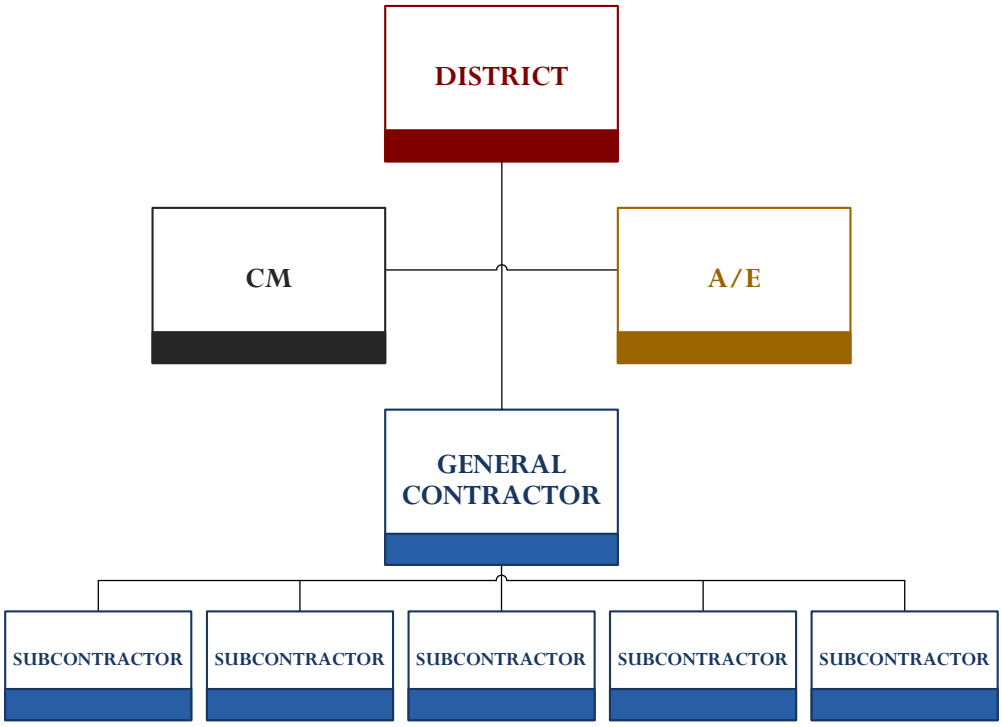
    DBB is most frequently done using a lump sum bid contract, but guaranteed maximum price is sometimes used.

    In some cases, the District will hire a Construction Manager to oversee construction and act as an agent of the District. This method is often referred to as Agency Construction Management delivery method.
  - **Recommended Use:** A DBB delivery method is often chosen under the following criteria:
    - Project is not complex and is very straight-forward.
    - No early start dates required to meet funding or schedule deadlines.
    - A/E has adequate time to complete design and approved by the Division of State Architect.
    - District is not willing to take on risk of multiple contractors.

- Complete project funding is available.

- **Advantages of Design-Bid-Build**
  - It is the most common and established method of delivering a project.
  - Design documents are typically more thorough and complete enabling more competitive contractor bidding.
  - Public Contract Code and legal challenges have set accepted standards.
  - The A/E of record works for the District and represents the District.
  - It is suitable for competitive bidding with lowest initial price.
  - Construction claims are often limited to one entity, the General Contractor.
  - General Contractor is required to secure a Performance Bond.
- **Disadvantages of Design-Bid-Build**
  - General Contractor selection is based on lowest responsible and responsive bidder.
  - General Contractor is not looking out for the interests of the District and is concern more with their own financial interests.
  - District does not know which General Contractor they will work with until bid day.
  - A General Contractor is not involved during the Design Phase. No construction expert reviewing drawings and specifications.
  - Time consuming process since the design and specifications must be finished prior to the award of construction.
  - Conflicts can arise between Architect and General Contractor, or Subcontractors, after design is complete and General Contractor is selected.
  - Bids over budget present the most difficulty in reducing costs.
  - Loss of flexibility due to single General Contractor bid format.
  - In the current economy, many General Contractors are reducing their bid price in order to get the work. Often times this leads to more aggressive pursuit of change orders or eventual insolvency of the General Contractor.

