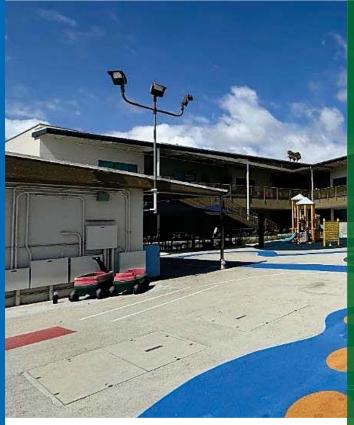
**Los Angeles Unified School District Office of the Inspector General** 



# **Cradle-to-Grave Report**

The Classroom Replacement
Project at South Shores
Visual and Performing Arts
Magnet Elementary School

PCL Construction Services, Inc. Contract No. 4400009889

July 28, 2025

Sue Stengel Inspector General





## **Los Angeles Unified School District** Office of the Inspector General

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July 28, 2025

#### VIA EMAIL

Ms. Krisztina Tokes, Chief Facilities Executive Facilities Services Division Los Angeles Unified School District 333 South Beaudry Avenue, 23rd Floor Los Angeles, CA 90017

Mr. Matthew Friedman, Chief Procurement Officer **Procurement Services Division** Los Angeles Unified School District 333 South Beaudry Avenue, 28th Floor Los Angeles, CA 90017

Subject: Cradle-to-Grave Report of PCL Construction Services, Inc. and the Classroom Replacement Project at South Shores Visual & Performing Arts Magnet Elementary School

Dear Ms. Tokes and Mr. Friedman,

This is our final Cradle-to-Grave report on PCL Construction Services, Inc. and the Classroom Replacement Project at South Shores Visual & Performing Arts Magnet Elementary School (Contract No. 4400009889).

Please contact our office if you have any questions.

We appreciate your cooperation and continued support of our services.

Sincerely,

Sue Stengel, Esq., CIG Inspector General

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### INTRODUCTION: CRADLE-TO-GRAVE

The Office of the Inspector General (OIG) for the Los Angeles Unified School District (LAUSD or District) conducted a "Cradle-to-Grave" review of the Classroom Replacement Project at South Shores Visual & Performing Arts Magnet Elementary School ("Project"), specifically as it relates to PCL Construction Services, Inc. (PCL), the prime contractor, and PCL's contract with the District for the Project (Contract No. 4400009889).

This Project was one of several Department of Housing (DOH) relocatable building <sup>1</sup> projects. The Project's scope of work included the installation of six interim housing units with site adaptations, construction of a new two-story building housing 12 classrooms and support spaces, a shade structure, and infrastructure to support the new facilities, including an enhanced Information Technology network convergence system, a new campus-wide fire alarm system, and upgrades to landscape, hardscape, parking, and playground areas. The Project's contract was awarded to PCL through the Best Value<sup>2</sup> Complex<sup>3</sup> delivery method. The Notice to Proceed for construction was issued on October 11, 2021, with an original Substantial Completion date of June 26, 2024.

The original contract amount was \$19,281,046. As of April 29, 2025, the final overall cost for construction is \$21,453,419 and the actual Substantial Completion date was September 5, 2024.

The OIG selected this Project for review given several factors: PCL was not previously audited by the OIG, the contract was awarded through the Best Value procurement process with an original construction contract amount over \$10 million, and the Project's original substantial completion date of June 26, 2024 suggested that the Project should be near completion, or completed, when the OIG commenced the review in Fiscal Year (FY) 2025. For these reasons, the OIG included the Project in its FY 2025 work plan, which was adopted by the LAUSD Board of Education (BOE) on June 18, 2024.

This Cradle-to-Grave review was a collaborative effort by three OIG teams (i.e., Contract Audit, Performance Audit, and Technical Evaluation), and examined the Project from inception to completion, allowing the OIG to identify areas of risk, noncompliance, and inefficiency throughout the lifecycle of the Project and providing a comprehensive look into the operations of the District's Facilities Services Division (FSD) and Procurement Services Division (PSD). This Cradle-to-Grave report is comprised of the following: (1) an audit of the District's contractor prequalification process; (2) an audit of the District's Best Value procurement process that led to the selection of PCL; (3) an examination of incurred costs and change orders; and (4) a technical evaluation of the construction of the Project.

process whereby the selected bidder may be selected on the basis of objective criteria for evaluating the qualifications of bidders with the resulting selection representing the best combination of price and qualifications."

<sup>&</sup>lt;sup>1</sup> DOH buildings are certain relocatable buildings with commercial coach insignia of approval from the DOH. They could continue to be used for school purposes if they were retrofitted in accordance with stated requirements. According to Education Code 17292, DOH portables should not be used as school buildings after September 30, 2015.

<sup>2</sup> According to the California Public Contract Code (PCC) Section 20119.1.(a), "Best value' means a procurement process whereby the selected bidder may be selected on the basis of objective criteria for evaluating the qualifications."

<sup>&</sup>lt;sup>3</sup> According to the District's Facilities Contracts' Policies and Procedures, specifically Section 8.10 Best Value Construction Contracts, Best Value construction projects over \$10 million are deemed "complex" and "...the full best value process will be used to select contractors."

### SUMMARY OF FINDINGS, RECOMMENDATIONS, AND OBSERVATIONS

Overall, District staff generally followed policies and procedures as it relates to the prequalification process, the Best Value procurement process, and the construction of the Project. The OIG made two findings related to adherence to the terms and conditions of the contract in the incurred cost audit.

Furthermore, the OIG determined that PCL's performance on the construction of the Project was generally satisfactory. Notably, PCL's project team consistently demonstrated professionalism and met standards, and received a perfect score on their evaluation from the District in the category of client satisfaction. PCL adhered to the terms and conditions of the contract and provided quality workmanship on the Project.

Nonetheless, through the Cradle-to-Grave review, the OIG made observations and identified findings in the following areas:

## **Prequalification Process**

**Finding No. 1:** Bank letters from two bidders and three subcontractors lacked at least one required element.

**Recommendation No. 1:** We recommend that PSD determine the best way for contractors and subcontractors to provide evidence of banking relationships/bank history, and update the policy as needed.

**Finding No. 2:** Three of the nine bidders had differing Contractor Performance Scores on the Safety Prequalification Log and their Contractor Prequalification Scoring Summary. One subcontractor had mismatched approval and expiration dates on their Approval Letter and the prequalification list.

**Recommendation No. 2:** The PSD should review and verify that updates to the Safety Prequalification Log are accurate.

**Observation No. 1:** One of the nine bidders was inaccurately scored on one question, but this did not have an effect on the prequalification approval.

## **Best Value Procurement Process**

**Finding No. 3:** The documented Best Value construction contract procedures do not reflect updated evaluation criteria and procurement practices.

**Recommendation No. 3:** The PSD should update the policies and procedures to reflect the current Best Value practices, evaluation, and selection criteria.

**Finding No. 4:** PCL's bid and contract documents were signed by an individual who was not listed on PCL's authorized signatory list.

**Recommendation No. 4:** The PSD should implement policies and procedures that require the verification of contractor signatures on bid and contract documents to ensure that only authorized signatories are providing approval.

## **Incurred Costs and Change Orders**

Finding No. 5: PCL applied incorrect bond rates and overbilled the District by \$18,553.

**Recommendation No. 5:** PCL should refund the District \$18,553 for the overbilled bond costs due to discrepancies in the applied bond rates.

FSD's Director of Project Execution has reviewed this matter and indicated via an email message that FSD would withhold from PCL the amount the District overpaid for bond costs resulting from the bond percentage discrepancies.

**Finding No. 6:** FSD did not comply with all policies and procedures in maintaining accurate documentation for 8 out of 31 change orders.

**Recommendation No. 6:** The project team should perform the following corrective actions for the cited change orders:

- Upload the missing Change Order Proposal and Fair Cost Estimate forms to COLIN.
- Remove the incorrect Record of Negotiation forms initially uploaded in COLIN and replace them with accurate forms.
- Correct the description of the Justification for Contract Modification forms and upload the updated forms to COLIN.
- Obtain approvals from BOE, OAR, and/or senior project managers for the Change Order forms missing signatures and save the updated, authorized forms to COLIN.

## **Technical Evaluation**

**Finding No. 7:** The \$4,353.30 cost associated with Change Order T-509—repairing damaged irrigation valves and boxes—should be borne by Mobile Modular, an LAUSD vendor. The damage occurred during the delivery of LAUSD-leased units by Mobile Modular. Additionally, Change Order T-618 should be voided, as the reason for this change order was to address issues caused by Maya Steel Fabricators, Inc., PCL's structural steel subcontractor, in fabricating the metal pan stairs.

**Recommendation No. 7a:** The FSD should recover \$4,353.30, the cost of CO T-509 from Mobil Modular.

**Recommendation No. 7b:** PCL should reimburse the District \$22,611.00 paid through CO T-618.

**Finding No. 8:** The stair nosings on two concrete-filled steel stairs were improperly installed, resulting in a visible gap and insecure attachment to the stair treads. This issue arose from PCL's inadequate dimensional coordination.

**Recommendation No. 8a:** PCL should ensure stair pan returns and related components are fabricated according to the specified dimensions and flatness requirements for installing concrete-filled metal pan stairs. Consider conducting a detailed review of fabrication drawings and consulting with the design team to confirm that all critical measurements are met.

**Recommendation No. 8b:** FSD should have its design team survey the stair-nosing installation and provide remedial recommendations. Corrective measures should be implemented to address any deficiencies in the stair nosing installation.

**Finding No. 9:** The District determined, and the OIG agreed, that PCL did not adhere to proper Asbestos Containing Material (ACM) handling procedures. Howard Contracting Inc., PCL's earthwork subcontractor, improperly removed and disposed of potential Asbestos Containing Material pipes in a dumpster, violating contract documents and LAUSD safety regulations.

**Recommendation No. 9:** PCL should ensure that its crews and subcontractors are adequately trained in identifying, handling, and disposing of suspected and presumed ACM. This training should cover Occupational Safety and Health Administration (OSHA) guidelines and LAUSD safety regulations to ensure full compliance with safety and environmental protocols. Upon discovering potential ACM, work in the affected area should be stopped immediately, and the disturbed area should be limited to the immediate vicinity of the ACM to minimize exposure and disruption to surrounding site improvements.

**Finding No. 10:** The OIG observed rust on various stainless-steel items, including hand dryers, restroom mirrors, the mop sink in the custodian room, and classroom sinks in the new classroom building. The new building opened in early January 2024 and had been used for less than a year. The rust appears to have developed due to the salt and high humidity in the air, as the school is in a coastal area.

**Recommendation No. 10:** The FSD should use marine-grade stainless steel (e.g., Type 316) for construction projects in coastal areas, as it offers superior corrosion resistance in saltwater environments compared to conventional stainless steel. FSD may also apply protective coatings or finishes to stainless steel and other metal surfaces to prevent rust.

Moreover, based on LAUSD's Regions Maps, the OIG identified 19 schools that are located within approximately one mile from the coastline and 36 schools (inclusive of the previously mentioned 19 schools) that are located within approximately two miles from the coastline. For a list of these schools, which are located in either Region South or Region West, please refer to Appendix II.

For additional information regarding these findings and observations, and all corresponding recommendations to the FSD, PSD, and PCL, please refer to the Results of Audit section or the Results of Evaluation section within each of the four reports listed below:

- (1) Prequalification Process Audit (Page 10);
- (2) Best Value Procurement Audit (Page 20);
- (3) Incurred Cost Audit (Page 45); and
- (4) Technical Evaluation (Page 60)

Los Angeles Unified School District Office of the Inspector General



Performance Audit Prequalification Process

The Classroom Replacement Project at South Shores Visual and Performing Arts Magnet Elementary School



## **INTRODUCTION**

The PSD ensures that procurement laws are followed and that the District achieves the most cost-effective prices for goods and services it needs. The Facilities Contracts Branch within the PSD consists of the Professional Services Contracts Unit (PSCU) and Facilities Contracts (FC). The PSCU is responsible for acquiring professional services from consultants, contractors, and other private firms. Acquisitions are achieved through Requests for Qualifications (RFQs) <sup>4</sup> and Requests for Proposals (RFPs), <sup>5</sup> which are developed, issued, evaluated, and awarded through the PSCU. The FC administers the advertising, bidding, and awarding of all formal, competitively bid school construction projects, including the prequalification of contractors and all post-award contract activities. The PSD supports student achievement by procuring quality goods and services at competitive prices. The PSD ensures compliance with laws and policies, works with reputable vendors, and upholds a fair and ethical bidding process. It leverages the District's buying power to reduce costs, maintain quality, and ensure timely delivery. <sup>6</sup>

The FSD issues bids for construction projects, which are generally categorized into two types: new construction projects and existing facilities projects. Generally speaking, new construction projects include the construction of new buildings, schools, primary care centers, additions to existing school sites, and other new structures. Projects for existing school facilities generally include the alteration, renovation, demolition, repair, improvement, upgrading, modernization, rehabilitation, and/or reconstruction of existing schools and/or school support facilities and systems.<sup>7</sup>

FC's Prequalification Unit is responsible for prequalifying contractors and subcontractors. The District permits contractors and mechanical, electrical, and plumbing (MEP) subcontractors to apply for prequalification status on an open enrollment basis, which increases the District's flexibility, quality of vendors, and ability to select qualified contractors on a more timely basis. Unless the contractor fails to prequalify, the prequalification status has been revoked, or a contractor has been barred from District projects, the prequalified status is generally good for one year, after which the contractor must reapply for prequalification.

The District seeks to partner with quality contractors through a uniform bidder rating system, ensuring the best construction quality at the most practical price. Prequalification staff carefully review contractor applications and required documents, providing an opportunity to address any deficiencies. Contractors are then notified of their application status, whether approved or denied. Please refer to Figure 1 for a visual representation of this process.

<sup>&</sup>lt;sup>4</sup> A Request for Qualifications asks potential suppliers to provide information about their experience and qualifications. It is often used as a first step to narrow down a pool of potential vendors for a project.

<sup>&</sup>lt;sup>5</sup> A Request for Proposal outlines a project and asks for bids from contractors or vendors. RFPs are used by businesses, non-profits, and government agencies.

<sup>&</sup>lt;sup>6</sup> LAUSD PSD Procurement Manual 10th Edition, page 6.

<sup>&</sup>lt;sup>7</sup> Procurement Services - Prequalification, Overview.

Application is Intake and Application and reviewed/processed Deficiencies? assignment of required documents by prequalifications application submitted staff Contractor is Yes notified and has the Resolved? opportunity to resolve deficiencies No No Yes Prequalification Prequalifications No Administrative Review Pass? manager (PAR) scheduled as reviews/approves Yes needed Application is approved. Contractor is notified.

Figure 1 – Prequalification Process Flowchart

The Prequalification Unit prequalified nine contractors who submitted bids for RFQ/Bid No. 2110031 and four subcontractors listed in Contract No. 4400009889 for MEP services (See Figure 2 below). On May 11, 2021, FC issued RFQ/Bid No. 2110031 to procure a construction contract for the Classroom Replacement Project at South Shores Visual and Performing Arts Magnet Elementary School (South Shores ES). On October 6, 2021, through the Best Value Complex procurement process, the District awarded Contract No. 4400009889 (Contract) to PCL Construction Services, Inc. (PCL) for major renovations and modernization to South Shores ES. The initial Contract amount was \$19,281,046, and from the Contract's inception through December 16, 2024, the District issued 208 change orders totaling \$2,174,517.35.

Figure 2 – Contractors and Subcontractors

Prime Contractor Name (Bidders for RFQ No. 2110031)		
PCL Construction Services, Inc.		
Icon West, Inc. (formerly BJ Development)		
Charles Pankow Builders Ltd.		
Pinner Construction Company, Inc.		
S.J. Amoroso Construction Co. LLC		
Pars Arvin Construction, Inc.		
Kemp Bros. Construction, Inc.		
A&B Construction, Inc.		
2H Construction, Inc.		

Subcontractor Name (MEP Subcontractors for Contract No. 4400009889)		
Suttles Plumbing & Mechanical Corp.		
Sheldon Mechanical Corporation		
Apex Fire Protection, Inc.		
H&S Electric, Inc.		

## **SCOPE AND OBJECTIVES**

The objective of the audit was to determine whether the Prequalification Unit properly prequalified (i) the contractors who submitted bids for RFQ/Bid No. 2110031 – the Classroom Replacement Project at South Shores ES and (ii) the subcontractors listed in Contract No. 4400009889 for MEP services by adhering to applicable pregualification policies and procedures.

We conducted this performance audit in accordance with *Generally Accepted Government Auditing Standards (GAGAS)*. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

## **METHODOLOGY**

To accomplish our audit objectives, we performed certain procedures, which included but were not limited to (i) interviewing key District Personnel, (ii) reviewing District policies and procedures, (iii) obtaining and reviewing prequalification files, and (iv) verifying compliance with policies and procedures, including:

- The bidders' and subcontractors' prequalification questionnaires were filled out, complete, and included required documents.
- The bidders' and subcontractors' Safety Prequalification was approved by the District at the time of the prime or subcontractor prequalification.
- The bank letter confirmed the bidders' or subcontractors' relationship, credit, and history with the bank.

## **EVALUATION OF INTERNAL CONTROLS**

In accordance with Government Auditing Standards, we obtained an understanding of internal control that is significant within the context of the audit objectives. We assessed whether internal controls were designed properly and implemented. For those controls that were deemed significant, we obtained sufficient, appropriate evidence to support our assessment of the effectiveness of those controls.

We are required to report deficiencies in internal controls that are significant within the context of the audit objectives. A deficiency in internal controls exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct (i) impairments of effectiveness or efficiency of operations, (ii) misstatements in financial or performance information; or (iii) noncompliance with provisions of laws, regulations, contracts, or grant agreements on a timely basis. Based on our audit, we did not find any deficiencies in internal controls but found that the District can strengthen and improve certain activities, details of which are provided in this report's Results of Audit section.

## **RESULTS OF AUDIT**

The Prequalification Unit properly prequalified (i) the contractors who submitted bids for RFQ/Bid No. 2110031 - South Shores Visual and Performing Arts Magnet ES Classroom Replacement Project and (ii) the subcontractors listed in Contract No. 4400009889 for mechanical, electrical, and plumbing services by adhering to applicable prequalification policies and procedures.

The PSD's Policies and Procedures, Section 8.5 – Prequalification (Prequalification Policies) define the policies, procedures, and responsibilities of FC staff in prequalifying prospective bidders for District construction projects, and provide guidance and a method of evaluation to assist FC staff in administering the District's prequalification requirements for all prospective bidders.

Prequalification Policies indicate that, depending on experience and references, an applicant may obtain prequalification at one of the following levels (I, II, or III):

- Level I refers to an Applicant that is entitled to bid on LAUSD construction contracts in an amount not to exceed \$350,000.
- Level II refers to an Applicant that is entitled to bid on LAUSD construction contracts in an amount not to exceed \$5,000,000.
- Level III refers to an Applicant that is entitled to bid on LAUSD construction contracts in an amount in excess of \$5,000,000.

Also, the Prequalification Policies indicate that the bank letter submitted by the bidders or subcontractors includes their relationship, credit, and bank history with the bank.

Lastly, the Prequalification Policies Section indicates that the subcontractors have the appropriate licenses. MEP contractors consist of the following license classifications:

- C-4 (Boiler, Hot Water Heating and Steam Fitting);
- C-7 (Low Voltage Systems);
- C-10 (Electrical);
- C-16 (Fire Protection);
- C-20 (Warm-Air Heating, Ventilating and Air-Conditioning);
- C-34 (Pipeline);
- C-36 (Plumbing);
- C-38 (Refrigeration);
- C-42 (Sanitation System);
- C-43 (Sheet Metal);
- C-46 (Solar).

