



RESOLUTION AUTHORIZING ALTERNATE DESIGN-BUILD PROCUREMENT AND CONSTRUCTION OF THE DISTRICT WIDE ELECTRONIC ACCESS CONTROL PROJECT

PURSUANT TO EDUCATION CODE, SECTION 17250.10, ET SEQ. AND ADOPTING CONFLICT OF INTEREST GUIDELINES FOR ALTERNATE DESIGN-BUILD PROJECTS

WHEREAS, Education Code, section 17250.60, *et seq.* (“Alternate Design-Build Statute”) provides that a school district, with the approval of its governing board, may procure Alternate Design-Build contracts for projects in excess of Five million dollars (\$5,000,000), awarding the contract to either the low bid or the best value;

WHEREAS, “Alternate Design-Build” is defined in Education Code, section 17250.15(d), to mean a “project, which shall include delivery process in which both the design and construction of a project are procured from a single entity”;

WHEREAS, Education Code, section 17250.61(a), provides that a school district procuring an Alternate Design-Build contract shall develop guidelines for a standard organizational conflict of interest policy, consistent with applicable law, regarding the ability of a person or entity that performs services for the school district, relating to the solicitation of an Alternate Design-Build project, to submit a proposal as an Alternate Design-Build entity or to join an Alternate Design-Build team;

WHEREAS, the Santa Rosa City Schools (“District”) is in the process of planning the design and construction of the District Wide Electronic Access Control (“Project”);

WHEREAS, the Legislature has found and declared in the Alternate Design-Build Statute that the Alternate Design-Build method of project delivery has led to benefits, including reduced project costs, expedited project completion, and design features that are not achievable through the traditional design-bid-build method;

WHEREAS, District staff has reviewed possible construction delivery methods for the Project, including traditional design-bid-build as well as Alternate Design-Build as authorized by the Alternate Design-Build Statute, and has concluded that the use of an Alternate Design-Build delivery method for the Project offers the potential advantages to the District expressed in the Alternate Design-Build Statute;

WHEREAS, the Alternate Design-Build Statute authorizes the award to be based on the proposal that represents the “best value” to the District, which the Alternate Design-Build Statute defines to mean “a value determined by evaluation of objective criteria that may include, but are not limited to, price, features, functions, life-cycle costs, experience, and past performance”; and

WHEREAS, the Board has determined that it is in the best interest of the District to enter into an Alternate Design-Build contract with an Alternate Design-Build entity whose proposal is determined by the District to have offered the best value to the public and that is able to provide appropriately licensed contracting, architectural, and engineering services to design and construct the Project.

NOW THEREFORE, BE IT RESOLVED that the Board of Education of the Santa Rosa City Schools hereby finds, determines, declares, orders, and resolves as follows:

1. The foregoing recitals are true and correct.
2. Proceeding under an Alternate Design-Build construction delivery method, as authorized by the Alternate Design-Build Statute, offers advantages to the District, as indicated herein, that are not available under other available delivery methods such as traditional design-bid-build.
3. It is in the best interest of the District to enter into an Alternate Design-Build contract with an Alternate Design-Build entity whose proposal is determined by the District to have offered the best value to the public, and that is able to provide appropriately licensed contracting, architectural, and engineering services both to design the Project based on the performance specifications and criteria furnished by the District and to construct the same based on detailed construction documents prepared by the successful Alternate Design-Build entity, as approved by the Division of the State Architect and the District.
4. That the District's Superintendent or her designee is authorized to utilize the Alternate Design-Build best value selection method for the Project and that the Alternate Design-Build competition shall progress as set forth in the Alternate Design-Build Statute.
5. That the Alternate Design-Build Conflict of Interest Guidelines, attached hereto as Attachment A, is hereby approved, and adopted.
6. That the District's Superintendent or their designee, in progressing with the Alternate Design-Build competition as set forth in the Alternate Design-Build Statute, is authorized to issue a Request for Qualifications that includes a Prequalification Questionnaire in the form authorized by the Alternate Design-Build Statute, and implement the scoring and evaluation process required thereby, in order to prequalify or short-list Alternate Design-Build entities to submit sealed proposals in the manner specified in a Request for Proposals ("RFP"), as set forth in the Alternate Design-Build Statute.
7. That the District's Superintendent or their designee, in further progressing with the Alternate Design-Build competition as set forth in the Alternate Design-Build Statute, is authorized to issue the RFP that invites prequalified Alternate Design-Build entities to submit competitive sealed proposals in the manner prescribed by the RFP and that includes, but is not limited to, the following elements: (a) identification of the basic scope and needs of the Project, the estimated cost of the Project, the methodology that will be used by the District to

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evaluate proposals, that the contract will be awarded on the basis of a best value determination, and any other information deemed necessary by the District to inform interested parties of the contracting opportunity; (b) significant factors that the District reasonably expects to consider in evaluating proposals, including but not limited to, cost or price and all nonprice-related factors; (c) the relative importance or the weight assigned to each of the factors identified in the RFP; and (d) that the District may reserve the right to request proposal revisions and hold discussions and negotiations with proposers for which applicable procedures to be followed will be incorporated to ensure that any discussions or negotiations are conducted in good faith.

8. Upon prequalifying and receiving competitive proposals from Alternate Design-Build entities for the Project pursuant to the Alternate Design-Build Statute, the Board will consider the Alternate Design-Build entity offering the best value to the public and which is able to provide appropriately licensed contracting, architectural, and engineering services to design and construct the Project, and the Board will consider whether to award an Alternate Design-Build contract for the Project to that Alternate Design-Build entity.
9. That the District's Superintendent or her designee is authorized to take those actions necessary to prequalify and receive competitive proposals from Alternate Design-Build entities for the Project pursuant to the Alternate Design-Build Statute and the requirements of this Resolution.
10. That the District, should the Board not award an Alternate Design-Build contract for the Project to an Alternate design-build entity for whatever reason, may proceed with another delivery method for the construction of the Project which the Board determines to be in the best interests of the Project, District, and public, such as an alternate design-bid-build or other delivery method.

PASSED AND ADOPTED this _____ day of _____, 2024.

YEAS:

NOES:

ABSENT:

ABSTAIN:

Jeremy De La Torre, Clerk of the Board