- **Contract Lines**



- **LEASE-LEASEBACK**
  - **Description:** Under the California Education Code 17406, Districts are permitted to use the Lease-Leaseback (LLB) delivery method. In its truest form, this involves selecting an organization, commonly referred to as the Developer-Contractor, to develop a new building or improve buildings on property the District owns. The most common Contract form is for the Developer-Contractor to simultaneously execute a *Site Lease* of the property giving it the right to develop the project and a *Facilities Lease* giving it the obligation to build or design and build the project and to lease the improvements and the site back to the District, with the District owning the improvements when the leases expire. Different Districts and their Attorneys allow different approaches: for financing, if any; for selection of the Developer-Contractor; for design responsibility; for lease terms; and for method of selecting trade contractors. This flexibility is a primary attraction of LLB.

    Preconstruction work by the Developer-Contractor up to the time of signing of leases is sometimes conducted under a Preliminary Services Agreement, although some attorneys draft leases that are signed immediately and then amended as design and pricing are developed. Some attorneys draft leases providing for pre-construction services, even design responsibility, with language that calls for an amendment to give approval for construction to proceed including setting the date of completion and the Guaranteed Maximum Price.

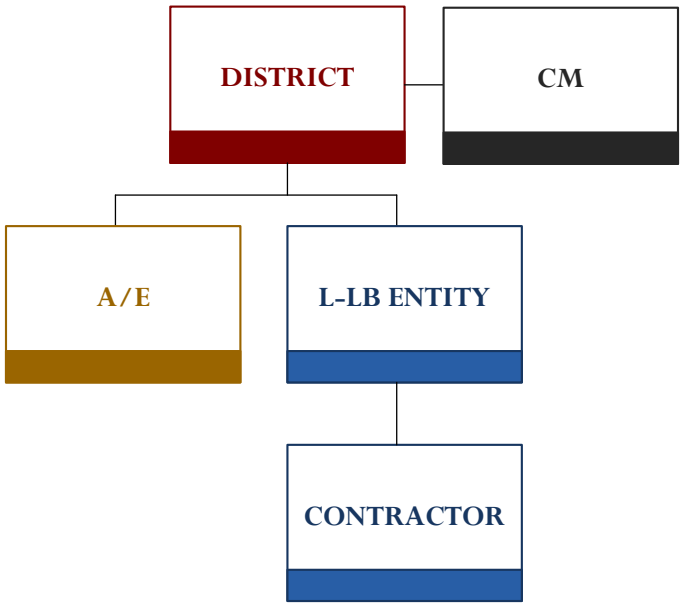
    The District retains responsibility for monitoring the contractor's performance by hiring inspectors of record (IOR), and usually retains the architect to provide administration of the Construction Phase.

  - **Recommended Use:** A DBB delivery method is often chosen under the following criteria:
    - Project is complex and unique where specific General Contractors with similar project experience are pre-qualified to bid on the project.
    - Early start dates or specific deadlines must be met.
    - A/E has not completed documents are required the expertise of a General Contractor to review the documents.
    - Project is phased or required early phasing of work to start prior to the completion of the design.
  - **Advantages of Lease-Leaseback**
    - District may use an LLB to satisfy its need for financing the project.
    - District has hired a Developer-Contractor who has more financial interest in the project and District; anticipated better working relationship.
    - District has flexibility on who controls the Architect.
    - The District may participate in selecting not only the Developer-Contractor but also all of the trade contractors and suppliers.
    - Solicitation of cost saving ideas from trade contractors and suppliers, as part of their selection process, can help meet budgets.