The OIG tested the following areas included in the Prequalification Policies to determine if the nine bidders and the four subcontractors were accurately prequalified.

• The bidders' prequalification questionnaires were submitted at least 10 business days before the RFQ due date.

- The bidders' prequalifications were approved at least five business days before bid opening.
- The bidders' prequalification questionnaires were complete and included required documents.
- The prequalification questionnaires were signed by an authorized signer.
- A completed District's Safety Prequalification Questionnaire was submitted by all bidders.
- The bidders' Safety Prequalification was approved by the District at the time of the prime contractor's (prime) prequalification.
- A California Contractor State License Board (CSLB) license was current and active at the time of the prime prequalification for all nine bidders.
- A Department of Industrial Relations (DIR) Contractor registration was current at the time of the prime prequalification for all nine bidders.
- The appropriateness and accuracy of the bidders' approved prequalification level (Level I, II, or III).
- The Letter of Bondability from all bidders was approved by the California Department of Insurance and was from an admitted surety insurer with at least an A-VII rating according to the A.M. Best Company at the time of the prime prequalification.
- The Letter of Bondability from all bidders was written by the surety company, accompanied by a Power of Attorney from the surety company, and addressed to the District.
- The financial statements were reviewed/audited and dated within the last 18 months of the prequalification request, with accompanying notes and supplemental information.
- The general liability insurance coverage was at least \$1 million per occurrence / \$2 million aggregate with a California-admitted insurance company and workers compensation coverage to cover all activities of the contractor.
- The certificate of general liability insurance coverage named Los Angeles Unified School District as an additional insured.

The OIG found no exceptions. The Prequalification Unit properly prequalified (i) the contractors who submitted bids for RFQ/Bid No. 2110031 – the Classroom Replacement Project at South Shores ES and (ii) the subcontractors listed in Contract No. 4400009889 for MEP services by adhering to applicable Prequalification Policies and Procedures. Nonetheless, the OIG identified certain lapses in adherence to established procedures. While these lapses did not impact the prequalification process of bidders and subcontractors related to the bid and contract, they highlight areas where the PSD should enhance its practices for greater consistency and compliance.

# Finding No. 1: The bank letters from two bidders and three subcontractors lacked at least one required element.

### Criteria

The Procurement Services Division's Prequalification Policies require contractors to submit a bank letter which must include the elements stated in Figure 3 - Bank Letter Elements.

Figure 3 – Bank Letter Elements



- Signed by the bank on a bank letterhead stationery.
- Dated within the last six months.
- Confirms the bidders' or subcontractors' relationship, credit, and banking history with the bank.
- Includes the name of the bidder or subcontractor, the name of the financial institution, the type of accounts the bidder or subcontractor has, the name of the branch manager and contact information.

## **Condition**

The OIG requested and reviewed the bank letters for all nine bidders to determine whether the letters included all the elements described in the policies and procedures, and found that two bidders did not (i) have a bank letter signed by the bank on bank letterhead stationery, (ii) include the banking history in their bank letter, (iii) have the bidders' relationship and credit.

The OIG also requested and reviewed the bank letters for the four MEP subcontractors in the Contract, and found that three subcontractors submitted bank letters that (i) were not signed by the bank on a bank letterhead stationery, (ii) did not have a banking history with the bank, (iii) did not have the branch manager's name, or (iv) was dated more than six months prior to the date of submission.

#### Cause

This condition occurred because the Prequalification Unit accepted bank letters that did not meet all the elements stated in the Prequalification Policies. According to the Prequalification Unit staff, the primary purpose of the bank letter is to verify that contractors or subcontractors maintain a relationship with a financial institution, and that there is evidence of an active account with regular transactions. Therefore, they do not consider the absence of certain details in the letter to be critical to the prequalification process. In addition, the Prequalification Unit staff indicated that while specific elements are required in the bank letter, many financial institutions are unwilling or unable to provide all requested information, either due to time constraints or policy limitations. Ultimately, the District cannot compel the bank to provide the letter with the specific details it may request. In cases like these, the District believes a standardized printout from the financial institution can suffice to demonstrate the relationship between the applicant and the bank.

## Effect

There is an increased risk that a bank letter could be fabricated or that the District does not have enough information about a contractor or subcontractor's financial history, weakening the District's ability to assess their financial stability. This could ultimately result in contractors and subcontractors lacking the capacity to perform adequately on the job or causing delays.

### Recommendation No. 1

We recommend that the District determine the best way for contractors and subcontractors to provide evidence of banking relationships/bank history, and update the policy as needed.

### PSD's Response

PSD agreed that the bank letters tested did not meet all required elements. In light of the industry's shift toward automated forms and greater reliance on financial statements, PSD is reviewing the current bank letter requirements. They will collaborate with stakeholders and the Office of the General Counsel to assess the necessity and appropriate structure and content of bank letters. The review and any resulting implementation will be completed by July 31, 2025.

Finding No. 2: Three of the nine bidders had differing Contractor Performance Scores (CPS) on the Safety Prequalification Log (prequalification list) and their Contractor Prequalification (PQ) Scoring Summary. One subcontractor had mismatched approval and expiration dates on their Approval Letter and the prequalification list.

During the prequalification process, the contractors are given a CPS encompassing a field and compliance component. The contractor's CPS should be the same on the prequalification list and their PQ Scoring Summary. Furthermore, approval and expiration dates should be the same on the Approval Letters and prequalification list.

### Criteria

The Prequalification Policies state, "FC Prequalification Unit staff updates the Safety PQ Submittal Log." The bidders and subcontractors have their information accurately listed and updated on a prequalification list. The prequalification list includes the CPS, prequalification expiration dates, license number, etc. During the prequalification process, the prequalification list is updated from source documents such as the approval letter and the Contractor PQ Scoring Summary.

### Condition

The OIG requested and reviewed the prequalification list, Contractor PQ Scoring Summary, and Approval Letters for all nine bidders and four subcontractors and found the following:

Three of the nine bidders (33%) had different scores CPS on the prequalification list and

<sup>&</sup>lt;sup>8</sup> 8.5 Prequalification FINAL 8.3.15 W Exhibits.pdf

their respective Contractor PQ Scoring Summary, as summarized in Table No. 1 below.

**Table No. 1 – CPS Score Summary** 

Contractor	CPS Score – Prequalification List	CPS Score – Contractor PQ Scoring
SJ Amoroso Construction Co. LLC	88.5	85.5
Kemp Bros. Construction, Inc.	86.8	90.5
2H Construction, Inc.	87.0	95.4

- One of the four subcontractors (25%) had different approval and expiration dates noted on their Approval Letter and the prequalification list.
  - o H&S Electric, Inc. had a different prequalification and expiration date noted on the prequalification list (10/20/20 and 10/20/21) and the Approval Letter (10/22/20 and 10/22/21).

#### Cause

These conditions occurred because the prequalification staff did not update the CPS score during the review phase of the prequalification process and because of prequalification staff error.

## **Effect**

There is an increased risk that bidders and subcontractors could be incorrectly prequalified or prequalification requests may be denied due to inaccurate transfer of, or inconsistent scores.

## Recommendation No. 2

The PSD should review and verify that updates to the Safety Prequalification Log are accurate.

## PSD's Response

PSD agreed with the recommendation and initiated a peer review process to verify updates to the Safety Prequalification Log as of June 13, 2025. PSD has also completed training to reinforce accurate data entry and final review procedures.

Observation No. 1: One of the nine bidders was inaccurately scored on one question, but this did not have an effect on the prequalification approval.

After the bidders or subcontractors submit their application for prequalification, the Prequalification Unit assesses and scores the responses and records them in the Scorable Questions Scoring Summary. Question 25 of this summary relates to the number of times in the past five years that the Environmental Protection Agency or any Air Quality Management District

<sup>&</sup>lt;sup>9</sup> The Scorable Questions Scoring Summary is a PSD document that shows the PSD questions, bidder/subcontractors responses, and points earned per their responses.

or any Regional Water Quality Control Board cited and assessed penalties against either the prequalification applicant or the owner of a project on which the applicant was the contractor. Based on the criteria for this question, Charles Pankow Builders Ltd. should have received five points, but instead received a score of three points. As a result, they received a CPS score of 131 points instead of 133 points. 103 points are considered passing on Part V of the Scorable Questions Scoring Summary, so this error did not impact the prequalification approval or the ranking used to select the winning bidder. No recommendations.

## **AUDIT TEAM**

This audit was conducted by the Office of the Inspector General's Audit Unit Team:

Maria Thomas, Audit Manager Armando Ng, Principal Auditor Damon Melfi, Senior Auditor Los Angeles Unified School District
Office of the Inspector General



Performance Audit
Best Value Procurement

PCL Construction Services, Inc. and the Classroom Replacement Project at South Shores Visual and Performing Arts Magnet Elementary School



## **INTRODUCTION**

The PSD's Facilities Contracts (FC) branch is responsible for procuring (i.e., the prequalification of contractors, advertising, bidding, and awarding) construction contracts and professional, technical, architectural, and engineering services through various procurement methods. These methods include formal, competitively bid contracts (Formal), job order contracts (JOC), RFQs, RFPs, invitations for bid (IFB), Best Value contracts, and informal contracts (i.e., A/B letters).

On November 14, 2017, The District's BOE adopted a proposal to define the South Shores ES Classroom Replacement Project. <sup>10</sup> This project would replace 12 classrooms in relocatable buildings to comply with California Education Code Section 17292, which requires the elimination of relocatable housing. <sup>11</sup> The District was authorized to perform pre-construction and limited construction activities, including due diligence, planning, design, submission to the Division of the State Architect (DSA), environmental analysis, removal of four classrooms from relocatable housing, and installation of temporary replacement classrooms. The DSA approved the District's various designs between June 27, 2019, and December 18, 2020.

### Best Value Selection Process

On April 14, 2021, the Board adopted an amendment to authorize and fund the construction of the Project since the initial project definition only included pre-construction and limited construction activities. <sup>12</sup> The amended project definition included the following:

- All pre-construction and limited construction activities on the initial project definition.
- Remove 12 classrooms from relocatable buildings.
- Construction of 12 classrooms and support spaces designed, constructed, and furnished/equipped to current code requirements and District design standards.
- Install interim housing to support the school site during construction of the new permanent building.
- Infrastructure upgrades as required to support the new facilities, including an enhanced Information Technology network convergence system and a new campus-wide fire alarm system.
- Upgrade landscape, hardscape, parking, and playground areas as appropriate to support removing relocatable buildings and constructing new facilities.
- Restore the eastern portion of the upper playground area that will be utilized for interim housing, including asphalt replacement, striping, and installation of playground fixtures.
- Make improvements related to the Americans with Disabilities Act (ADA), DSA, California Environmental Quality Act (CEQA), Department of Toxic Substances Control (DTSC), and any other required improvements or mitigations to ensure compliance with local, state, and/or federal facilities requirements.

On April 23, 2021, the FSD's Acquisition Strategy Board (ASB) approved using the Best Value method to procure the construction contract for the Project. <sup>13</sup> The District is authorized under California Public Contract Code (PCC) Section 20119 to use this method for projects over \$1

<sup>&</sup>lt;sup>10</sup> LAUSD BOE Report No. 189 17/18

<sup>&</sup>lt;sup>11</sup> California Education Code Section 17292.

<sup>&</sup>lt;sup>12</sup> LAUSD BOE Report No. 292 20/21.

<sup>&</sup>lt;sup>13</sup> LAUSD FSD ASB Informative 04.23.2021.

million. <sup>14</sup> This legislation established the Best Value procurement as a pilot program for the District effective January 1, 2016, and is set to expire on December 31, 2025. Best Value is a selection process based on the defined criteria and the bid price, not just the lowest bid, for building and modernizing school facilities. Expected benefits of using this method include a reduction of contract delays, change orders, and claims, producing savings in contract costs and administration.

PSD's FC advertised the RFQ/Bid No. 2110031 for the Project on May 11, 2021 and May 17, 2021. <sup>15,16</sup> The Best Value bidder was selected according to the requirements of California PCC Section 20119, and RFQ/Bid No. 2110031. The selection and evaluation process consisted of a qualification score based on criteria established by the District, and that was included in the advertised RFQ/Bid. The evaluation criteria included scoring and assigning points for (1) relevant experience, (2) management competency, (3) past performance, (4) use of small business enterprises, (5) local worker goals, (6) participation in the We Build program, <sup>17</sup> (7) financial condition, (8) safety records, (9) labor compliance, (10) project plan, and (11) interview.

The Best Value contractor is determined by dividing the price bid by the qualification score. The lowest resulting cost per quality point represents the best value bid, and the contract is awarded to the contractor whose bid is determined to be the best value to the District.

## Award of Contract to PCL

On October 6, 2021, the PSD FC branch awarded Contract No. 4400009889 (Contract) to PCL as the Best Value contractor for the Project, and a Notice to Proceed (NTP) was issued on October 11, 2021. 18,19 The initial amount awarded for the Contract was \$19,281,046. The District issued a total of 208 change orders totaling \$2,174,517.35, which increased the contract value to \$21,455,563.35. As of June 30, 2024, the District paid \$19,765,402.18 to PCL.

<sup>15</sup> The Los Angeles Daily Journal Proof of Advertisement For RFQ/Bid 2110031.

<sup>&</sup>lt;sup>14</sup> California Public Contract Code Section 20119.

Request for Qualification and Bid No. 2110031 - South Shores Visual & Performing Arts Magnet ES Classroom Replacement.

<sup>&</sup>lt;sup>17</sup> We Build is a program that connects District graduates to general and specialty contractors who are in need of a skilled construction workforce.

<sup>&</sup>lt;sup>18</sup> Notice of Award - Contract No. 4400009889 - PCL Construction Services, Inc.

<sup>&</sup>lt;sup>19</sup> Notice To Proceed - South Shores Visual & Performing Arts Magnet ES Classroom Replacement.

Diagram 1 below describes the Best Value procurement process.

# Diagram 1 Best Value Procurement Process



- Various branches (Asset Management, Maintenance and Operations and Project Execution) within the Facilities Services Division (FSD) identify and develop construction projects
- Project definition to include managing branch, project/program type, scope, schedule, budget, stakeholders, and responsible staff.
- Daylighting: The Acquisition Strategy Board (ASB) previews the project and provides comments or feedback, if any.

Project Approval

- ASB approves the construction project unanimous vote is required.
- The Los Angeles Unified School District (District) Bond Oversight Committe (BOC) approves the project definition through a resolution.
- The District's Board of Education (Board) approves the project definition through a Board Report.

Project Design

- Asset Management designs and obtains Division of State Architect (DSA) approval if required.
- Maintenance & Operations may handle the design for certain projects.

Procuremer Method

- The Procurement Services Division (PSD)'s Facilities Contract (FC) branch proposes the procurement method.
- $\bullet$  ASB reviews and approves the proposed procurement method.

- A Contracting Officer/Contract Administration Analyst (CAA) is assigned to procure the construction contract.
- CAA advertises the Request for Qualification (RFQ) and Bid (RFB) and conducts a non-mandatory meeting with interested bidders.
- CAA establishes a selection panel to evaluate and score the qualification of each bidder.
- Bidders must be prequalified by the District to submit a bid. Proposed mechanical, electrical and plumbing subcontractors are required to be prequalified as well.

Evaluation and Score

- Selection panel members evaluate and score each bidder's qualification criteria (relevant experience, management competency, past performance, use of small business enterprises, local workergoals, we build, financial condition, safety records and labor compliance). Maximum score of 1,000 points.
- CAA will issue a shortlist of responsive bidders based on the qualification scores. These bidders will proceed with the bidding and review the proposed list of subcontractors.
- For complex projects (greater than \$10 million), the panel also evaluates and scores the bidder's project plan and interviews. Maximum score of 1,000 points.

Best Value

- CAA receives price bids, calculates the best-value score for each shortlisted bidder (price bid/qualification score), and tabulates the results from lowest to highest score.
   CAA completes due diligence review on the bidder with the lowest best-value score. The bidder offering the best value to the District is the one with lowest best-value score
- ASB reviews and approves the selection of the winning bidder.

Contract Award

- CAA issues the Notice of Intent to Award (NOIA), Notice of Award (NOA) and Notice to Proceed (NTP).
- Board aprproves or ratifies the contract award.

or lowest cost per qualification point.

PCL substantially completed construction on September 5, 2024, with a final construction contract completion date of November 3, 2024. The District expects to receive DSA certification by May 2025 and complete the Project's financial close-out by May 2026.

See Appendix I for a detailed South Shores ES Classroom Replacement Project timeline.

## **SCOPE AND OBJECTIVES**

The objective of the audit was to determine whether the District awarded the construction contract for replacing classrooms at South Shores ES to the bidder offering the best value in accordance with District policies and state law.

We conducted our audit in accordance with *GAGAS*. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions on our audit objectives. The audit covered the period from October 6, 2017, to December 7, 2021.

## **METHODOLOGY**

To accomplish our audit objective, the audit team performed various procedures, including but not limited to the following: (i) interviews and walkthroughs with key contacts to obtain an understanding of the procurement of the construction contract for the South Shores ES classroom replacement project and the Best Value procurement process, (ii) obtained and reviewed relevant state laws (PCC 20119) and District policy and procedures (PSD 8.10 Best Value Construction Contract (Rev 2.0, April 2018), (iii) obtained the advertised RFQ/Bid No. 2110031 and related RFQ/Bid documents, (iv) reviewed the RFQ/Bid and related documents to determine whether the procurement of the construction contract was conducted in accordance with state laws and District policies and procedures, (v) obtained and reviewed the District's Prequalification logs to determine whether the contractors where prequalification documents and price bids to determine whether the contractors met the requirements detailed in the RFQ/Bid, and (vii) reviewed and recalculated the qualification and Best Value scores to determine whether the construction contract for the classroom replacement project was awarded to the contractor who offered the best value to the District.

## **EVALUATION OF INTERNAL CONTROLS**

In accordance with *Government Auditing Standards*, we obtained an understanding of internal controls that are significant within the context of the audit objectives. We assessed whether internal controls were properly designed and implemented. For those controls that were deemed significant, we obtained sufficient, appropriate evidence to support our assessment about the effectiveness of those controls.

We are required to report deficiencies in internal controls that are significant within the context of the audit objective. A deficiency in an internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct (i) impairments of effectiveness or efficiency of operations, (ii) misstatements in financial or performance information; or (iii) noncompliance with provisions of laws, regulations, contracts, or grant agreements on a timely basis. Based on our audit, we did not find significant deficiencies in internal controls. Nevertheless, we found that internal controls could be strengthened and improved, details of which were provided in this report's Results of Audit section.

## **RESULTS OF AUDIT**

PSD's FC branch awarded PCL the South Shores ES classroom replacement construction contract, in accordance with state law and RFQ/Bid No. 2110031.

