

Mountain View Whisman School District  
Independent Citizens' Oversight Committee  
("Measure G Oversight Committee")

March 25, 2014

**Members Present:** Juan Aranda, Jeremy Burns, Dana Doctorow, Christi Opitz, Jessica Gandhi, Fiona Walter (6)

**Staff Present:** Terese McNamee, CFO

**Others Present:** Todd Lee, Greystone West, Program Manager for MVWSD Bond Projects

**Absent:** Phil Palmer (Ex Officio), Peter Pirnejad, Greg Coladonato, Charlie Durand  
**No** members of the public were present.

Introduction of Todd Lee and Greystone.

Meeting was called to order at 6:36 pm by Jeremy Burns, Vice Chair.

I. Call to Order as noted above.

- A. Roll Call as above.
- B. Agenda stands as written (MSC\* Ghandi/Doctorow).
- C. No community comments.

II. Review and Discussion

- A. Alternative Construction Methods (T. Lee, Greystone)
  - a. Description of Lease\Lease Back (LLB) versus traditional design-build-bid.
  - b. LLB includes prequalification. MVWSD had 13 applicants with 11 passing prequalifications. Five came forward to interview process. Selection committee recommended Alten Construction for GMS and Coulter Construction for CMS. Signed preconstruction contracts and expect construction contracts to be executed.
  - c. LLB – District leases site to contractor for \$1; they construct the building and we make "lease" payments structured against building costs; final 10% is paid in final period and site is returned to district. Most recent legal challenge was 2005 and failed; very successful and proven method.
  - d. Low bid process has been problematic in recent years – Cappuccino HS had 6 of 10 subs go bankrupt during their project
  - e. Questions re change orders and how they affect LLB – LLB has all bids in hand to ensure that all are equal, scopes are complete, no exclusions, eliminates large percentage of change orders; unforeseen items can't be anticipated in any kind of bid (behind walls, underground, etc.); unforeseen items can't exceed 10% of contract in change orders.

- f. CFO makes sure that all the steps are followed within LLB with Todd overseeing implementation; attorney drafts contracts; bond audit also ensures that these processes are being followed
  - g. Design-build (single trade; smaller jobs) – parking lots are good examples of projects appropriate for this.
  - h. Multiple Prime – Greystone acts as GC for district; they get all the bids and put a superintendent on the site; again smaller projects (casework/plumbing at CMS could fall under this)
- B. Bond Audit Presentation to the Board
- a. Chair presented at board meeting; no findings in the audit; shared conversations from this group re things not being in priority order in the big list in bond language, but community members expecting these things to be accomplished nonetheless; lead/asbestos/etc. not specifically called out currently, but will be added as footnotes moving forward.
  - b. Committee asked that more advance notice be given for future presentations so that the team could attend and support Chair.
- C. Review YTD Financials
- a. \$50M covers all three phases for both middle schools (see D below). \$52.3M approved by board.
  - b. Currently under budget by ~\$800K, with total at \$51.5M. If \$1.5M remains as overage at the end of the project, this will come from other district funds so as not to impact other schools' funding dedicated in the bond monies.
  - c. Yes, bond monies can be used for Whisman or Slater schools, but this decision has not yet been made (elementary school conversations are starting now).
- D. Status of Projects
- a. 12-13 and 13-14 were planning phases. Architects/CM/acoustician/engineering are all in action, but larger items not yet spent. 14-15 will see lots of work beginning including summer projects.
  - b. Terese introduced site plans and reviewed Phase II projects recently approved at board meeting. Phase I is this summer. Phase II should be complete end of 15-16 school year. Phase III is the two auditoriums plus site work (landscaping) and will start 2016 and complete by 2017.
  - c. Hoping to do CMS track starting May of 2016 (in partnership with the City).
  - d. General concerns from Committee Member Aranda re prior bond construction efforts:
    - i. Acoustics of two-story building at CMS
    - ii. ML second story looked into neighbors' homes
    - iii. Tried to build a creek at Theuerkauf and were told very late that it was a health hazard (dry creek bed still runs through campus)

III. Consent Agenda

- A. Minutes from Tuesday, December 17, 2013 – MSC (Gandhi/Aranda) to approve the 12/17/13 minutes as presented.

IV. Items for Future Agendas

- A. Election of Officers
- B. Budget for Upcoming Year
- C. Calendar for 14-15

V. Future COC Meeting Dates

- A. 2013-14 Quarterly Meetings – June 24, 2014 – Budget

Note: Dana Doctorow is moving to Los Altos prior to the June meeting. This will be her last meeting. With 8 committee members remaining, the committee is ok to proceed. Five (5) will still be needed for a quorum.

VI. Adjourned 8:00 pm.

Respectfully Submitted,  
Fiona Walter, Secretary