- Developer-Contractors can set Guaranteed Maximum price very early in a project.

- **Disadvantages of Lease-Leaseback**
  - There have been concerns by Office of Public School Construction staff and State Allocation Board members that the flexibility of the LLB statutes could lead to faulty practices.
  - Questions exist regarding whether leases can be signed prior to DSA stamp out of plans.
  - LLB is relatively new and not as well understood by the design and construction community.
  - District is still working with General Contractor who may be concerned with their own financial interests.

- **Contract Lines**



- **MULTI-PRIME CONSTRUCTION MANAGEMENT:**
  - **Description:** The Multi-Prime Construction Management (MPCM) delivery is a method that employs a Construction Manager (CM) serving as the District agent and providing professional advice to the District. This delivery method significantly changes the trade contractors' relationship with the District in that they contract directly with the District or District's CM rather than with a GC. This allows the District to choose the firm or individual providing the construction management (scheduling, administration, and coordination) services by qualifications-based selection, rather than low bid. The District does use the low bid process for selecting the firms providing the actual, physical construction.

    The MPCM delivery work is bid similar to the DBB method, but in individual bid packages for trade contractors (such as plumbers, electrical, painting, etc.), not through a single GC. Rather than subcontractors bidding to and selected by the general contractor, each bid package of trade contractors is bid by the District. The CM will prepare bid package scope of works for the work and coordinate the entire bid packages required to build the project. The number of bid packages vary by project scope and size and be between 5 and 25 bid packages. The bid packages are bid pursuant to traditional public works low bid selection process. Then, the CM manages the contracts of each trade. The CM works on-site and performs the role of the GC during construction by providing scheduling, supervision, change order negotiations, and other activities required building the project.

    The District retains responsibility for monitoring the contractor's performance by hiring inspectors of record, and usually retains the architect to provide administration of the Construction Phase.

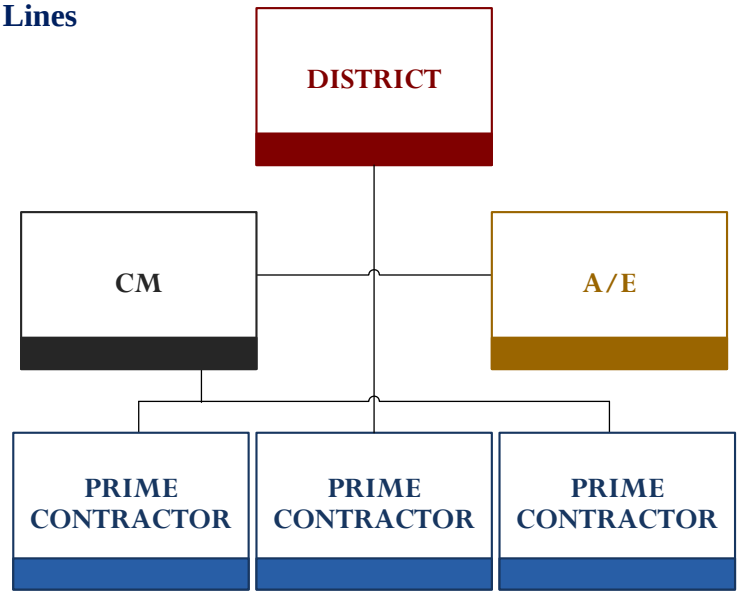
    The District in a MPCM delivery method assumes many of the risks of a GC. The District is liable for costs resulting from trade contractor business failure. However, the District is protected by surety bonds (Performance Bonds) from each trade contractor. Many risks that might have been borne by the GC in other project delivery methods are borne by the trade contractors. Risks that remain with the trade contractor include material price increases and trade labor availability.
  - **Recommended Use:** A MPCM delivery method is often chosen under the following criteria:
    - Project is complex and unique where specific trade contractors with similar project experience may be pre-qualified to bid on the project.
    - Early start dates or specific deadlines must be met.
    - A/E has not completed documents and required the expertise of a Construction Manager to review the documents.
    - Project is phased or required early phasing of work to start prior to the completion of the design.
    - District is willing to take on more risk with more contractors.
  - **Advantages of Multi-Prime CM**
    - More control by the District of construction schedule.