#### Criteria

### The California Public Contract Code

California PCC Section 20119.2 provides a pilot program for the District to use the Best Value procurement method for projects over \$1 million before December 31, 2025. Best Value is a procurement process in which a contractor "may be selected on the basis of objective criteria for evaluating the qualifications of bidders, with the resulting selection representing the best combination of price and qualifications." The benefits of a Best Value procurement method include a reduction in contract delays, change orders, and claims, resulting in cost savings. <sup>21</sup>

Furthermore, Sections 20119.3 and 20119.4 of the PCC require that the District perform the following when the Best Value method is used to award a contract:

- 1. Prepare a solicitation for bids and give notice pursuant to PCC Section 20112.
- 2. Establish a procedure to qualify contractors.
- 3. The solicitation or RFQ/Bid shall:
  - a. Invite prequalified contractors to submit sealed bids.
  - b. Describe the criteria the school district will consider when evaluating the qualifications of contractors.
  - c. Describe the methodology and rating or weighting system that will be used when evaluating bids.
  - d. Describe the relative importance or weight assigned to the criteria.
- 4. Prevent the identity of the contractors and the cost or price bid from being revealed in evaluating the qualifications of contractors prior to the completion of qualification scores.
- 5. The selection of the Best Value contractor shall:
  - a. Evaluate each contractor's qualifications based solely on the criteria described in the solicitation and assign a score to each bid.
  - b. Determine the qualification scores by using only the criteria and selection procedure described in the solicitation or RFQ/Bid.
  - c. At a minimum, include relevant experience, safety record, and other factors when evaluating the contractors' qualifications.
  - d. Weight, as deemed appropriate by the school district, relevant experience, safety record, and other factors identified in the RFO/Bid.
  - e. Determine the Best Value contractor by dividing each contractor's price bid by its qualifications score. The lowest resulting cost or price per qualification point represents the Best Value bid.
- 6. Award the contract to the contractor whose bid the school district determines in writing to be the best value for the school district.
- 7. Issue a written decision of its contract award or else reject all bids.
- 8. Publicly announce the award of the contract, including the project, the project price, the Best Value contractor, the price bids, qualification scores, and resulting costs per qualification point for all responsive bidders.<sup>22</sup>

<sup>&</sup>lt;sup>20</sup> California PCC Section 20119.2 (a) and (b).

<sup>&</sup>lt;sup>21</sup> California PCC Section 20119 (b).

<sup>&</sup>lt;sup>22</sup> California PCC Section 20119.

Section 20112 of the PCC requires the District to "publish at least once a week for two weeks in some newspaper of general circulation published in the district, or if there is no such paper, then in some newspaper of general circulation, circulated in the county, and may post on the district's Web site or through an electronic portal, a notice calling for bids, stating the work to be done or materials or supplies to be furnished and the time when and the place and the Web site where bids will be opened. Whether or not bids are opened exactly at the time fixed in the public notice for opening bids, a bid shall not be received after that time. The governing board of the district may accept a bid that was submitted either electronically or on paper."<sup>23</sup>

## Procurement Services Division - 8.10 Best Value Construction Contract (Rev 2.0, April 2018)

In accordance with PCC Section 20119, the PSD's FC established and documented its Best Value procedures in the PSD 8.10 Best Value Construction Contract, Rev 2.0, April 2018 (PSD 8.10), for qualifying contractors and described its criteria, methodology, and rating or weighting system used when evaluating bidders and their bids.<sup>24</sup>

Section 4.0 of the established Best Value procedures also stipulates that the Contracting Officer (CO) is the chairperson of the selection panel, and is responsible for the RFQ/Bid and execution of the contract award. The selection panel is generally comprised of up to three District employees who know about construction, project scheduling, and construction costs. For projects with more than five bidders, four panel members may be assigned, and each proposal will be read by at least two of the panel members.<sup>25</sup>

## Request for Qualification and Bid No. 2110031

In accordance with PCC Section 20119, the PSD's FC included in its RFQ/Bid and addenda the important dates and a description of its criteria, methodology, and rating or weighting system used to evaluate bidders and their proposals.

Table 1 below lists the important dates stated in the RFQ/Bid No. 2110031 and addenda.

## Table 1 Important Dates for RFQ/Bid No. 2110031

Advertising and Release of RFQ/Bid	May 11, 2021
Last Day for Statement of Qualification (SOQ) Questions	June 8, 2021
SOQ Due Date	June 15, 2021 (3:00 PM)
Announcement of Shortlisted Bidders	July 2, 2021
Mandatory Site Walk	July 6, 2021 (10:00 AM)
Subcontractor's SOQ	July 20, 2021 (3:00 PM)
Project Plan Due Date	July 27, 2021 (3:00 PM)
Interviews	August 3, 2021
Last Day for Request for Clarification	August 12, 2021
Last Day for Final Addenda	August 24, 2021
Price Bid Due Date	September 1, 2021 (3:00 PM)

<sup>&</sup>lt;sup>23</sup> California PCC Section 20112.

<sup>&</sup>lt;sup>24</sup> PSD Facilities Contract - 8.10 Best Value Construction Contract Procedures.

<sup>&</sup>lt;sup>25</sup> PSD Facilities Contract - 8.10 Best Value Construction Contract Procedures, pp. 1-2.

It should be noted that the important dates were amended twice through the issuance of two addenda on May 27, 2021 and August 10, 2021. According to the Contracting Officer, the dates were amended due to clarification questions received from bidders.

Table 2 below details the criteria and weighting system or maximum points that can be assigned to each criterion when evaluating bidders' qualifications as stated in RFQ/Bid No. 2110031.

Table 2
Best Value Criteria and Scoring

SOQ Criteria:	Weight or Points
Relevant Experience	200
Demonstrated Management Competency	500
Past Performance	150
Use of Small Business Enterprise (SBE) <sup>27</sup> /	50
Disabled Veteran Business Enterprise	
$(DVBE)^{28}$	
Local Worker Goals	40
We Build	10
Financial Condition	20
Safety Record	10
Labor Compliance	20
Subtotal – SOQ Score	1,000
For Complex Project: Written Project Plan	500
Written Project Plan Interview	
	500
Subtotal – Complex Project Score	1,000
<b>Total Maximum Points</b>	2,000

Furthermore, PSD's FC issued an addendum stipulating that up to seven bidders will be shortlisted to submit a project plan and a price bid and be interviewed by the selection panel. The Best Value score for each bidder is calculated by dividing the submitted price bid by the qualification score. The results are tabulated, and each bidder is ranked from lowest to highest Best Value score. The bidder offering the best value to the District is the one with the lowest Best Value score.

Condition

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<sup>&</sup>lt;sup>26</sup> Addenda to Request for Qualification and Bid No. 2110031.

<sup>&</sup>lt;sup>27</sup> Small Business Enterprise is a small business that meets the U.S. Small Business Administration guidelines for gross sales receipts (averaged over the past three years), or number of employees based on industry.

<sup>&</sup>lt;sup>28</sup> A Disabled Veteran Business Enterprise is a business owned by at least 51% by one or more disabled veterans of the U.S. military, naval, or air services. The veteran must reside in California, and the home office must be located in the U.S. The business operations must be managed and controlled by one or more disabled veterans, who do not have to be the owners of the business.

PSD's FC branch awarded the South Shores ES classroom replacement construction contract to PCL, the contractor who offered the best value to the District according to District Best Value procedures, RFQ/Bid No. 2110031, and California PCC Sections 20119 and 20112.

To determine whether the Contract for the Project was awarded to the best value bidder, we completed the following testing:

# 1. Assessed whether the Best Value Procedures met the California Public Contract Code Requirements

We obtained and reviewed the District's Best Value procedures, PSD 8.10 Best Value Construction Contract, Rev 2.0, April 2018, which describes the Best Value criteria, methodology, and rating or weighting system used when evaluating bidders' qualifications and bids, to determine whether the procedures comply with California PCC Sections 20119 and 20112. PSD 8.10 Best Value Construction Contract procedures also reference FSD 14.2 Bid and Award Policies<sup>29</sup> and Procedures and FSD 14.00.01 Acquisition Strategy Board Policy and Procedures.<sup>30</sup>

Our review determined that the District's documented Best Value procedures comply with California PCC Sections 20119 and 20112.

See Appendix I for a detailed matrix comparison between the California PCC Sections 20119 and 20112, and the District's documented Best Value procedures.

## 2. Determined Project Approval and Procurement Method Eligibility

We obtained all BOC resolutions, Board reports, ASB documents, RFQ/Bid No. 2110031, and advertisements associated with the Project and verified that the Project was approved in accordance with established Best Value procedures. Table 3 below lists the required approvals and their approval dates.

Table 3
Project Approvals and Approval Dates

Project Approval	Approval Date
Pre-construction:	
Acquisition Strategy Board – Project Definition	10/6/2017
Bond Oversight Committee – Resolution 2017-44	11/2/2017
Board of Education – Board Report No. 189-17/18	11/14/2017
Construction:	
Acquisition Strategy Board – Project Re-definition	2/5/2021
Bond Oversight Committee – Resolution 2021-13	4/1/2021
Board of Education – Board Report No. 292-20/21	4/14/2021

Best Value Procurement Method:

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<sup>&</sup>lt;sup>29</sup> LAUSD FSD 14.2 Bid and Award Policies and Procedures.

<sup>&</sup>lt;sup>30</sup> LAUSD FSD 14.00.01 ASB Policy and Procedures.

We also determined that the District was eligible to use the Best Value procurement method to procure the construction contract for the Project. California PCC Section 20119 created a pilot program for the District to use the Best Value procurement method for projects over \$1 million before December 31, 2025. According to the RFQ/Bid No. 2110031 and advertisement, the estimated contract amount was \$17,353,000. On October 6, 2021, the PSD FC branch awarded the Contract to PCL with a contract amount of \$19,281,046.

## 3. Determined Whether the Request for Qualification and Bid Process Complied with **Applicable Regulations and Procedures**

We obtained RFQ/Bid No. 2110031, the advertisements, and other supporting bid documents (e.g., request for advertisement, project plan and specifications, addenda, and contractor statement of qualifications) associated with the Project to determine whether the RFQ/Bid process complied with California PCC Sections 20119 and 20112, and the District's established Best Value procedures.

As described below, we determined that (a) the RFQ/Bid was advertised, published, and included required information, (b) the project plan and specifications were issued, (c) a pre-proposal meeting was conducted, (d) the project plan and specifications were issued and made available to the bidders, (e) the addenda were issued (if any), (f) the contractors' statement of qualifications were submitted on time, and (g) each bidder was prequalified on time in accordance with California PCC Sections 20119 and 20112, District policy and procedures, and the RFO/Bid No. 2110031.

### a. Advertisement

The OIG found that the request for an advertisement was properly completed and approved by the FSD's Facilities Environmental Technical Unit (FETU), as required by District policy and procedures. In compliance with California PCC Sections 20119 and 20112, the advertisement included the solicitation for bids, the work to be done, and the time, place, and website where bids were opened.

We also verified that the RFQ/Bid was advertised once a week for two weeks in a newspaper of general circulation or the Los Angeles Daily Journal as required by California PCC Sections 20119 and 20112.<sup>32</sup> The advertisement also included a link to the District's website, www.laschools.org, where contractors could view the bid and access the RFO/Bid and related documents, such as the project plan and specifications.

### b. Request for Qualifications and Bid

We obtained and reviewed the RFQ/Bid No. 2110031 and related documents (e.g., project plan and specifications) and found that the RFQ/Bid No. 2110031 included the criteria, methodology, and rating or weighting system used to score bidders' qualifications, as required by California PCC Section 20119. See Table No. 2 above for the criteria and weighting system or maximum points that can be assigned to each criterion.

<sup>&</sup>lt;sup>31</sup> The Board ratified the awarded contract on December 7, 2021.

<sup>&</sup>lt;sup>32</sup> The advertisement ran in the Los Angeles Daily Journal on May 11, 2021, and May 17, 2021.

We also verified that the following information was included in the RFQ/Bid:

- 1. Description of the Project.
- 2. Statutory authority (California PCC Section 20119) under which the request is being issued.
- 3. District requirements, such as SBEs, local workers, pre-apprenticeship, prevailing wages, pre-qualification, bond, insurance, and other requirements as appropriate.
- 4. Important dates, such as meeting dates, submission deadlines, and terms and conditions.
- 5. Relevant forms and certifications.

## c. Non-mandatory Pre-proposal Meeting

PSD's FC provided support showing that a non-mandatory pre-proposal meeting with interested parties was conducted as required by PSD's FC established and documented Best Value procedures in the PSD 8.10 on May 25, 2021, via video conference. PCL Construction Services, Inc., SJ Amoroso Construction Co., LLC, Pankow, and P H Hagopian Contractor, Inc. were present at the non-mandatory pre-proposal meeting.

## d. Project Plan and Specifications

We obtained the project plan and specifications and verified that they were issued and made available to the bidders, as required by California PCC Section 20119 and PSD's FC established and documented Best Value procedures in the PSD 8.10. The Project plan and specifications are available to be viewed on the District's Website and were also available for purchase through Crisp Imaging, a District-contracted third party.

## e. Addenda

We obtained and reviewed all addenda to determine whether they were issued on time and determined that Addendum I was issued by August 24, 2021, and at least 72 hours before the bid opening on September 1, 2021, at 3:00 PM, as required in RFQ/Bid No. 2110031. Our review determined that PSD's FC issued nine addenda, which updated important dates, provided clarification to questions from interested bidders, and provided revisions to the Project plan and specifications.

Table 4 below summarizes the date the nine addenda were issued.

Table 4
Summary of Addenda and Issue Dates

Addenda	Date
Final Addenda Deadline	8/24/2021
Addenda to the RFQ No. 1	5/26/2021
Addenda to the RFQ No. 2	5/27/2021
Addenda to the RFQ No. 3	6/10/2021
Addenda to the RFQ No. 4	6/16/2021
Addenda to the RFQ No. 5	7/1/2021
Addenda to the Bid No. 1	7/16/2021
Addenda to the Bid No. 2	7/23/2021

Addenda to the Bid No. 3	8/10/2021
Addenda to the Bid No. 4	8/20/2021

## f. Contractor Statement of Qualifications

We obtained and reviewed the SOQs submitted by each bidder to determine whether they were submitted on time and included the required information specified in RFQ/Bid No. 2110031.

Our review determined that nine bidders submitted an SOQ with the required information by June 15, 2021, at 3:00 PM, as stated in the RFQ/Bid No. 2110031. The information submitted in the SOQs included the contractor's relevant experience, management competency, and past performance.

Relevant experience included a summary of the contractor's projects for the past 10 years, the contractor's advantages and strengths for the Project, and three similar projects completed in the past five years.

Table 5 below details the District's deadline and the date and time each bidder submitted their SOQ.

Table 5
Statement of Qualifications and Submission Dates

SOQ Submission	<b>Submission Date</b>
SOQ Submission Deadline	6/15/2021 – 3:00 PM
Bidder Name	
A&B Construction, Inc.	6/8/2021 – 2:43 PM
Kemp Brothers Construction, Inc.	6/14/2021 - 5:57 PM
PCL Construction Services, Inc.	6/15/2021 – 9:15 AM
Pinner Construction Company, Inc.	6/15/2021 – 9:27 AM
2H Construction, Inc.	6/15/2021 – 11:07 AM
Pars Arvin Construction, Inc.	6/15/2021 – 12:05 PM
S.J. Amoroso Construction Co. LLC	6/15/2021 - 2:07 PM
Icon West, Inc.	6/15/2021 – 2:19 PM
Charles Pankow Builders Ltd.	6/15/2021 - 2:48 PM

We also verified that the bidders performed the following:

- 1. Listed completed projects within the past 10 years.
- 2. Provided information on three similar projects completed in the past five years.
- 3. Provided the company's advantages and strengths.
- 4. Included the proposed management team's experience, competence, capability, and capacity to complete projects of similar size, scope, and complexity.
- 5. Included past performance or success in completing three selected construction projects within the last five years.
- 6. Provided the company's use of SBEs and local workers.
- 7. Provided the company's participation in the We Build program.
- 8. Provided the company's financial condition, including the capacity to obtain required payments, performance bonds, and insurance.
- 9. Included the company's safety records and labor compliance.

## g. Contractor Prequalification

We obtained and reviewed the list of prequalified contractors the PSD FC Prequalification Unit maintained and determined that all bidders who submitted an SOQ were prequalified by the District's Prequalification Unit, as required by the District's Best Value procedures.

Table 6 below summarizes the prequalification of the bidders.

Table 6 **Summary of Contractor's Prequalification Dates** 

Contractor Prequalification	Approval Date	<b>Expiration Date</b>
A&B Construction, Inc.	8/11/2021	8/11/2022
Kemp Brothers Construction, Inc.	10/8/2020	10/8/2021
PCL Construction Services, Inc.	11/2/2020	11/2/2021
Pinner Construction Company, Inc.	9/15/2020	9/15/2021
2H Construction, Inc.	1/29/2021	1/29/2022
Pars Arvin Construction, Inc.	11/6/2020	11/6/2021
S.J. Amoroso Construction Co. LLC	7/27/2021	7/27/2022
Icon West, Inc.	6/2/2021	6/2/2022
Charles Pankow Builders Ltd.	1/19/2021	1/19/2022

Note: Contractor's prequalification is valid for a period of twelve (12) months.

A separate PSD FC Prequalification Unit audit was conducted on the prequalification of the nine bidders who submitted an SOO. The audit determined that all nine bidders were accurately prequalified by the RFQ/Bid No. 2110031 deadline. For more details, refer to the audit report of the Prequalification Process for South Shores ES, beginning on page 8.

## 4. Evaluated the Contractor Qualification and Scoring

We obtained and reviewed the selection panel evaluations and scoring, names of the selection panel members who evaluated the SOQs, the shortlist of responsive bidders, and other supporting documentation. As summarized below and described in the following sections, we determined compliance with the following best value procedures:

- Four members were assigned to the selection panel, and the members (i) were District a. employees and knowledgeable about construction, project scheduling, and construction costs, and (ii) signed the District's Non-Disclosure Certificate.
- The evaluations and scoring were completed in accordance with the RFQ/Bid No. b. 2110031, as shown in Table 3 above, and the SOQ score was accurately calculated and ranked.
- The qualification scores and a shortlist of responsive bidders were issued to proceed c. with the project plan, interview, and bid price submission.

Our review determined that the Contract Administration Analyst (CAA) chaired the

Shortlisted bidders attended a mandatory site walk. d.

### a. Selection Panel

Value procedures for projects with more than five bidders. The four members included the Director of the FSD Project Execution (PEX) Branch, 33 the Deputy Director of PEX, the

selection panel, which was comprised of four members as required by the District's Best

<sup>&</sup>lt;sup>33</sup> The PEX Branch is responsible for the construction of new schools and the repair and modernization of existing schools as part of a multi-year bond-funded capital improvement program. PEX is dedicated to ensuring that existing campuses are modernized and repaired to support the education and safety of our students utilizing cost-efficient and sustainable materials.

Director of the FSD Asset Management (AM) Branch,<sup>34</sup> and the Deputy Director of FSD AM.

We obtained and reviewed each panel member's job description or classification and interviewed two of the four members to determine whether they knew about construction, project scheduling, and construction costs. Our review and interview determined that the members were District employees who knew about construction, project scheduling, and construction costs. Each panel member also signed the District's required Non-Disclosure Certificate.

### b. SOQ Evaluation and Scoring

Our review determined that each of the four selection panel members evaluated and scored all nine SOQs; this met the District's Best Value policy requiring SOQs to be evaluated by at least two selection panel members when there are more than five bidders.

We also recalculated and verified the accuracy of the SOQ scores. The scoring and points assigned were accurate, and the bidders were ranked in accordance with the RFQ/Bid No. 2110031. Points were assigned to each based on the required criteria, as listed in Table 3 above.

Table 7 below is a summary of the SOQ evaluation, scoring, and ranking.

Table 7
Summary of SOQ Evaluation, Scoring and Ranking

Bidder Name	Final Qualification Score
Kemp Brothers Construction, Inc.	865.10
S.J. Amoroso Construction Co. LLC	828.65
Pinner Construction Company, Inc.	804.10
Icon West, Inc.	784.85
PCL Construction Services, Inc.	774.90
Charles Pankow Builders Ltd.	750.08
2H Construction, Inc.	734.38
A&B Construction, Inc.	611.33
Pars Arvin Construction, Inc.	571.08

See Appendix I for the final SOQ evaluation, scoring, and ranking signed by the selection panel members.

## c. Shortlisted Bidders

We obtained and reviewed supporting documents to determine whether the SOQ evaluation score or shortlisted status of each bidder was communicated, as required by the District's

<sup>&</sup>lt;sup>34</sup> FSD Asset Management is responsible for managing the use of District-owned facilities and property, ensuring proper documentation, approvals, and adherence to policies for both internal and external use. This includes license agreements and permits for third-party events.

Best Value procedures. Our review verified that the CAA communicated the shortlisted status to all bidders. In accordance with the Addenda to RFQ No. 5, seven bidders were ranked, but the top five were shortlisted to proceed with the bidding.

Kemp Brothers Construction, Inc. received the highest qualification score and ranking. However, the CAA deemed Kemp Brothers Construction, Inc. non-responsive because they did not attend the mandatory site walk. Therefore, they did not participate any further in the process. The CAA provided an email from Kemp Brothers Construction, Inc., acknowledging they had missed the mandatory site walk.

### d. Mandatory Site Walk

We obtained and reviewed supporting documents and determined that shortlisted bidders attended the mandatory site walk, as required by RFQ/Bid No. 2110031, and PSD's FC established and documented Best Value procedures in the PSD 8.10.

Table 8 below lists the bidders who attended the mandatory site walk.

Table 8
Mandatory Site Walk

Bidder Name	Ranking	Date of Site Walk	Shortlisted
Kemp Brothers Construction, Inc.	1	Did Not Attend	No
S.J. Amoroso Construction Co. LLC	2	7/6/2021	Yes
Pinner Construction Company, Inc.	3	7/6/2021	Yes
Icon West, Inc.	4	7/6/2021	Yes
PCL Construction Services, Inc.	5	7/6/2021	Yes
Charles Pankow Builders Ltd.	6	7/6/2021	Yes

# 5. Reviewed Subcontractor Statement of Qualifications, Project Plan, Interview, Price Bid, and Best Value Score

## a. Subcontractor's Statement of Qualifications

We obtained and reviewed each subcontractor's SOQ submitted by each of the shortlisted bidders to determine whether they were submitted on time and included the minimum number of subcontractor(s) for each specified trade in the RFQ/Bid No. 2110031.

Our review determined that the five bidders who proceeded with the bidding submitted their subcontractors' SOQs by July 20, 2021, at 3:00 PM, as required by the RFQ/Bid. Each package listed a subcontractor for each of the following trades, as specified in the RFQ/Bid: concrete, structural steel, and metal studs, openings, finishes, suppression sprinkler systems, plumbing, heating, ventilation and air conditioning, electrical, communications, and electronic safety and security.

The CAA informed us that each subcontractor's SOQs are not assigned points but a pass or fail score. We reviewed the CAA's subcontractor review and found that the bidders received a passing score for each of their proposed subcontractors.

Table 9 details the District's deadline and the date and time each bidder submitted the subcontractor SOQs.

Table 9
Subcontractor Statement of Qualifications and Submission Dates

Subcontractor SOQ Submission	<b>Submission Date</b>	
Subcontractor SOQ Submission Deadline	7/20/2021 – 3:00 PM	
Bidder Name		
Pinner Construction Company, Inc.	7/20/2021 – 9:07 AM	
PCL Construction Services, Inc.	7/20/2021 – 12:09 PM	
Charles Pankow Builders Ltd.	7/20/2021 – 2:12 PM	
S.J. Amoroso Construction Co. LLC	7/20/2021 – 2:17 PM	
Icon West, Inc.	7/20/2021 – 2:51 PM	

## b. Project Plan

We obtained and reviewed the project plan submitted by each of the shortlisted bidders and determined that they were submitted on time or by 3:00 PM on July 27, 2021, and by one week before the start of interviews, as stated in the RFQ/Bid No. 2110031. Table 10 below details the District's deadline and each bidder's project plan submission date and time.

Table 10 Project Plan and Submission Dates

Project Plan	<b>Submission Date</b>
Project Plan Submission Deadline	7/27/2021 – 3:00 PM
Bidder Name	
Pinner Construction Company, Inc.	7/27/2021 – 10:47 AM
S.J. Amoroso Construction Co. LLC	7/27/2021 – 12:42 PM
PCL Construction Services, Inc.	7/27/2021 – 12:55 PM
Icon West, Inc.	7/27/2021 – 2:37 PM
Charles Pankow Builders Ltd.	7/27/2021 – 2:51 PM

## c. Interview

We obtained and reviewed supporting documents to determine whether the selection panel interviewed each of the five shortlisted bidders. During these interviews, bidders are asked to explain their reasoning for nominating subcontractors and their understanding and execution of the project plan.

Based on our review, the shortlisted bidders were interviewed between August 4, 2021 and August 9, 2021. Table 11 below details the completed interviews and the interview date.

#### **Interviews and Interview Dates**

Interview Participant	Interview Date
Estimated Commence of Interviews	8/3/2021
Bidder Name  P.C. Construction Services	8/4/2021
PCL Construction Services,	8/4/2021
Icon West, Inc.	8/4/2021
Pinner Construction	8/5/2021
Company, Inc.	
S.J. Amoroso Construction	8/5/2021
Co. LLC	0/0/2021
Charles Pankow Builders	8/9/2021
Ltd.	

#### d. Price Bid Submission

We obtained and reviewed each of the shortlisted bidders' submitted price bid packages and determined that they were submitted electronically by 3:00 PM on September 1, 2021, and the price bid package included the following forms, as required by RFQ/Bid No. 2110031: (i) Bid and Acceptance Form, (ii) Bid Security Form, (iii) Subcontractor List, (iv) Non-Collusion Affidavit, (v) Certification Requirements, (vi) Disabled Veteran Business Enterprises (if applicable), and (vii) Small Business Enterprises Certification (if applicable). The Bid and Acceptance Forms containing the price bid were all signed on September 1, 2021.

We also verified that the price bid was not included in the evaluation or selection panel scoring process, adhering to the District's Best Value procedures prohibiting panel members from being aware of the bid amount submitted by the bidders during the qualification process.<sup>36</sup>

#### e. Final Evaluation Scores and Best Value Scoring

We obtained and reviewed all five shortlisted bidders' selection panel final evaluation scoring and Best Value scores to determine whether:

- 1. The evaluations and scoring of the project plan and interviews were completed in accordance with the RFQ/Bid No. 2110031, as shown in Table 3 above.
- 2. The CAA tabulated the final evaluation score and confirmed that it was signed by the selection panel members.
- 3. The CAA accurately calculated the Best Value score. It is calculated by dividing the price bid by the final evaluation score (SOQ score + Project Plan and Interview scores).

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<sup>&</sup>lt;sup>35</sup> Request for Qualification and Bid No. 2110031 - South Shores Visual & Performing Arts Magnet ES Classroom Replacement, p. 17.

<sup>&</sup>lt;sup>36</sup> PSD Facilities Contract - 8.10 Best Value Construction Contract Procedures, p. 2.

4. The results were tabulated, and the bidders were ranked from lowest to highest Best Value score, as required by the District's Best Value procedures. The bidder with the lowest Best score (lowest cost per evaluation point) is considered the best value contractor.

We recalculated and verified the accuracy of the final evaluation scores. Table 13 below summarizes the final evaluation scores and ranking.

Table 12
Summary of Final Evaluation Scores and Ranking

Bidder Name	Final SOQ Evaluation Score	SOQ Evaluation Ranking
S.J. Amoroso Construction Co. LLC	1,628.09	1
PCL Construction Services, Inc.	1,627.03	2
Pinner Construction Company, Inc.	1,626.98	3
Charles Pankow Builders Ltd.	1,574.01	4
Icon West, Inc.	1,531.16	5

See Appendix I for the final Best Value evaluation, scoring and ranking signed by the selection panel members.

We also recalculated and verified the accuracy of the Best Value scores calculated by the CAA. To determine the Best Value score, we divided each bidder's price bid by their final evaluation score.

We also verified that the CAA tabulated the results in a Bid Tabulation Sheet and ranked each bidder from lowest to highest Best Value scores, as required by the District's Best Value procedures.<sup>37</sup>

Table 13 below summarizes the final evaluation scores, price bids, Best Value scores, and ranking.

Table 13
Summary of Final Evaluation Scores, Price Bids, Best Value Scores, and Ranking

Bidder Name	Final SOQ Evaluation Score	Price Bids	Best Value Scores	Best Value Ranking
PCL Construction Services, Inc.	1,627.03	19,281,046	11,850.46	1
Icon West, Inc.	1,531.16	20,480,612	13,375.88	2
Charles Pankow Builders Ltd.	1,574.01	21,998,813	13,976.29	3
Pinner Construction Company, Inc.	1,626.98	23,688,000	14,559.49	4
S.J. Amoroso Construction Co. LLC	1,628.09	24,097,000	14,800.78	5

<u>Prequalification of Subcontractors</u>

<sup>&</sup>lt;sup>37</sup> Procurement Services Division Facilities Contract - 8.10 Best Value Construction Contract Procedures, p. 6.

We obtained and reviewed the list of prequalified subcontractors the PSD FC Prequalification Unit maintained to determine whether MEP subcontractors proposed by the winning bidder were actually prequalified as subcontractors, as required by the RFO/Bid No. 2110031.<sup>38</sup>

PCL, the bidder with the lowest Best Value score, proposed four MEP subcontractors. Our review found that all four subcontractors were prequalified by the District. Table 14 below lists the dates each subcontractor was prequalified.

Table 14
Summary of Subcontractor's Prequalification Dates

Contractor Prequalification	Approval Date	Expiration
		Date
Suttles Plumbing &	11/5/2020	11/5/2021
Mechanical Corp.		
Sheldon Mechanical Corp.	7/13/2021	7/13/2022
Apex Fire Protection, Inc.	12/09/2020	12/9/2021
H&S Electric, Inc.	10/20/2020	10/20/2021

Note: Contractor's prequalification is valid for a period of twelve (12) months.

A separate PSD FC Prequalification Process audit was conducted to validate the prequalification of the four subcontractors proposed by PCL. The audit determined that all four subcontractors were accurately prequalified by the RFQ/Bid No. 2110031 deadline. For more details, refer to the audit report of the Prequalification Process for South Shores ES, beginning on page 8.

#### 6. Reviewed the Contract Award

We obtained and reviewed the Bid Tabulation Sheet, ASB agenda, approval of contract award, Notice of Intent to Award (NOIA), Notice of Award (NOA), NTP, and other supporting documents to determine whether:

- 1. The Bid Tabulation Sheet was accurate and reflected the correct results and ranking of the bidders.
- 2. The results of the bidding were presented to the ASB for approval of the proposed contract award.
- 3. The bid results were made public, as required by PCC Section 20119.4 (c).<sup>39</sup>
- 4. The NOIA, NOA and NTP were issued in accordance with the District's Best Value procedures.
- 5. The contract award was signed by PCL and the District's Chief Procurement Officer, and ratified by the Board.

#### a. Bid Results, Bid Tabulation Sheet, and ASB Approval

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<sup>&</sup>lt;sup>38</sup> Request for Qualification and Bid No. 2110031 - South Shores Visual & Performing Arts Magnet ES Classroom Replacement, p. 12.

<sup>&</sup>lt;sup>39</sup> California PCC Section 20119, p. 8.

Our review of the Bid Tabulation Sheet determined that it accurately reflected the correct scores and ranking of the shortlisted bidders. It ranked the shortlisted bidders from lowest to highest Best Value scores. Based on the supporting documents reviewed, we verified that the bid results were communicated and made public on September 9, 2021.

We also verified that the Bid Tabulation Sheet was presented to the ASB, and the ASB approved the proposed contract award to PCL on September 10, 2021.<sup>40</sup>

#### b. Notice of Intent to Award, Notice of Award, and Notice to Proceed

Our review of the NOIA, NOA, and NTP determined that they were issued in accordance with the District's Best Value procedures:

- 1. NOIA to be issued after the ASB approves the proposed contract award.
- 2. The CAA receives a signed NOIA from the Best Value contractor.
- 3. NOA to be issued after the Contract is signed by the District's Chief Procurement Officer or approved by the Board.
- 4. NTP to be issued after a Job Start meeting with the Best Value contractor is completed.
- 5. Board approval or ratification of the contract award.

Table 15 below summarizes the bid result and contract award dates.

Table 15
Summary of Bid Result and Contract Award Dates

Tasks	Issue or Completion Date
Bid Results	9/9/2021
ASB Approval	9/10/2021
NOIA	9/17/2021
NOIA – Signed by PCL	9/27/2021
Chief Procurement Officer	10/6/2021
Approval	
NOA	10/6/2021
Board Ratification	12/7/2021
Job Start Meeting	12/7/2021
NTP	12/11/2021

<sup>&</sup>lt;sup>40</sup> LAUSD FSD ASB Annotated Agenda 9.10.2021.

## 7. Determined Whether the BOE Adopted the Best Value Construction Contract Procedures.

Article 3.3. Los Angeles Unified School District - Best Value Procurement, section 20119.2 (c) of the California PCC states, "the governing board of the school district shall adopt and publish procedures and required guidelines for evaluating the qualifications of the bidders that ensure the best value selections by the school district are conducted in a fair and impartial manner."

Our review found that the BOE adopted the initial best value construction contract procedures proposed by PSD on September 20, 2026, pursuant to PCC 20119.

#### **Findings**

Although our testing determined that PSD's FC branch awarded the South Shores ES classroom replacement construction contract to PCL, the contractor who offered the best value to the District, we noted the following three findings that did not impact the Best Value scores or the contract award:

Finding No. 3 – The documented Best Value construction contract procedures do not reflect updated evaluation criteria and procurement practices.

#### **Criteria**

Article 3.3. Los Angeles Unified School District - Best Value Procurement, PCC Section 20119.2 (c) states, "the governing board of the school district shall adopt and publish procedures and required guidelines for evaluating the qualifications of the bidders that ensure the best value selections by the school district are conducted in a fair and impartial manner."

PCC Section 20119.3 (a) also states that the school district shall prepare a solicitation for bids and include a section identifying and describing criteria that the school district will consider in evaluating the qualifications of the bidders, the methodology and rating or weighting system that will be used by the school district in evaluating bids, and the relative importance or weight assigned to the criteria for evaluating the qualifications of bidders identified in the request for bids.

#### Condition

We obtained and reviewed the documented Best Value construction contract procedures and the published RFQ 2110031. The OIG found that the criteria the school district used to evaluate the bidders' qualifications, the methodology, and the rating or points assigned to the evaluation criteria were updated in the RFQ but not in the documented Best Value construction contract procedures. Table 16 below summarizes the discrepancies between the District's Best Value procedures and the RFQ/Bid No. 2110031.

Table 16
Summary of Criteria and Maximum Points Allowed

Best Value Criteria	Best Value Procedures Maximum Points	RFQ 2110031 Maximum Points
SOQ Criteria:		
Relevant Experience	300	200
Demonstrated Management Competency	300	500
Past Performance	250	150
Use of SBE / DVBE	50	50
Local Worker Goals	40	40
We Build	10	10
Financial Condition	20	20
Safety Record	10	10
Labor Compliance	20	20
Subtotal – SOQ Score	1,000	1,000
Complex Project:		
Written Project Plan	400	500
Interview	400	500
Proposed Subcontractor Plan	200	0
Subtotal – Complex Project Score	1,000	1,000
<b>Total Maximum Points</b>	2,000	2,000

In addition, the Best Value Unit works with the Prequalification Unit to verify that bidders are eligible to submit a price bid or that the bidders' prequalified or authorized bid amount by the Prequalification Unit exceeds the estimated project cost or contract amount. However, the documented Best Value construction contract procedures do not detail this process. During our review, the OIG found that one bidder, Pars Arvin, was prequalified with a bid amount of \$16,000,000, and the estimated project cost or contract amount was \$17,353,000. According to the Best Value Unit CAA, the Prequalification Unit would not have worked with the bidder to increase the prequalified bid amount because Pars Arvin was not shortlisted.

#### <u>Cause</u>

PSD FC reassessed the SOQ elements and the maximum points allotted to each criterion.

The FC indicated that it had previously identified the need to update the Best Value construction contract procedures and is in the process of doing so.

#### **Effect**

The evaluation and selection process might not be understood by all relevant parties, including potential bidders or employees. This can undermine the transparency, accountability, and fairness of the procurement process, leading to legal, financial, or reputational risk.

#### Recommendation No. 3

The PSD should update the policies and procedures to reflect the current Best Value practices, evaluation, and selection criteria.

#### PSD's Response

PSD agreed with the recommendation and indicated that it is undertaking a broader review of its policies and procedures - extending beyond the scope of the audit - to enhance Best Value procurement practices, including evaluation and selection criteria. This effort aims to further strengthen transparency, fairness, and effectiveness. The updated procedures are targeted for completion by December 31, 2025.

Finding No. 4 – The bid and contract documents were signed by an individual who was not listed on the contractor's authorized signer list.

#### Criteria

The District's certification requirements and Bid and Acceptance form require an authorized person to sign on behalf of the bidder.<sup>41</sup>

#### Condition

We obtained the notarized list of authorized signers from the bidders to verify that an authorized person signed the Bid and Acceptance Form and NOIA. The OIG found that the Bid and Acceptance Form and the NOIA from PCL and the awarded Contract were signed on 9/1/2021 and 9/27/21, respectively, by an individual who was not listed as an authorized signer for the company. The Board ratified the awarded Contract on 12/7/2021. The name of the person who signed these documents for PCL was added as an authorized signer during the prequalification renewal, on 12/22/2021.

#### Cause

FC did not verify whether an authorized person signed the Bid and Acceptance Form and the NOIA prior to awarding the contract.

#### **Effect**

A contract executed by an unauthorized signer may not be legally binding and may not be enforceable in the event of a dispute, which could lead to invalidation of the contract, reputational damage to the PSD or the District, and financial complications.

#### Recommendation No. 4

The PSD should implement policies and procedures that require the verification of contractor signatures on bid and contract documents to ensure that only authorized signatories are providing approval.

<sup>&</sup>lt;sup>41</sup> PCL Construction Services, Inc. Bid Certification and Bid and Acceptance Form.

#### PSD's Response

PSD will enhance the self-certification process by requiring contractor signatories to formally attest, within the bid and acceptance form, that they are duly authorized to bind their company to the terms of the agreement. In collaboration with the Office of the General Counsel, FSD will finalize the language to safeguard the District's interests while reducing administrative burden. The target implementation date is August 30, 2025.

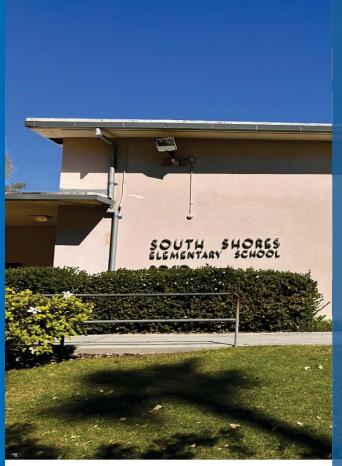
## **AUDIT TEAM**

This audit was conducted by the Office of the Inspector General's Audit Unit team:

Maria Thomas, Audit Manager Armando Ng, Principal Auditor

# CONFIDENTIAL DRAFT

Los Angeles Unified School District
Office of the Inspector General



Incurred Cost Audit
PCL Construction Services, Inc.
Contract No. 4400009889



### **INTRODUCTION**

On October 6, 2021, the District awarded PCL the Best Value Contract No. 4400009889 (Contract) for the South Shores ES Classroom Replacement Project. The Contract was for a fixed amount of \$19,281,046 and a project duration of 1,050 calendar days. The broad project scope included (but was not limited to) the following:

- Remove existing classrooms and restroom facilities in relocatable buildings.
- Install interim housing to support the school site during the construction of the new permanent building.
- Construct a new building housing 12 classrooms to replace the existing classrooms in relocatable buildings.
- Upgrade infrastructure to support the new facilities, including an enhanced information technology network and new campus-wide fire alarm systems.
- Upgrade landscape, hardscape, parking, and playground in the project-related areas.
- Remove barriers to ensure the accessibility of site work improvements (such as the path of travel, drinking fountains, and restrooms) complies with the Americans with Disabilities Act.