- Direct visibility to the trade contractor's contract rather than going through the GC.
- Trade contractors are procured through competitive lowest responsible bidders.
- Trade contractor bidding process is familiar to the District.
- Potential to re-bid over-budget bid package with minimal delay.
- District has more flexibility of bidding and scheduling which allows for multiple phases.
- CM provides construction expertise to assist in the entire design, planning, permitting and construction process.
- Avoids GC mark up on bids and change orders.
- Multiple bid packages provide greater opportunity for participation by local trade contractors.
- Trade contractors change orders are dealt directly with contractors rather than through a GC.

o Disadvantages of Multi-Prime CM

- More contracts for District to manage.
- Possibility of overlaps or gaps in the scopes of work.
- District accepts more risk by hiring multiple trade contracts directly.
- Contracts with separate trades make scheduling more difficult to control.
- Total price is not known until all bids are in.
- Lack of single guaranteed bonded price for total project.
- Potential decrease in competition for trade contractors because of added bidding and reporting requirements.
- Greater exposure to multiple claims.

o Contract Lines



- **DESIGN-BUILD**
  - **Description:** Under the California Education Code 17250.10, Design-Build (D-B) is a project delivery method whereby a District contracts with one (1) entity to design and construct the project.

    Typical D-B project utilizes a two (2) phase procurement process. The first phase is a prequalification process or Request for Qualifications (RFQ), typically short-listing to three (3) firms. The second phase is the Request for Proposals (RFP), from which a best value selection process determines the firm with the proposal most advantageous to the District. Often times, the District establishes a stipend for each firm to compensate them for their design efforts.

    D-B is an integrated process. The A/E and GC are on same team from beginning to end. There are only two (2) prime players, the District and the Design-Build Entity (DBE). The DBE can take on many forms such as contractor-led, Architect/Engineer-led, or a joint venture. However, typically the DBE is contractor-led. Regardless of the form the DBE takes, there is only a single contract between the District and DBE.

    D-B may be used on complicated or simple projects. The type of control a District has over the project varies from project to project with DB and can be dictated by the terms of the RFP. After the contract is signed the District has little control unless it is specifically addressed in the contract. D-B requires more input by the District up front, but less management later on.

    The District retains responsibility for monitoring the contractor's performance by hiring inspectors of record.
  - **Recommended Use:** A D-B delivery method is often chosen under the following criteria:
    - Project is complex and unique where specific GCs with similar project experience may be pre-qualified to bid on the project.
    - Early start dates or specific deadlines must be met.
    - Project is phased or required early phasing of work to start prior to the completion of the design.
    - District is willing to take on more risk by hiring a single DBE (General Contractor and Architect).
  - **Advantages of Design-Build**
    - Teamwork is promoted because the GC and A/E are on the same team.
    - Earlier knowledge of construction costs guaranteed during design.
    - Design risk shifted to the DBE.
    - Single point of responsibility for District with fewer changes.
    - Only one (1) RFQ and/or RFP required for design and construction
    - Only one (1) contract for both design and construction.
    - DBE may be selected on statutory best value basis rather than traditional low bid

- More District involvement earlier in process with less involvement needed after design.
- Potential for faster delivery system.

o Disadvantages of Design Build

- New learning curve for Districts and agencies.
- Districts pushed for earlier decisions.
- Different process in the front end of project.
- New and unique statutory requirements for selecting DBE and Subcontractors.
- Insurance and bonding details are less understood.
- Statutorily limited to projects with value greater than $10 million.
- Potential for less control by District of design and design details.
- Potential resistance among those unfamiliar with method.

o Contract Lines