From the Contract's inception through May 31, 2024, the District executed and authorized 178 change orders totaling \$1,825,236 against the Contract. This increased the base bid contract value by 9.47% from \$19,281,046 to \$21,106,282 for the audit period.

## **SCOPE AND OBJECTIVES**

Our examination covered payments made by the District to PCL under the Contract for the performance period from December 1, 2021, through May 31, 2024.

The objectives of our examination were to determine whether:

- 1. The amounts billed by PCL were adequately supported and allowable per the Contract's terms and conditions.
- 2. The change orders were executed according to FSD's Change Order Procedures 14.16.

### **METHODOLOGY**

To accomplish our examination objectives, we performed the following procedures:

- Reviewed the contract and relevant documents to understand the required scope of work and contract terms and conditions.
- Interviewed the Senior Project Manager II and OAR to understand the FSD PEX Branch's internal controls over payment processing and change order policies and procedures.
- Obtained an understanding of PCL's internal controls and business operations pertaining to the Contract.
- Reviewed the latest Payment Applications (Pay App)<sup>42</sup> and supporting documents to validate the authorized contract amount and total payments for the audit period.
- Validated that the proposed and invoiced amounts of the change orders were justified, supported, and authorized.
- Reviewed documents to validate that the amounts claimed as allowance disbursements were in accordance with the Contract's general conditions<sup>43</sup> and allowance provisions.
- Reviewed change order packages for completeness and to ensure that the executed change orders complied with District policies and procedures.

Conducted a site visit to view the Contract's scope of work completed at South Shores ES.

<sup>43</sup> General conditions refer to the District's Contract Document Section 00 7000. This is the portion of the Contract in which the rights, responsibilities, and relationships of the parties involved are itemized.

<sup>&</sup>lt;sup>42</sup> A Payment Application or Pay App is a written request for payment submitted by PCL to the District. It includes a detailed breakdown of the work completed, the percentage of work done, and the amount due for payment.



# Los Angeles Unified School District Office of the Inspector General

Scott M. Schmerelson, President Sherlett Hendy Newbill Dr. Rocio Rivas Nick Melvoin Karla Griego Kelly Gonez Tanya Ortiz Franklin Members of the Board

Alberto M. Carvalho Superintendent

Sue Stengel Inspector General

### **INDEPENDENT AUDITOR'S REPORT**

We have examined the amounts billed by PCL Construction Services, Inc. under Contract Number 4400009889 (Contract) for the period from December 1, 2021, through May 31, 2024, and PCL's compliance with the terms and conditions of the Contract. PCL's management is responsible for the amounts billed and for complying with the terms and conditions of the Contract. Our responsibility is to express an opinion based on our examination.

Our examination was conducted in accordance with the standards applicable to attestation engagements contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Accordingly, it included examining, on a test basis, evidence supporting PCL's compliance with the contract requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination of PCL's compliance with the specified requirements.

Our examination found that PCL overbilled the District \$18,553 for bond costs and that FSD did not comply with the District's policies and procedures in executing 8 out of 31 change orders tested. Additionally, PCL stated that signing a management representation letter was not required per the Contract; therefore, PCL declined to furnish written representations to communicate that management has complied with the terms and conditions of the Contract, made available all financial and related data, and acknowledged and/or disclosed any possible fraud, violations, pending litigations, and any other non-compliances relevant to this engagement. The absence of these representations from PCL results in a limitation on the scope of our examination.

In our opinion, except for the possible effects of the abovementioned matters, for the period from December 1, 2021, through May 31, 2024, the amounts billed by PCL were adequately supported and allowable, and the change orders were properly executed, in all material respects. The findings and recommendations are detailed in the audit report.

Digitally signed by Mark H. Pearson
DN: cn=Mark H. Pearson, o, ou,
Mark H. Pearson email=mark.pearson1@lausd.net, c=US
Date: 2025.07.28 12:19:47-07:00

Mark H. Pearson, CPA, CIGA Assistant Inspector General

#### RESULTS OF AUDIT

Finding No. 5 – The amounts invoiced and billed to date were authorized and adequately supported in all material respects; however, PCL overbilled the District by \$18,553 in bond costs.

The project's original construction cost was \$19,121,046, which included a construction allowance of \$160,000 for a total contract value of \$19,281,046. As of May 31, 2024, 178 change orders totaling \$1,825,236 were initiated and authorized, increasing the contract value by 9.47% to \$21,106,282, as presented in Table 1.

Table 1
Authorized Contract Amount as of May 31, 2024

Description	Contract Amount
Construction Costs	\$ 19,121,046
Allowance	160,000
Contract Amount Awarded	19,281,046
Change Orders	1,825,236
Contract Amount to Date	\$ 21,106,282

As of the latest Pay App No. 29, PCL had invoiced the District \$20,805,687, representing 98.58% of the total contract amount for work performed through May 31, 2024. This total was based on the claimed work completed for each construction line item on the Contract's Schedule of Values (SOV). 44 As of July 11, 2024, the District paid \$19,765,402 of this total, with the remaining \$1,040,284 withheld as retainage. 45 Table 2 summarizes the total payment and retained amount to date as reported on Pay App No. 29 and approved by the District on June 20, 2024. Figure 1 shows the breakdown of the total percentage and amount paid, retained, and remaining balance to complete for the audit period.

Table 2
Total Payment and Retainage

Description	Authorized	Invoiced	Percentage	Amount Paid	Amount
	Contract Amount	Amount	Completed		Retained
Construction Cost	\$19,121,046	\$18,984,137	99.28%	\$18,034,931	\$949,206
Change Orders	1,825,236	1,820,585	99.75%	1,729,556	91,029
Allowance	160,000	964	00.60%	915	49
Disbursements					
Total	\$21,106,282	\$20,805,686	98.58%	\$19,765,402	\$1,040,284

<sup>&</sup>lt;sup>44</sup> The SOV is a comprehensive document listing every billable item or task in a construction project and its corresponding dollar value.

<sup>&</sup>lt;sup>45</sup> Also known as retention, retainage is a common practice in the construction industry where the project owner withholds a certain percentage of the contract amount from payments to the contractor until the project is substantially complete and has passed any required inspections or tests. This withheld amount serves as security to ensure that the contractor completes all necessary work satisfactorily, addresses any deficiencies or punch-list items, and fulfills all contractual obligations.

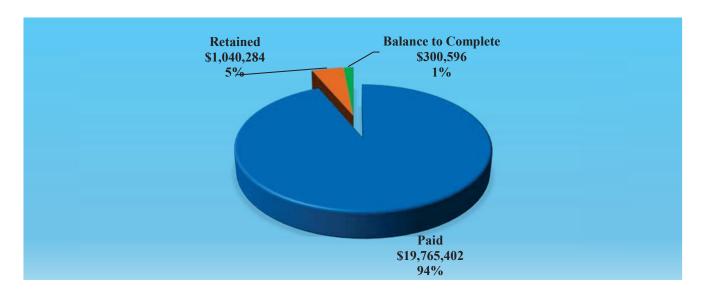


Figure 1
Breakdown of Authorized Contract Amount to Date

To determine whether the amounts invoiced and billed to date were in accordance with the Contract, the OIG audited:

- (a) the authorized contract amount and payment to date,
- (b) allowance disbursements, and
- (c) bond costs for change orders claimed on Pay App. No. 29.

The procedures and results from our testing are detailed below.

#### A. Testing of the Amount Authorized and Paid

The OIG concluded that the contract amount, total payments, and the percentages of completion and retention, as reflected on Pay App No. 29, were authorized and adequately supported in all material aspects based on the following audit procedures:

- Reviewed the contract documents to understand the contract terms and conditions, and the required scope of work.
- Interviewed the Senior Project Manager II and OAR to understand the FSD Project Execution Branch's payment review and approval process.
- Obtained an understanding of PCL's policies, procedures, and internal controls over the requirements related to the Contract.
- Reviewed the completed percentage of work by line item for each division according to the SOV for reasonableness.

- Validated that the billed construction costs to date were authorized and did not exceed the original authorized contract value.
- Compared the billed amount of each change order against the amount according to COLIN to validate that the change order amount was authorized and approved.
- Verified that Pay App No. 29 was properly reviewed and approved by the OAR, the Senior Project Manager II, and the Facilities Procurement and Payment Services Unit before payment.
- Conducted a site visit to view the progress and the percentage of work completed under this Contract (See Exhibit A for photos of the work completed at South Shores ES).

#### B. Allowance Disbursements Testing

The Contract's base bid amount<sup>46</sup> and Addendum No. 4<sup>47</sup> included \$160,000 in allowance for expenses outlined in Table 3 below.

Table 3
Schedule of Allowances

Item Number	Allowances	Amount
Sections 01 1100 & 01 5000	COVID-19 Procedures – Potential tracking of	\$ 125,000
	vaccination records and weekly testing.	
Division 02	Unforeseen Conditions – Destructive	25,000
	under/above ground testing for asbestos.	
Section 01 5000.3.11	Office Supplies	10,000
Total		\$ 160,000

As of Pay App No. 29, the District approved two Allowance Disbursement Authorizations (ADAs)<sup>48</sup> totaling \$964 to reimburse PCL for office supplies. The OIG reviewed the ADAs and supporting documents, which included vendor invoices, third-party quotes, material order requisition forms, and PCL's payment information to validate the claimed amounts. The OIG also verified that the District properly authorized and approved the ADA forms. Moreover, we confirmed that PCL properly credited the District \$159,832 for the unused allowance balance via Change Order No. T-698, which was executed on June 19, 2024. The following table shows the OIG's reconciliation of the unused allowance balance to validate the credit amount issued to the District. We noted no exceptions and determined that PCL complied with the Contract's allowance provision.

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<sup>&</sup>lt;sup>46</sup> NOA October 6, 2021, Section 1.07, p. 4

<sup>&</sup>lt;sup>47</sup> Addendum 4 - Section 01 2100 Allowances.

<sup>&</sup>lt;sup>48</sup> Allowance Disbursement Authorization documents the descriptions and costs for labor, materials, and other related expenses that were incurred and qualified as allowance disbursements to be reimbursed.

Table 4
Allowance Reconciliation

Description	Amount
Beginning balance	\$ 160,000
Disbursement allowance - ADA 001	(851)
Disbursement allowance - ADA 002	(113)
Subtotal of unused allowance	159,036
Bond credit for unused allowance (.50%)	796
Ending Balance – Credit Back to District	\$ 159,832

#### C. Testing of Bond Costs

Pay App No. 29 included billing for 178 change orders totaling \$1,825,236, of which \$27,562 were for bond costs. The OIG verified that the Contract's bond premium was \$96,383 per PCL's invoice summary statement dated September 29, 2021, or .50% of the original contract amount of \$19,281,046. Based on the bond premium and original contract amount, the OIG determined that the actual bond rate of .50% (\$96,383 bond premium / \$19,281,046 original contract amount) was the billable rate that PCL should use in billing for bond costs under the Contract.

#### Criteria

The Contract's general conditions stipulated that additional bond premiums resulting from changes in the scope of work are allowable when estimating change order costs. <sup>49</sup> Additionally, FSD's Operational Standards, Policies & Procedures for Cost Estimating 14.22 (Cost Estimating Policy) specified that such cost estimates for change orders include a bond markup rate, determined as the percentage of the bond premium relative to the original contract amount. <sup>50</sup>

#### Condition

The OIG tested the bond costs billed for all 178 change orders by reviewing, recalculating, and comparing PCL's billed bond rates against the OIG's audited billable rate of .50%. The results from our testing are as follows:

- PCL properly excluded bond costs in billing for four (4) zero-dollar change orders.
- PCL properly applied the actual rate of .50% in billing for bond costs for 65 change orders.
- PCL used rates ranging from 2% to 2.7% in billing for bond costs for 109 change orders, resulting in questioned costs totaling \$18,553.

<sup>&</sup>lt;sup>49</sup> General Conditions 00 7000, Article II-Change of Contract Amount, pp. 66-71.

<sup>&</sup>lt;sup>50</sup> FSD 14.22 Cost Estimating Standards Policies and Procedures, Section 4-Fair Cost Estimate for Construction (Detailed Estimate), p. 2.

#### Cause

Aside from bond premiums, the OIG found that PCL included other types of insurance, such as all-risk<sup>51</sup> insurance and subcontractor's insurance costs in determining the 2% - 2.7% bond rates to bill for bond costs associated with 109 change orders executed from December 10, 2021, through August 29, 2022. These bond rates billed exceeded PCL's actual bond rate of .50%

The OIG recognized that for the 65 change orders subsequently approved from October 12, 2022, through May 31, 2024, PCL used the actual rate of .50% to bill for bond costs. The OIG did not note any exceptions from our review and concluded that PCL complied with the Contract's general conditions and FSD's Cost Estimating Policy in billing for bond costs associated with these 65 change orders.

#### **Effect**

PCL overbilled the District by \$18,553, resulting from using varying rates instead of the actual bond rate of .50% in billing for bond costs.

#### Recommendation No. 5

PCL should refund the District \$18,553 in overbilled bond costs.

FSD's Director of Project Execution has reviewed this matter and indicated via an email message that FSD would withhold from PCL the amount the District overpaid for bond costs resulting from the bond percentage discrepancies.

#### **PCL Response**

PCL disagreed with the finding that it overbilled the District \$18,553 in bond costs and contends that no refund is warranted. The contractor argues that the additional costs in question relate to its Subguard/Subcontractor Default Insurance (SDI) program, which it considers a legitimate and allowable project expense, even though this is not included in the contract terms and conditions. PCL contends that the District previously acknowledged SDI as a permissible direct cost for changes in project scope and understands that the District has recently reaffirmed this stance for future projects.

Despite maintaining its position that it did not overcharge and opposing what it describes as an improper "claw-back" by LAUSD, PCL has decided not to contest the District's withholding of the \$18,553, citing the high cost of dispute resolution, litigation, and collection efforts.

#### **FSD Response**

FSD agreed with the recommendation and has already implemented it. As of July 10, 2025, a permanent \$18,553 withhold has been applied to PCL's account, unilaterally deducting the amount from their contract.

<sup>&</sup>lt;sup>51</sup> All-risks refers to insurance coverage that automatically covers any risk the contract does not explicitly omit.

## Finding No. 6 - FSD did not comply with all policies and procedures in maintaining accurate documentation for 8 out of 31 change orders.

The OIG performed a preliminary review and identified the various justifications for changes to the Contract's original scope of work. The required changes, which ultimately resulted in 178 change orders executed in the audit period, were due to (a) design deficiencies, <sup>52</sup> (b) unforeseen conditions, (c) owner-initiated changes, (d) end-user-initiated changes, and (e) other undefined changes. <sup>53</sup> Figure 2 and Table 5, respectively, summarize the justifications by total change order amount, the number of change orders, and as a percentage of the total change order amount. Based on our examination, 131 of the 178 change orders totaling \$1,267,980, or 69.47% of the total change order amount, were primarily due to design deficiencies.

Figure 2
Justification for Change Orders



Table 5
Justification for Change Orders

Justification	Amount	No. of Change Orders	% of Total Change Order Amount
Design Deficiency	\$1,267,980	131	69.47%
Unforeseen Conditions	\$ 328,406	31	17.99%
End User Initiated Change	\$ 144,076	5	7.89%
Owner Initiated Change	\$ 79,344	7	4.35%
Other - Undefined	\$ 5,430	4	0.30%
Total	\$1,825,236	178	100.00%

Some of the major changes that were authorized due to design deficiencies included the following:

• The original bid documents specified that the asphalt pavement would be removed and patched after installing the required gas line pipe at the designated construction area. However, the architect clarified that the existing pavement at the specified location was concrete. Therefore, it would be replaced with concrete instead of asphalt.<sup>54</sup>

54

<sup>&</sup>lt;sup>52</sup> Design deficiencies occur when an architectural or engineering design fails to meet the required standards or specifications.

<sup>&</sup>lt;sup>53</sup> Other undefined justifications included miscellaneous change orders to (1) install occupancy signs for temporary portables, (2) replace irrigation valves that were accidentally damaged during the delivery of modular buildings, (3) remove and install ballet barres, and (4) provide tripod support for the clock system antenna

<sup>&</sup>lt;sup>54</sup> Change Order No. T-532 in the amount of \$81,305.

- The contract drawings specified that concealed conduits would be installed within accessible ceiling spaces or walls. However, the architectural drawings did not indicate the need to open walls or ceilings for such installation. Upon review, the design team determined that deviating from the original plans was more practical, opting to install surface-mounted conduits instead of concealed conduits in areas where existing walls or ceilings were inaccessible. 55
- The initial design phase did not include a hose bib<sup>56</sup> for the drinking fountain on the first floor of Building No. 6 near the restroom. A change order was authorized to install a new hose bib with fixture components in a recessed box to comply with the District's design standards.<sup>57</sup>
- According to the contract document, the proposed light fixtures for the new classroom building were not selected from the District's approved manufacturer's list nor aligned with the District's design standards. To address this, a Construction Change Document (CCD)<sup>58</sup> was issued to clarify the type of light fixtures that should be installed to comply with the District's specifications.<sup>59</sup>

To determine whether the District and PCL complied with FSD's CO Procedures in executing the change orders, the OIG judgmentally selected 31 out of 178 change orders for detailed testing. Table 6 summarizes our sample selection criteria, the total number of change orders selected, and the total value of the chosen change orders.

Table 6
Types of Change Orders Selected for Testing

Attribute	No. of Change Orders	Total Amount of Change Orders
All change orders over \$20K	26	\$ 1,106,923
All credit change orders of \$10K or more	5	(56,015)
<b>Total Selected for Testing</b>	31	\$ 1,050,908
<b>Total Change Orders Authorized</b>	178	\$ 1,825,236
% of Total Change Orders Authorized	17.42%	57.58%

#### Criteria

The OIG tested for compliance with the following requirements outlined in FSD's CO Procedures:

<sup>&</sup>lt;sup>55</sup> Change Order No. T-568 in the amount of \$79,383.

<sup>&</sup>lt;sup>56</sup> A hose bib refers to a spigot or faucet attachment, typically located near the drinking fountain's base or side, allowing for a hose connection. It is used for auxiliary purposes like filling buckets, watering plants, or cleaning outdoor areas.

<sup>&</sup>lt;sup>57</sup> Change Order No. T-531 in the amount of \$74,741.

<sup>&</sup>lt;sup>58</sup> A CCD is the documentation of changes to the DSA approved construction documents.

<sup>&</sup>lt;sup>59</sup> Change Order No. T-573 in the amount of \$61,478.

- A Change Order Proposal<sup>60</sup> and all cost estimates, breakdowns, and applicable information were completed and submitted for each change order.
- An independent analysis of the cost and time impact or Fair Cost Estimate (FCE)<sup>61</sup> was prepared or obtained for each change order that exceeded \$25,000.
- A Record of Negotiation<sup>62</sup> was completed for each change order and documented key discussion
  points and other pertinent information, such as changes in the cost proposal, the revised
  substantial completion date, any adjustment in the contract time, and the final negotiated price.
- A Justification for Contract Modification <sup>63</sup> was completed for each change order, and any change in contract amount and the reason/justification for the change were properly documented.
- The subcontracted costs were supported by subcontractors' change order proposals, cost breakdowns, and other third-party quotes, estimates, invoices, and the subcontractors' Applications and Certificates for Payment.<sup>64</sup>
- The necessary signatures were obtained from the OAR, senior project manager, regional construction director, and/or deputy director based on the change order threshold amount. 65
- The change order package was completed and Board-approved by authority delegated to the District's Facilities Contracts Branch. 66
- The OAR is responsible for inputting and uploading into COLIN all required information regarding all change documents in a timely manner.<sup>67</sup>

#### Condition

The OIG audited the 31 selected change orders by reviewing each sample's change management file in COLIN and verifying that the required documents in each file were authorized, completed, and properly

<sup>&</sup>lt;sup>60</sup>A Change Order Proposal is a written instrument, prepared and submitted by the Contractor setting forth proposed adjustments to the Contract Work, Amount, Milestones, or Time, in response to a directed and/or proposed addition, deletion or revision in Work scope or project conditions as perceived by the Contractor.

<sup>&</sup>lt;sup>61</sup> An FCE is the probable cost of the Work independently determined by quantifying the labor, materials, and equipment required to perform the work and applying unit costs to arrive at a value for the change order work. The FCE can serve as the basis for the cost of negotiations and issuing an expedited change order.

<sup>&</sup>lt;sup>62</sup> A Record of Negotiation documents the discussions and negotiations of the cost and schedule impacts of the change order to the existing contract.

<sup>&</sup>lt;sup>63</sup> A Justification for contract Modification documents and explains the reasons for the change.

<sup>&</sup>lt;sup>64</sup> The Subcontractors' Applications and Certificates for Payment is a document submitted by the subcontractor certifying that the work covered for the period has been completed in accordance with the contract documents and that the contractor has paid all amounts for work for which previous certificates for payments were issued and payments received.

<sup>65</sup> Change Order Procedures 14.16, Section 9, pp. 8-9.

<sup>&</sup>lt;sup>66</sup> Ibid, Section 10, p.9.

<sup>&</sup>lt;sup>67</sup> Ibid, Section 13, p. 11.

approved. Overall, the OIG determined that the District complied with policies and procedures in executing 23 of the 31 (74%) change orders tested. However, our preliminary review of the change management files in COLIN for the remaining 8 of the 31 (26%) change orders identified the following exceptions: (a) missing documentation, (b) missing District/BOE approvals, (c) inaccurate documentation, and (d) inaccurate description of the scope of work. Table 7 summarizes the exceptions by the total number of change orders.

Table 7
Summary of Exceptions – Compliance Testing

Description of Non-Compliance	No. of Change Orders
The Change Order Proposal form was missing in COLIN.	6
The Fair Cost Estimate form was missing in COLIN.	7
The incorrect Record of Negotiation was uploaded to COLIN.	5
The description of the scope of work on the Justification for Contract Modification form	5
was inaccurate.	
The Change Order form was missing District approvals from the OAR and senior project	6
manager.	
The Change Order form was missing approval from the BOE.	1

The OIG met with the OAR to discuss the preliminary findings from our initial review of the change order documents in the system and found that COLIN did not have accurate or current change order documents. The OAR indicated that access to the COLIN system was limited or nonexistent after the District's cyber security attack. The OAR explained that the project team kept a hard copy of supporting documents for all change orders and was able to provide back-up supporting and corrected change documents and information that the OIG initially cited as an exception. Although OIG understood the District's challenges following the cyber security attack, such as limited access to information systems, the OAR is responsible for ensuring all required, accurate change documents are properly approved and maintained in COLIN per FSD's CO Procedures. Therefore, the lack of proper documents is an issue the District needs to resolve, particularly since this affected several contracts.

#### Causes

According to the OAR, access to the COLIN system was limited or non-existent after the
District's cyber security attack. Therefore, the updated/correct documents were not uploaded to
COLIN in a timely manner.

#### **Effect**

The District stakeholders or other project teams without first-hand knowledge of this specific project may rely on the centralized data in COLIN without any awareness that the required change order documents are missing, inaccurate, or unauthorized. Reliance on insufficient/missing information or changes that lack the appropriate levels of approval, as identified from our testing, can negatively impact the overall project in the following ways:

- The absence of proper documentation, such as the Change Order Proposals and FCEs, makes tracking project modifications difficult. It can lead to disputes over the costs and scope of work for what would have been the agreed-upon changes. Moreover, without cost estimates and a defined scope of work associated with specific change orders, the overall project budget may be significantly underestimated or overestimated, leading to unanticipated cost overruns.
- Submitting an inaccurate Record of Negotiation can lead to miscommunication and misinterpretation. Key discussion points—such as the final negotiated price and any revisions to the substantial completion date or overall project timeline—may not accurately reflect what was under negotiation. Additionally, holding each party accountable for their commitments becomes challenging without proper documentation of the negotiated terms.
- An inaccurate description of the scope of work on the Justification for Contract Modification
  form can result in underestimating or overestimating the work, resources, and costs required for
  the change order. This may lead to unmet expectations and additional costly revisions to achieve
  the intended final deliverable.
- The absence of approvals from District representatives, such as the OAR/senior project manager and the BOE, can lead to funding delays or project timeline disruptions until the necessary approvals are obtained. Unauthorized changes may not be legally enforceable, and there would be no obligation to proceed with the requested modifications.

#### Recommendation No. 6

The project team should perform the following corrective actions for the cited change orders:

- Upload the missing Change Order Proposal and Fair Cost Estimate forms to COLIN.
- Remove the incorrect Record of Negotiation forms initially uploaded in COLIN and replace them with accurate forms.
- Correct the description of the Justification for Contract Modification forms and upload the updated forms to COLIN.
- Obtain approvals from BOE, OAR, and/or senior project managers for the Change Order forms missing signatures and save the updated, authorized forms to COLIN.

#### FSD Response

FSD agreed with the recommendation and indicated that the requisite documents, including the Record of Negotiation forms, the descriptions for the Justification, and the approvals from BOE, OAR, and/or senior project managers for the Change Orders have been uploaded to COLIN.

OIG validated that the FSD addressed the recommendation and appreciates its responsiveness during the performance of this audit.

## **AUDIT TEAM**

The following auditors performed this audit:

Maria Thomas, Audit Manager Joanna Vuong, Principal Auditor Liqing Lin, Senior Auditor Los Angeles Unified School District
Office of the Inspector General



## **Technical Evaluation**

PCL Construction Services, Inc. and the South Shores Visual & Performing Arts Magnet Elementary School Classroom Replacement Project

Contract No. 4400009889



#### **INTRODUCTION**

The OIG conducted a technical evaluation of the Classroom Replacement Project at South Shores ES. On October 6, 2021, PCL and the District entered into a construction contract for the Project.

This was one of several Department of Housing (DOH) relocatable building projects. The Project scope of work included the installation of six interim housing units with site adaptations, the construction of a new two-story building housing 12 classrooms and support spaces, a shade structure, and infrastructure to support the new facilities, including an enhanced Information Technology network convergence system and a new campus-wide fire alarm system, and upgrades to landscape, hardscape, parking, and playground areas.

The original contract amount was \$19,281,046.00. The NTP for construction was issued on October 11, 2021, and the contract duration from the NTP to the completion date was 1,050 calendar days. The original Substantial Completion date was June 26, 2024. Based on our review, we found that the CO rates — including errors and omissions COs — are within industry acceptable limits.

Figure 1a. Before Photo – South Shores ES DOH Classroom Building (Source: FSD, May 14, 2018)



Figure 1b. After Photo – South Shores ES New Classroom Building Exterior View – South Elevation (September 19, 2024)



### **OBJECTIVES**

The objectives of the technical evaluation were to evaluate:

- (i) whether PCL completed the contracted work on time and complied with the scheduling requirements;
- (ii) whether the project was completed within the budget, or if change orders were issued;
- (iii) whether PCL completed the project scope of work (SOW) according to the contract documents comprised of the DSA approved drawings, specifications, and directives;
- (iv) PCL's performance for job supervision, management of subcontractors, and health and safety requirements; and
- (v) whether the District's project staff and its consultants complied with the policies and procedures, and requirements of the District.

### **METHODOLOGY**

In conducting this technical evaluation, we interviewed the following individuals:

- Project Executive, Project Manager, and Project Accountant of PCL.
- Partners and Project Architect of Ghataode Bannon Architects, LLP (GBA), Architect of Record (AOR).
- Senior Project Manager and OAR of FSD (PEX).
- Plant Manager of South Shores ES
- Inspector of Record (IOR) of the FSD Inspection Department.

We reviewed the following documents:

- The Contract between PCL and the District.
- The Architectural and Engineering Services Task Order Agreement between GBA Architects and the District.
- District policies and procedures.
- Design and construction documents.
- District Design Guidelines.
- CCDs and COs.
- Construction schedules: Baseline Schedule and Monthly Schedule updates, Four-Week Rolling Schedules
- Project records: Request for Clarifications (RFC), Construction Directives (CD), product data, and shop drawings.
- Relevant project correspondence.
- The District's Contractor/Consultant Performance Evaluation for PCL.
- FSD Construction Safety Project Site Safety Assessments.
- Inspection documents: Non-Conformance Items List (NCIL), Punch List, Inspection Requests.

We conducted three visits at the school to observe completed work.

We conducted our evaluation from August 26, 2024, to December 16, 2024.

A technical evaluation is not an audit and is therefore not required to comply with Generally Accepted Government Auditing Standards.

#### RESULTS OF TECHNICAL EVALUATION

## **OBJECTIVE 1:** Evaluate whether PCL completed the contracted work on time and complied with the scheduling requirements.

The project commenced on October 11, 2021, with a contracted duration of 1,050 calendar days and the original substantial completion date of June 26, 2024. PCL achieved substantial completion on September 5, 2024, 71 days later than planned.

Our review of project documentation and staff interviews identified three primary causes for the delay:

- Unforeseen structural issues during the Multi-Purpose Room (MPR) building fire alarm upgrade, including changes to fire alarm devices.
- Additional change order work for exterior improvements.
- HVAC commissioning delays, particularly related to functional testing.

As of November 30, 2024, PCL submitted two Change Order Proposals (COPs) and three Time Impact Analyses (TIAs). FSD opted to use the remaining weather days allowance to mitigate delays. FSD reviewed COP 05-185.1, which PCL submitted on November 14, 2024, and FSD rejected this COP in December 2024. According to the OAR, FSD and PCL agreed to a 71-day non-compensable time extension and are preparing a CO to formalize this agreement.

## **OBJECTIVE 2:** Evaluate whether the project was completed within budget, or if change orders were issued.

The original project budget, <sup>68</sup> approved by the LAUSD BOE on November 14, 2017, was \$7,916,341, covering pre-construction and limited construction activities. <sup>69</sup> On April 14, 2021, the BOE approved increasing the budget to \$34,841,659 for full construction activities. This overall figure includes the construction contract amount of \$19,281,046 as well as the management costs incurred by FSD to plan, design, and execute the project.

The project experienced cost increases through COs, primarily to address unforeseen conditions, design deficiencies (errors and omissions), owner-initiated scope changes, end-user scope changes, and other issues during construction. As of December 16, 2024, a total of 208 COs were issued, totaling \$2,174,517, or 11.28% of the original contract amount of \$19,281,046.<sup>70</sup>

<sup>69</sup> On April 14, 2021, the BOE approved increasing the budget to \$34,841,659 for full construction activities.

<sup>&</sup>lt;sup>68</sup> The project budget refers to the total amount of money allocated to complete a construction project. It includes all costs necessary for execution from start to finish, such as site/environmental, planning/design, construction, management, and other related expenses and reserves. The construction contract is a component of the overall project budget and typically includes an additional 10-15% for change order costs on top of the original contract amount.

<sup>&</sup>lt;sup>70</sup> The difference in CO totals between the Technical Evaluation Report and the Incurred Cost Audit Report stems from a difference in time scope. The Incurred Cost Audit covers COs through May 31, 2024, while the Technical Evaluation includes those through December 16, 2024.

This CO rate fell within the average CO rate of 8-14 % for all capital construction projects<sup>71</sup> and was lower than the District's overall CO rate of 13.12% for formal construction contracts.<sup>72</sup> Refer to Appendix II for detailed explanations of COs.

The total for errors and omissions (E&O) COs was \$740,392.00, or about 3.84% of the original contract amount of \$19,281,046. This E&O CO rate is deemed within the standard of care for design professionals.

We reviewed the CO documents and conducted site visits. Our evaluation indicated that PCL completed most of the CO work in compliance with the approved CO documents. However, one issue related to COs was identified.

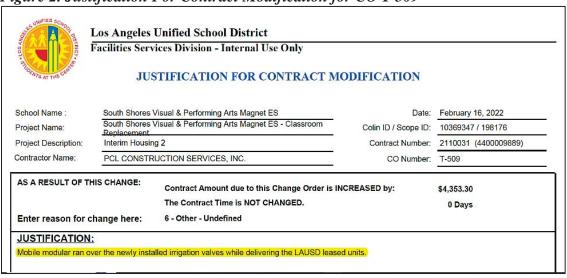
## <u>Finding No. 7 – The Vendor Should Bear the Cost Responsibility for CO T-509, and CO T-618 was Unnecessary</u>

Our findings indicated that Mobile Modular, an LAUSD vendor, should be responsible for the cost of CO T-509. Additionally, CO T-618 was unnecessary and should be voided.

#### CO T-509

The District paid PCL \$4,353.30 to replace damaged irrigation valves and boxes. Our review determined that the \$4,353.30 cost associated with CO T-509, which involved repairing damaged irrigation valves and valve boxes, should be back charged to Mobile Modular, an LAUSD vendor. The damage occurred during Mobile Modular's delivery of LAUSD-leased units. The Justification for Contract Modification, part of the CO documentation, indicated that the damage occurred when Mobile Modular ran over the newly installed valves while delivering the LAUSD-leased units (Figure 2).

Figure 2. Justification For Contract Modification for CO T-509



<sup>&</sup>lt;sup>71</sup> According to Gordian's "Reducing the Impact of Change Orders," on average, change orders account for approximately 8-14% of all capital construction dollars.

<sup>&</sup>lt;sup>72</sup> Based on formal contract change order rates in the FSD Consolidated Monthly Program Status Report prepared for the Bond Oversight Committee in October 2024.

#### **CO T-618**

The District paid PCL \$22,611.00 to adjust the nosing strips on two concrete-filled metal pan stairs. However, this CO should be voided, as the adjustments to the nosing strips were required to correct the conditions caused by Maya Steel, PCL's structural steel subcontractor.

Our evaluation revealed that the stair pan returns fabricated by Maya Steel were too wide and had a pitch, preventing the abrasive nosing strips from sitting flat on the stairs. The details of this issue are discussed in Finding No. 9, below. FSD should void Change Order T-618 and recover \$22,611 from PCL, as this CO was solely necessary to rectify the deficiencies caused by PCL's subcontractor.

The Project Manager of PCL responded to this finding by stating that the District's attempt to void and recover \$22,611 from a previously negotiated and approved change order is invalid. They asserted that the fixed-price settlement is legally binding and cannot be unilaterally reversed. However, the District maintains the right to seek reimbursement for errors or overpayments identified in the change order, as outlined in General Conditions Section 6.51.4.<sup>73</sup>

### Recommendations for Finding No. 7

- 1. FSD should recover \$4,353.30, the cost of CO T-509 from Mobil Modular.
- 2. PCL should reimburse the District \$22,611.00 paid through CO T-618.

#### FSD's Response

- 1. FSD agreed with the recommendation and indicated that FSD tendered the request for reimbursement of Mobile Modular. Mobile Modular tendered a check dated January 14, 2025, to LAUSD in the amount of \$4,353.30, and the check was transferred on February 4, 2025, to LAUSD's Cash Receipt Unit with pertinent accounting data.
- 2. FSD agreed with the recommendation and indicated that they processed a permanent withhold to recover the amount of \$22,611 from PCL's account for this matter. This effectively and unilaterally deducted those monies from their contract amount.

#### PCL's Response

2. PCL disagreed that the executed change order should be 'clawed-back'. PCL reiterated its position that the District's attempt to void and recover \$22,611 from a previously negotiated and approved change order is invalid. PCL believed that the correspondence and executed CO (which LAUSD negotiated, paid, and subsequently 'clawed back') clearly

<sup>&</sup>lt;sup>73</sup> General Conditions Section 6.51.4 states, "If an audit, inspection and/or examination under this Article 6.51 discloses overpricing and/or overcharges of any nature by CONTRACTOR to OWNER, then, in addition to all other OWNER rights and remedies, and in addition to making adjustments for the overcharges and/or overpricing, CONTRACTOR shall reimburse OWNER for all reasonable actual cost of OWNER audit, legal services, inspection, and/or examination."

supported PCL on this. PCL indicated that Exhibit 1 of their response included the efforts PCL took to encourage LAUSD to correct the design issue.

#### **OIG's Response**

2. While PCL emphasized the binding nature of the fixed-price settlement, the District retains the contractual right under General Conditions Section 6.51.4 to seek reimbursement for overpayments or errors identified after execution. The change order in question was intended to correct deficiencies directly caused by PCL's subcontractor Maya Steel, and as such, the financial responsibility lies with PCL. Furthermore, PCL's efforts mentioned in Exhibit 1 were not to address a design deficiency, but rather to correct improper fabrication and installation by its subcontractor. Therefore, the OIG's position to void and recover \$22,611.00 is justified and consistent with contractual provisions.

## **OBJECTIVE 3:** Evaluate whether PCL completed the project SCOPE OF WORK according to the contract documents.

In our evaluation, we found that PCL completed most of the project SOW but did not complete all of it in accordance with the contract. Photos can be viewed in Appendix II. We found one issue.

#### Finding No. 8 – Improper Stair Nosing Installation

We found a quality issue with the installation of the stair nosings on two concrete-filled steel stairs in the newly constructed classroom building, connecting the first and second floors. This issue was due to PCL's lack of proper dimensional coordination.

During our site visit, we observed that the stair nosings were not securely attached to the stair treads and noted a visible gap between them (Figure 3). The use of shims beneath the nosing indicated improper leveling during installation. This issue was seen in both Stair 6-A and Stair 6-B (Figure 4).

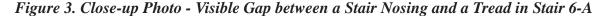


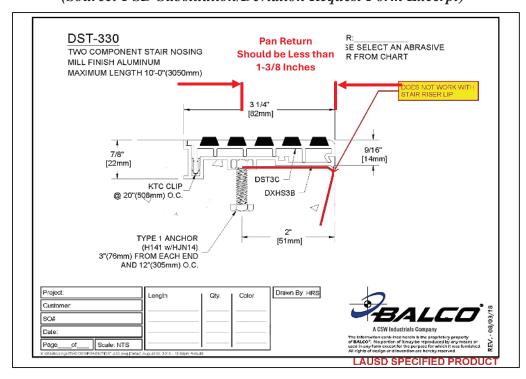


Figure 4. Visible Gaps between Stair Nosings and Treads in Stair 6-B



Our evaluation determined that this issue stemmed from the contractor's improper coordination of the metal pan stairs. Maya Steel fabricated the stair pan return (lip) too wide and with a pitch instead of a flat surface. The specified two-component stair nosings, Balco Model DST-330 required a flat stair pan return with a maximum depth of 1-3/8 inches to accommodate the anchors attached to the bottom of the nosings (Figure 5). However, Maya Steel fabricated the pan return at two inches with a pitch instead of flat, making it impossible for the nosings to sit correctly on the stair returns (Figure 6).

Figure 5. Balco Two Component Stair Nosing Model DST-330 (Source: FSD Substitution/Deviation Request Form Excerpt)



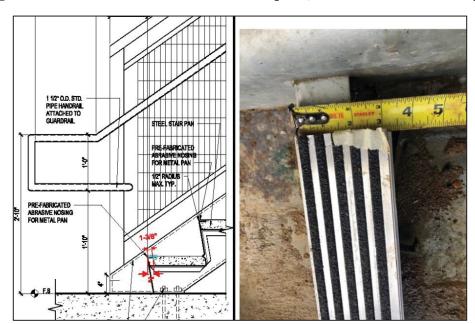


Figure 6. Stair Pan Return with a 2-inch Depth (RFC No. 05-220.1 Excerpt)

As a result, PCL had to cut and bend the returns to accommodate the abrasive nosings. The District paid PCL \$22,611 under CO T-618 to correct the issue caused by the contractor. However, despite the corrective work executed through the CO, the stair nosing installation issue remains unresolved.

#### **Recommendations for Finding No. 8**

- 1. PCL should ensure stair pan returns and related components are fabricated according to the specified dimensions and flatness requirements for installing concrete-filled metal pan stairs. Consider conducting a detailed review of fabrication drawings and consulting with the design team to confirm that all critical measurements are met.
- 2. FSD should have its design team survey the stair-nosing installation and provide remedial recommendations. Corrective measures should be implemented to address any deficiencies in the stair nosing installation.

#### **FSD's Response**

1. FSD agreed with the recommendation made to PCL. FSD responded that they would continue to work with contractors and their QC managers, where provisioned, to conduct reviews of stair dimensions, including clearance for adjoining components such as stair nosings, and to request designer reviews. FSD also stated that the standard detail for a two-part nosing system on a concrete-filled metal pan stair would be revised to avoid this problem on future projects.

2. FSD agreed with the recommendation and indicated that the design team surveyed the stairnosing installation and confirmed that there were no structural concerns with the original installation. However, they provided recommendations for an aesthetic and watertight repair solution. After installing an approved mock-up, the contractor repaired the stairnosing installation by sealing the front and side edges of the nosings with watertight sealant.

#### **OIG's Response**

2. During the site visit conducted on July 11, 2025, we confirmed that the stair nosings have been properly repaired. We commend FSD for taking the necessary measures to address this issue and would like to express our appreciation for their prompt action.

#### **PCL's Response**

1. In their response, PCL maintained that the stair pan nosings were installed per contract requirements and that they had provided ample written notice regarding concerns with the design and specified products (PCL's Response Exhibit 1). LAUSD withheld \$300,000 over this issue, which PCL believes was excessive and unjustified, given that the remedial joint filling work cost under \$9,000. The work has been completed and accepted by LAUSD. PCL maintained that both the withholding and the clawback of a previously approved Change Order violate the contract and lack a legal basis. LAUSD has agreed to release \$180,000 of the withheld amount during the week of June 9, 2025. While PCL disagreed with the clawback, it will not pursue the remaining amount or related interest costs, provided LAUSD issues the retention payment by June 13, 2025.

#### **OIG's Response**

1. After reviewing PCL's response, we found no reason to change our original finding and recommendation. PCL asserted that the stair nosings were installed per contract requirements and attributed the issue to inappropriate design and specified products. However, as outlined in this finding, the root cause was not a design deficiency but PCL's failure to perform proper dimensional coordination. As the prime contractor, PCL was responsible under General Conditions Section 6.19 <sup>74</sup> to coordinate the work of its subcontractors. The concerns PCL raised in their written notices were not about flawed specifications but rather attempts to address fabrication errors made by its steel subcontractor, specifically, the excessive depth and incorrect pitch of the metal pan stair return.

Our site observations, such as visible gaps and the use of shims, clearly indicated that the installation did not meet the contract specifications or industry standards. Despite corrective work under Change Order T-618, the installation remained noncompliant.

<sup>&</sup>lt;sup>74</sup> General Conditions Section 6.19 states, "CONTRACTOR shall be responsible for the scheduling and coordination of all Work of Subcontractors, suppliers, and all others in furnishing and/or performance of the Work by direct and/or indirect contract to CONTRACTOR."

Therefore, LAUSD's withholding was reasonable and necessary to protect the District's interest and to ensure that all defective or noncompliant work is corrected before final payment.

## OBJECTIVE 4: Evaluate PCL's performance for job supervision, management of subcontractors, and health and safety requirements.

Our observations, interviews, and review of project records indicated that PCL's performance met expectations in job supervision and subcontractor management. PCL assigned a competent project manager and superintendent, and our site visits confirmed the quality of workmanship.

In the District's Performance Evaluation<sup>75</sup> for the project, PCL received a "Meets Expectations" or higher rating across all 31 evaluation categories. Our interviews with project management personnel further confirmed overall satisfaction with PCL's performance. For details, refer to Appendix II.

However, we identified one issue related to health and safety requirements.

### Finding No. 9 – Improper Asbestos Containing Material (ACM) Handling

During our review of project records, we found that the FSD FETU determined that the contractor inappropriately handled suspected ACM pipes. FETU promptly took corrective action. Howard, PCL's earthwork subcontractor, removed part of the potential ACM pipes and improperly disposed of them in a dumpster, violating both contract documents and LAUSD safety regulations.

According to project records, Howard encountered unforeseen underground abandoned pipes while grading the slope at the front of the property. Instead of following construction documents and LAUSD safety regulations, Howard's crew removed sections of the pipes and discarded them in a dumpster (Figure 7).

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<sup>&</sup>lt;sup>75</sup> The FSD conducts a Contractor/Consultant Performance Evaluation for LAUSD Projects to provide Facilities Contracts with information necessary to adequately assess a contractor's overall work performance. This evaluation is scored by the Project OAR, IOR, and the School Principal or their appointee to measure key performance criteria, including timeliness, quality of work, job-site safety, and client satisfaction.

Figure 7. ACM Pipes Disposed in the Dumpster (Source: FSD)



As per Occupational Safety and Health Administration (OSHA) regulations, these pipes should have been treated as suspected or presumed ACM, requiring handling and disposal in compliance with proper ACM procedures. DSA-approved plan G001.5, General Note 12, specifies, "The contractor shall stop work and notify the Architect, IOR, and OAR immediately if any asbestos-containing material (ACM) or suspected ACM<sup>76</sup> is found damaged or disturbed." Additionally, LAUSD School Repair and Construction Site Safety Standards Article 20 Asbestos states, "Upon discovery of any asbestos containing materials (ACM or ACCM) or presumed asbestos containing materials (PACM)<sup>77</sup> not identified in the Phase I report, the Contractor will stop work in such areas and notify the LAUSD Construction Inspector. The material will be inspected and tested, if necessary, by the District's Asbestos Technical Unit (ATU) or by a LAUSD assigned environmental consultant."

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<sup>&</sup>lt;sup>76</sup> Suspected Asbestos Containing Material has long been used by the asbestos industry to refer to any building material that is suspected of being asbestos-containing (based on appearance, usage, age of building, etc.), but has not been proven conclusively to be ACM (based on sampling and analysis, documentation, building records, etc.).

<sup>&</sup>lt;sup>77</sup> Presumed Asbestos Containing Material means thermal system insulation (TSI) and surfacing material found in buildings constructed no later than 1980 according to the Occupational Safety and Health Administration (OSHA). TSI means ACM applied to pipes, fittings, boilers, breeching, tanks, ducts or other structural components to prevent heat loss or gain. Surfacing material means material that is sprayed, troweled-on, or otherwise applied to surfaces (such as acoustical plaster on ceilings and fireproofing materials on structural members, or other materials on surfaces for acoustical, fireproofing, and other purposes).

A District FETU representative identified the contractor's inappropriate handling of the suspected ACM pipes and promptly took corrective action. Subsequent testing confirmed the presence of ACM in the underground pipe. Both the discarded pipes in the dumpster and the remaining pipes were removed following proper procedures.

The contractor's improper handling of the potential ACM led to unnecessary exposure, impacting a larger area than necessary. Proper containment could have limited the impact on the pipe's immediate vicinity, thereby reducing the disruption caused by exterior site improvements.

### **Recommendation for Finding No. 9**

PCL should ensure that its crews and subcontractors are adequately trained in identifying, handling, and disposing of suspected and presumed ACM. This training should cover OSHA guidelines and LAUSD safety regulations to ensure full compliance with safety and environmental protocols. Upon discovering potential ACM, work in the affected area should be stopped immediately, and the disturbed area should be limited to the immediate vicinity of the ACM to minimize exposure and disruption to surrounding site improvements.

### **FSD's Response**

FSD agreed with the recommendation made to PCL. FSD responded that, as it relates to suspected or known ACM, they would continue to obligate contractor adherence to identification, proper handling, and disposal.

### **PCL's Response**

PCL responded that the unforeseen underground abandoned pipes were encountered due to incomplete as-builts and environmental reports from LAUSD. PCL indicated that at the time of the work, PCL's subcontractor, Howard Contracting, did not know that these pipes (which were not shown on the LAUSD as-builts) were wrapped with ACM tape. PCL recommended that LAUSD provide a more thorough and accurate environmental report, maintain accurate as-built documents, and consider assigning a full-time environmental expert for future projects.

### **OIG's Response**

The core issue is not the presence of unforeseen pipes, but rather PCL's failure to comply with required regulations upon discovering pipes suspected to contain ACM. These pipes exhibited black thermal system insulation (TSI) on their exterior—an obvious indicator of presumed ACM as defined by OSHA. Both OSHA and LAUSD safety protocols mandate an immediate stoppage of work and proper handling procedures when such materials are encountered. Therefore, we reiterate our recommendation that PCL ensure its crews and subcontractors are properly trained in identifying, handling, and disposing of suspected and presumed ACM.

### OBJECTIVE 5: Evaluate whether the LAUSD's project staff and its consultants complied with the policies, procedures, and requirements of the District.

We identified an area for improvement in the management practices of FSD and its consultant.

### Finding No. 10 – Rust on Stainless Steel Products

Our evaluation identified rust on various stainless-steel items in the new classroom building, which opened in early January 2024. At the time of our review, it had been used for less than a year. The rust appears to have developed due to the salt and high humidity in the air, as the school is located in a coastal area.

During our site visits, we observed rust on various stainless-steel items, including hand dryers (Figure 8), restroom mirrors (Figure 9), the mop sink in the custodian room (Figure 10), and classroom sinks (Figure 11).

Figure 8. Hand Dryer Installed in the 2nd Floor Girls' Restroom



Figure 9. Mirror Installed in the 1st Floor Boys' Restroom



Figure 10. Mop Sink Installed in Room 214 Custodian



Figure 11. Sink Installed in Classroom 205



We noted minimal rust on the stainless-steel products in the staff restroom, where the door is typically closed. In contrast, significant rust was observed in the boys' and girls' restrooms, where the doors were left open. This suggests that salt-laden air and high humidity are contributing factors to the corrosion of these products.

The District should consider using materials more resistant to environmental factors such as salt and high humidity to mitigate corrosion in buildings in coastal areas. Based on the LAUSD Regional maps, <sup>78</sup> 19 schools are located within approximately one mile of the coastline, and 36 schools within approximately two miles. For a detailed list of these schools, please refer to Appendix II.

### **Recommendation for Finding No. 10**

FSD should consider using marine-grade stainless steel (e.g., Type 316<sup>79</sup>) or other appropriate rust resistant material for construction projects in coastal areas, which offer superior corrosion resistance in saltwater environments compared to conventional stainless steel. FSD may also apply protective coatings or finishes to stainless steel and other metal surfaces to prevent rust.

<sup>&</sup>lt;sup>78</sup> The LAUSD region map divides the district into four regions to effectively manage schools and resources. Each region represents a geographic area within LAUSD, covering specific clusters of schools; <a href="https://www.lausd.org/Page/18933">https://www.lausd.org/Page/18933</a>.

<sup>&</sup>lt;sup>79</sup> Stainless Steel Type 316 typically includes 16 to 18% chromium, 10 to 14% nickel, 2 to 3% molybdenum, and a small amount of carbon. The addition of molybdenum enhances the corrosion resistance of stainless steel 316 grade compared to other grades.

### FSD's Response

FSD responded that District Design Standards looked into the availability of alternate finishes that are available for the toilet accessories called for in their specifications. Marine-grade stainless steel was not an available option; however, reinforced resin is an available finish that could be considered for future projects within a specified proximity to the ocean. On visiting the site, the rust was easily removed. Cleaning efforts at this location can resolve the issue for these fixtures. FSD stated that District standards would be updated to allow for resin-based hand dryers and hand dryer recess frames to be resin for future projects, and paper towel dispensers at South Shores ES would be cleaned.

### **OIG's Response**

We commend FSD for their efforts in researching suitable anti-corrosion materials for future coastal projects in line with our recommendations, as well as for implementing rust removal measures on this project

### **EVALUATION TEAM**

This evaluation was conducted by Jung Beum (JB) Kim, Facilities Project Manager II with the Office of the Inspector General.

### **APPENDICES**

### California State Laws and District Policies and Procedures

	PCC § 20119		.10 Best Value Construction Contract (Rev 2.0, April 2018)
	PCC § 20112		2 Bid and Award Policies and Procedures (Rev 4.0, 4/16/2015)
PCC § 20119 (b)	The benefits of a best value procurement method include a reduction in contract delays, change orders, and claims producing a savings in both contract costs and administration.		There are many advantages to best value compared with the traditional low bid procurements. These benefits include the ability to:  1. Use "best value" selection criteria that are otherwise unavailable to the District through traditional low bid contracting.  2. Solicit qualified contractors that typically do not engage in low bid acquisitions.  3. Utilize factors such as qualifications and experience to obtain a highly qualified contractor with a good track record or unique qualifications and experiences that fit the specific requirements of the project.  4. Include cost savings through innovative and effective cost control solutions such as simplicity of issuing requests for information ("RFI"), qualifications/exclusions, and construction contingency, open dialogue on phasing and approach to project construction,
PCC § 20119.2 (a)	This article provides for a pilot program for the Los Angeles Unified School District to use best valueprocurement for	PSD 8.10.1.0	and an encouraged RFI process.  This District is authorized to use best value procurement for bid evaluation and selection for public works projects that exceed one public works projects that exceed one
PCC § 20119.2 (c)	projects over one million dollars (\$1,000,000).  The governing board of the school district shall adopt and publish procedures and required guidelines for evaluating the qualifications of the bidders that ensure the best value selections by the school district are conducted in a fair and impartial manner. These procedures and guidelines shall conform to this article and shall be mandatory for the school district when using best-value selection.	PSD 8.10.2.0	million dollars (\$1,000,000).  The acquisition and construction of facilities will be conducted with full and open competition, using a request for qualifications and bid ("RFQ/RFB") with a fair selection process based on the advertised criteria. The final selection of a contractor shall be based on the best value provided to the District.  Note: selection criteria are described in the published RFQ/RFB.
PCC § 20119.3 (b) (1)	The school district shall establish a procedure to prequalify bidders.	FSD 14.00.01.3.1	ASB will review and approve the proposed procurement method authorizing bidding.
		PSD 8.10.4.0 PSD 8.10.5.0 PSD 8.10.6.0	Team members responsible for planning, selecting, and contracting include:  1. Contracting Officer - The Deputy Chief Procurement Officer and/or his/her designee shall be the Contracting Officer ("CO"). The CO will work with the sponsor (i.e. Project Execution (PEX) or Maintenance and Operations (M&O)) to prepare the RFQ/RFB and the supporting documents. The CO shall also be responsible for issuance of the RFQ/RFB and any addenda. The CO shall be the chairperson of the selection panel and shall undertake the duties appropriate to the position. The CO shall instruct the selection panel on the District's procurement ethics policies and enforce the "cone of silence" requirements. The CO will be responsible for preparing and obtaining execution of the contract and issuing all pertinent contracting notices, such as the notice of intent to award ("NOIA"), notice of award ("NOA"), and notice to proceed ("NTP").  2. Selection Panel - The selection panel is usually made up of three District employees that know about construction, project scheduling, and construction costs, and can objectively review proposals and rank them based on quality and technical considerations. The panel may include an employee versed in construction contracting processes. PEX/M&O will recommend panel members. The Chief Procurement Officer and/or his/her designee will approve the list of panel members. Generally, on projects with five or fewer proposals, three panel members will review all proposals. On projects with greater than five proposals, four panel members may be assigned and each proposal will be read by at least two panel members. In addition, one or more technical evaluators may be used depending on the project complexity or specialty. The technical evaluators will evaluate proposals and recommend scores to the selection panel. The selection panel may use the technical evaluators' recommendation to assist in scoring the proposals.  The CO and each member of the selection panel shall complete and sign the nondisclosure certificate.  A

### California State Laws and District Policies and Procedures (cont.)

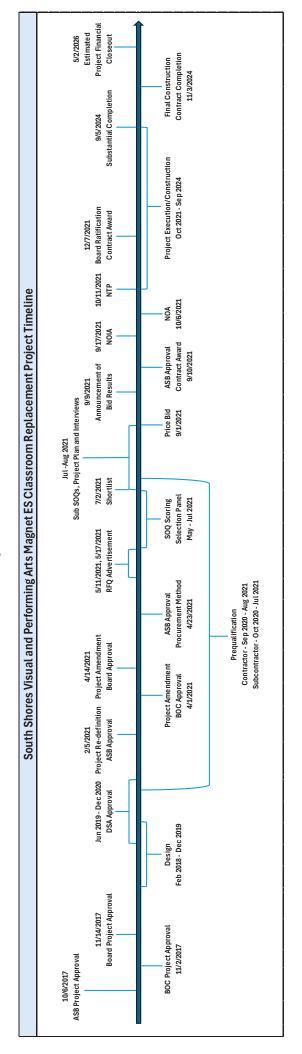
### California State Laws and District Policies and Procedures (cont.)

	PCC § 20119 PCC § 20112	FSD 14.	8.10 Best Value Construction Contract (Rev 2.0, April 2018) 2 Bid and Award Policies and Procedures (Rev 4.0, 4/16/2015) 1 14.00.01 Acquisition Strategy Board (Rev 0.0. June 2022)
	A best-value entity shall not be prequalified or short-listed unless the entity provides an enforceable commitment to the governing board that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades.  Paragraph (2) above shall not apply if any of the following requirements are met: (a) the school district has entered into a	PSD 8.10.8.0	The skilled and trained workforce is defined as either skilled journeypersons or apprentices registered in an apprenticeship program approved by the Chief of the Division of Apprenticeship Standards ("DAS") pursuant to section 3075 of the Labor Code or located outside California and approved for federal purposes pursuant to the apprenticeship regulations adopted by the federal Secretary of Labor. The minimum percentage of skilled journeypersons required is defined in Section 20119 and is incorporated by reference. The selected best value contractor is
	project labor agreement that will bind all contractors and subcontractors performing work on the project or contract to use a skilled and trained workforce, and the entity agrees to be bound by that project labor agreement, (b) the project or contract is being performed under the extension or renewal of a project labor agreement that was entered into by the school district prior to January 1, 2020, or (c) the entity has entered into a project labor agreement that will bind the entity and all its subcontractors atevery tier performing the project or contract to use a skilled and trained workforce.	PSD 8.10.9.0	required to certify that the appropriate ratios of graduate journeypersons or apprentices will be utilized.  In addition to the best value qualitative evaluation factors established as part of the selection process, all contractors and subcontractors, as required, must be prequalified in accordance with the prequalification process established by FCC's Prequalification Department. All prime contractors are subject to the requirements detailed in the Public Contract Code section 20111.6. All mechanical, plumbing, and electrical subcontractors (MEP) are subject to the requirements established in section PCC 20111.6. All other subcontractors must be prequalified by the prime contractor in accordance with District procedures as outlined in the Safety Standards Manual. All prime contractors and mechanical, plumbing, and electrical subcontractors must be approved by the District, at a minimum, five days prior to the best value price bid due date.
		PSD 8.10.10.0	The CO and project sponsor will develop a best value request for bid document that reflects the project's unique scope requirements as well as the following standard set of information:  1. An evaluation process that prevents the cost or price information from being revealed in evaluating the qualifications of the bidders prior to completion of qualification scoring (see PSD 8.10.12.12);  2. Description of the Project;  3. Statutory authority (Section 20119) under which the solicitation will be issued;  4. Basic District requirements regarding licensing; participation requirements for Small Business Enterprise ("SBE"), Disabled Veteran Business Enterprise ("DVBE"), local worker, and "We Build" graduates; prevailing wages; PSA; pre-qualification; bonds; insurance; and other requirements as may be appropriate for the project;  5. The selection criteria (see PSD 8.10.13, 14 and 15).  6. Other standard RFQ/RFB information, such as meeting dates, due dates, submittal locations, terms and conditions, and standard contract documents;  7. Invitation to prequalified shortlisted bidders to attend the mandatory bid meeting, site walk and submit sealed bids in the 9. dentify the methodology and rating system that will be used in evaluating the qualified bidders (see PSD 8.10.12, 13, 14 and 15);  10. Description of the relative importance or weight assigned to the criteria for evaluating the qualifications of bidders identified in the request for bids (see PSD 8.10.13, 14 and 15;  11. Relevant RFQ/RFB forms and certifications; and  12. Evaluation scoring sheets for use by the selection panel.
PCC § 20119.3 (d)	A final evaluation of the bidders shall be done in a manner that prevents the identity of the bidders and the cost or price	PSD 8.10.5.0	Note: The CO shall utilize the Sample RFQ/RFB (Exhibit A) approved by Facilities Contracts as a template for development of the project specific RFQ/RFB.  It is important to note that for the evaluation portion of the selection, panel members shall not be made aware of the bid amount
	information from being revealed in evaluating the qualifications of the bidders prior to completion of qualification scoring.	PSD 8.10.12.12	submitted by the contractor.  Cost or price information shall not be revealed to the selection panel during the evaluation of the qualifications of bidders.
		PSD 8.10.16.0	The selection panel will not be given price information. The CO numbers to price bids so that the bidder's name will not be revealed until after the proposals/bids are ranked.

### California State Laws and District Policies and Procedures (cont.)

	PCC § 20119 PCC § 20112	FSD 14.	8.10 Best Value Construction Contract (Rev 2.0, April 2018) 2 Bid and Award Policies and Procedures (Rev 4.0, 4/16/2015)
			14.00.01 Acquisition Strategy Board (Rev 0.0, June 2022)
PCC § 20119.4 (a) (1) PCC § 20119.4 (a) (2)	bidders based solely upon the criteria set forth in the solicitation documents, and shall assign a qualification score to each bid.	PSD 8.10.12.0	Selection of the best value contractor shall be made as follows:  1. The qualifications of the bidders shall be based on the criteria set forth in the solicitation documents;  2. A qualification score shall be assigned to each bid; and  3. Factors will be used to evaluate the bidders (see factors in PSD 8.10.13.0).  All shortlisted bidders will be invited to submit a price. Price bids will be submitted in a separate sealed envelope on the date identified in the RFQ/RFB.
PCC § 20119.4 (b)	To determine the best value contractor, the school district shall divide each bidder's price by its qualifications score. A preference of up to 5 percent shall be applied to the price of a bid submitted by a small business, as defined by the school district, before dividing the bidder's price by its qualification score. The lowest resulting cost per quality point will represent the best value bid. The award of the contract shall be made to the bidder whose bidis determined, by the school district in writing, to be the best value to the school district.	PSD 8.10.12.0	Selection of the best value contractor shall be made as follows:  1. To determine the best value contractor, the District shall divide each bidder's price by its qualifications score;  2. The lowest resulting cost per quality point will represent the best value bid;  3. The award of the contract shall be made to the bidder whose bid is determined by the District in writing to be the best value to the District;  4. If a selected bidder for a project refuses to execute a contract, the District may award to the bidder with the next lowest best value score;
		PSD 8.10.16.0	The qualification score will be divided into the price and the bidders will be ranked lowest to highest, with the lowest score being the most qualified.
PCC § 20119.4 (c)	The school district shall issue a written decision of its contract award or else reject all bids.  Upon issuance of a contract award, the school district shall	PSD 8.10.12.0 PSD 8.10.16.0 PSD 8.10.17.0	The District shall issue a written decision of its contract award or else reject all bids. The issuance of the NOIA will commence the protest period of five business days (seven calendar days).  Bids will be tabulated by the CO in District's Bidnet application.  1. The bid tab will be presented to ASB with a recommendation by the Program Manager and Facilities Contracts to award and the number of bids that should be considered based on available budget.  2. ASB will recommend approval or rejection and the CO will issue a NOIA.  3. Prospective awards under delegated authority shall be made and the contract will be ratified by the Board. Projects not under delegated authority will be submitted by the CO to the BOE for approval prior to issuance of a NOA.  ASB will review and approve the selection of the winning bidder.  Once a contract is awarded, the District will publicly announce its
PGU 8 20119.4 (d)	Upon issuance of a contract award, the school district shall publicly announce its award identifying the project, the project price, the best value contractor to which the award is made, as well as the prices, qualification scores, and resulting costs per qualification point for all responsive bidders. The contract file shall include documentationsufficient to support the decision to award.	PSD 8.10.12.0 PSD 8.10.18.0	Once a contract is awarded, the District will publicly announce its award identifying the project, the project price, the best value contractor to which the award is made, as well as the prices, a summary of qualification scores, and resulting costs per qualification point for all responsive bidders.  1. The District will publish the scores, ranking, price, and price per quality point of each bidder. Upon request, the CO may provide a debriefing to unsuccessful bidders.  2. Debriefings can include a comparison of the bidder's scores to the successful bidder. Individual component scores of other bidders will not be shared.  3. Selection panel identities will remain confidential.  The contract file shall include all appropriate documentation to support the decision to award.

### **Project Timeline**



Final SOQ Evaluation, Scoring, and Ranking



### Final Best Value Evaluation, Scoring, and Ranking



### BEST VALUE SUB-SOQ EVALUATION CRITERIA MATRIX SOUTH SHORES ELEMENTARY SCHOOL CLASSROOM REPLACEMENT (BID NO. 2110031)

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Project 2:	20	46	46	46	46	46.00	39.00	39	40 4	Н		H	46	48	46.50	40	40	Н	П		9 49	20	20	49.50	
Project 3:	20	43	43	43	46	43.75	44	44	H	45 43.25	5 47	48	46	48	47.25	20	20	$\vdash$	50 50	50.00 50	H	20	20	20.00	
Subtotal	200	174	172	174	180	175.00	177	179	172 18	182 177.50	50 179	184	179	190	183.00	171	172	182 1	178 175	175.75 199	199	200	195	198.25	
DEMONSTRATED MANAGEMENT COMPETENCY (300 points)																									
Project Manager	150	113	113	115	120	115.25	H	H	H	112 103.75	L	H	107	112	108.25	121	121	H	Н	122.25 108	H	H	112	110.50	
General Superintendent	200	172	179	172	172	173.75	168	170	Н	164 165.50	50 150	146	159	159	153.50	173	Н	H	170 173	173.75 141	1 145	152	149	146.75	
Project Construction Quality Control Officer	100	69	7.1	73	75	72.00	69	7.1	71 8	80 72.75	2 80	80	82	82	81.75	63	99	99	99	65.25 92	2 95	93	91	92.75	
Project Safety Offer	40	26	26	27	28	26.50	30	30	30 3:	33 30.38	8 34	36	34	33	34.25	53	28	30	27 28	28.50 33	3 36	33	31	32.75	
Teamwork	10	8	10	8	6	8.75	4	3	6 7	2.00	8	7	8	8	7.75	0	0	3	7 2.	2.50 8	8	80	7	7.75	
Subtotal	200	388	668	395	404	396.25	373	374	368 35	396 377.38	383	372	390	268	385.50	386	394	397 3	392 392	392.25 382	395	397	390	390.50	
PAST PERFORMANCE (250 points)																									
Project 1:	20.00	43.70	43.70	43.70	43.70	43.70	43.20 4	43.20 4	43.20 43.	43.20 43.20	35.00	35.00	35.00	35.00	35.00	23.80	23.80 2	23.80 23	23.80 23	23.80 47.80	80 47.80	47.80	47.80	47.80	
Project 2:	20.00	25.90	25.90	25.90	25.90	25.90	41.40 4	41.40 4	41.40 41.	41.40 41.40	0 30.70	30.70	30.70	30.70	30.70	40.50	40.50 4	40.50 40	H	40.50 37.60	937.60	37.60	37.60	37.60	
Project 3:	20.00	40.00	40.00	40.00	40.00	40.00	41.60 4	⊢	41.60 41.	41.60 41.60	0 29.70	29.70	29.70	29.70	29.70	28.80	28.80 2	28.80 28	H	28.80 29.50	Н	29.50	29.50	29.50	
Subtotal	150	109.60	109.60	109.60	109.60	109.60	126.20 13	126.20 12	126.20 126.20	5.20 126.20	95.40	95.40	95.40	95.40	95.40	93.10	Н	93.10 93	93.10	93.10 114.	114.90 114.90	0 114.90	114.90	114.90	
SBE AND DVBE (50 points)						Courtney				Courtney	ley .				Courtney				Cour	Courtney				Courtne	
SBE	44					34.00				15.00	0				27.00				44	44.00	_		L	44.00	
DVBE	9					00.9				00'0	-				00.9				-5.	2.00				4.00	
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Local Worker	40					14.00				4.00					28.00				32	35.00	_			25.00	
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Subtotal	20					14.00				4.00					28.00				45.	45.00	_			28.00	
SAFETY/FINANCIAL CONDITION/LABOR COMPLIANCE/PSA-JOURNEYPERSON (50 points)	50 points)					Courtney				Courtney	ley				Courtney				Cour	Courtney				Courtney	
Safety Record	10					10.00				10.00	0				10.00				10	10.00				10.00	
Financial Condition	20					20.00				20.00	0				20.00				20	20.00				20.00	
Labor Compliance	20					20.00				20.00	0				20.00				19	19.00				19.00	
Subtotal	20					20.00				20.00	0				20.00				49.	49.00				49.00	
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Part 2: BID PHASE	Score				-	AVERAGE				AVERAGE	IGE				AVERAGE				AVE	AVERAGE				AVERAGE	ш
PROJECT PLAN (500 points)	200	385.00	385.00	385.00	370.00	381.25	415.00 4	418.75 40	407.50 415	415.00 414.06	18.75	5 426.25	5 411.25	422.50	419.69	407.50	407.50 4	407.50 40	407.50 407	407.50 407.50	.50 411.25	5 400.00	407.50	406.56	
INTERVIEW (500 points)	200	356.00	350.75	390.75	362.75	365.06	448.00 3	395.75 40	400.00 395	395.75 409.88	476.00	0 418.50	0 412.25	423.00	432.44	451.00	400.00	403.50 40	407.00 415	415.38 377.00	397.25	5 396.75	400.50	392.88	
PART 2 - BID PHASE TOTAL	1000	741.00	735.75	775.75	732.75	746.31 8	863.00 81	814.50 80	807.50 810	810.75 823.94	94 894.75	5 844.75	5 823.50	845.50	852.13	858.50 8	807.50 81	811.00 81	814.50 822	822.88 784.50	.50 808.50	0 796.75	808.00	799.44	
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TOTAL SCOBES 2000	2000		1	1 521 16				153	1 574 01				1 627 03	2			16	1 626 98				1 628 00	00		
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Ranking	2	4	2	æ	1
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	Icon West, Inc. Proposer No. 1	Charles Pankow Builders, LTDProposer No.: 1,574.01	PCL Construction Services Inc. Proposer No. 1,627.03	Pinner Construction Company Inc. Proposer 1,626.98	S. J. Amoroso Construction Co., Inc. Propost 1,628.09

### **Explanation of Change Orders**

In our review of the COs issued for the project (Figure 13), we noted that 208 COs, totaling \$2,174,517.35, were issued, or 11.28% of the original contract amount of \$19,281,046.00.

We identified a discrepancy between our classification of COs and the OAR's classification, particularly regarding design deficiencies (errors and omissions) COs. The significant difference arose from the OAR, including other causes of COs, such as owner-requested scope changes and end-user scope changes, within the category of errors and omissions COs.

As shown in Figure 12 below, the OAR classified 134 out of 208 COs as design deficiencies, totaling \$1,210,754.00 (55.68%). In contrast, our evaluation determined that only 79 COs, totaling \$740,392.00 (34.05%), were issued to address design deficiencies.

Figure 12. OAR CO Classification Vs. OIG CO Classification (as of December 16, 2024)

Reason Code		OAR Classification	1		OIG Clas	ssification	
	No. of COs	CO Amount	Percentile	No. of COs	COA	mount	Percentile
Unforeseen Conditions	47	\$ 786,670.00	36.18%	59	\$ 90	7,706.17	41.74%
Owner Initiated Scope Change	9	\$ 88,763.31	4.08%	32	\$ 39	3,854.14	18.11%
End User Scope Change	11	\$ 240,533.05	11.06%	12	\$ 24	6,523.05	11.34%
Design Deficiencies (Errors & Omissions)	134	\$ 1,210,754.00	55.68%	79	\$ 74	0,392.00	34.05%
Outside Agency Required Change	1	\$ 1,166.00	0.05%	5	\$ 1	0,467.00	0.48%
Other	6	\$ (153,369.01)	-7.05%	20	\$ (14	7,036.01)	-6.76%
No Merit	0	\$ -	0.00%	1	\$ 2	2,611.00	1.04%
Subtotal	208	\$ 2,174,517.35	100.00%	208	\$ 2,17	74,517.35	100.00%

Figure 13. OIG CO Analysis for the Project (as of December 16, 2024)

				*Reason Co	de
			1:	=Unforeseen Co	nditions
			2= Ov	vner Initiated Sc	ope Change
			3=	End User Scope	Change
			4=Design	Deficiency (Erro	rs & Omissions)
			5=Outs	side Agency Req	uired Change
**Red numbers indicat	e that the OIG's classification of the CO is different fro	m the OAR's classification		6=Other	
CO#	CO Title	CO Amount	Reason* for Change by OAR	Reason* for Change by OIG	Criteria for OIG Determination
501	DSA Approved Addendum #1	\$0	4	6	Prior to bid. No Impact to the Contract
502	DSA Approved Addendum #4	\$0	4	6	Prior to bid. No Impact to the Contract
505	Labor And Materials to Install Egress Ramps Behind Modular Classrooms as Directed by OEHS	\$620.59	2	2	
506	Furnish and Install Six Screw-mounted 'Maximum Occupancy: 29'	\$709.69	6	6	
507	Labor and Material to Install 12 Owner- provided Wall-mounted Cabinets at Interim Housing Classrooms	\$372.69	2	2	
508	Install Paper Towel and Soap Dispensers from Existing Classrooms and Reinstall at New Interim Housing Classrooms	\$422.03	2	2	
509	Replace Irrigation Valves	\$4,353.30	6	6	
511	Build Two Plan Tables and Install Two Cabinets in Portable Classroom #B4	\$3,554.83	4	2	Not Design Deficiencies. Owner Initiated Scope Change
512	DSA Approved Addendum #1	\$0	4	6	Prior to bid. No Impact to the Contract
513	DSA Approved Addendum #2	\$0	4	6	Prior to bid. No Impact to the Contract

514	Installation of Magnetic White Boards at Interim Housing	\$5,018.05	3	3	
516	Change Clock System to American Time Clock System for New Classroom Building (Bldg)	\$11,694	2	2	
517	Removal of Three Existing Trees	\$6,892	1	1	
518	Install Water Proofing Material to the Retaining Curb Wall	\$10,252	4	4	
519	Relocate Undocumented Underground 480V Feeder Serving Relocatable Housing Units	\$59,037	1	1	
520	Connect the Elevator Shunt Trip to Utilize Circuit PB1-42 for Power	\$2,312	4	4	
521	Connect One Combination Smoke Fire Damper in Electrical Room #06-106A	\$2,737	4	4	
522	Install Six 24 Feet x 40 Feet Modular Units in lieu of Three 48 Feet x 40 Feet Modular Units for Interim Housing	\$6,280	1	1	
523	Change Clock System to American Time Clock System for Existing Bldgs	\$54,942	2	2	
524	Repair Existing Asphalt Cracks at Temporary Kindergarten Playground Area	\$1,920	2	2	
525	Credit to LAUSD for the Elimination of One Electrical Pull Box	(\$10,000)	4	1	No Design Deficiency. Unforeseen Condition
526	Credit to LAUSD for the Asphalt and Redwood Headers	(\$13,957)	4	4	
527	Add One New Hose Bib at the Drinking Fountain on the First Floor of Bldg. #6 Near Restroom	\$1,779	4	4	
528	Credit for Six Counters and Six Fire Extinguishers and Six Downspouts	(\$7,858)	1	1	
529	Install Furr Wall and Update Plumbing Plan at 2nd Floor Boys RR #06-212 and CR Sinks	\$4,101	4	4	
530	Install One (1) New - Two and a Half Inch (2-1/2") Copper Water Line	\$12,585	4	1	Unforeseen Condition. Inaccurate as-built drawing
531	Adjustment and addition of Masonry Site- Wall on South-West Property-Line	\$74,741	1	2	Owner Initiated Scope Change

532	Relocate Unforeseen Power and Low Voltage Wiring for Classroom Bldg. #4	\$81,305	1	1	
533	Install an Isolation Valve in Kindergarten Classroom Bldg	\$3,588	2	2	
534	Remove and Replace Concrete for Gas Line Pipe Installation	\$26,988	4	4	
535	Remove and Reinstall the Chain-link Fence in Support of LADWP Work for the New Fire Water Line Service	\$1,166	5	5	
536	Adjust Duct Routing and Avoid Conflict with Structural Steel Members	\$22,672	4	4	
537	Reroute HVAC Ductwork in the Mechanical Room to Avoid Conflict with Plumbing Work	\$2,408	4	4	
538	Provide Credit for the Deletion of Eight Tubular Skylights	(\$10,434)	4	6	Value Engineering
539	Provide Labor and Material for the Addition and Updating of Low Voltage Components	\$7,172	4	4	
540	Reroute and Install New 330 LF of Storm Drain Pipe and Connect to Existing Eight Inches Pipe	\$17,604	1	1	
541	Repair the Deformed Asphalt Area at the Staff Parking Lot	\$12,983	1	1	
542	Relocate Eight Inches Storm Drain Lines and Manhole to Avoid Clashing with the Retaining Wall Curb	\$12,190	4	1	Not Design Deficiency. Unforeseen Condition
543	Substitute Infill Material Guardrail to Orsogril and Change Top Rail Material to Round Tubular HSS	\$89,686	3	3	
544	Provide Temporary Power Feeds to Bldg #4	\$59,260	1	1	
545	Provide Premium Overtime Work with Providing Conduits with Slab	\$8,776	4	6	Related Construction Schedule
546	Install Acoustical Ceiling at Instrumental Classroom 6-101 Ceiling	\$491	4	5	Change requested by the acoustic engineer
547	Procure and Install Data Receptacles at Outlets and Provide Surge Protection Devices at Panels	\$11,207	4	4	

548	Install Additional Tile Finish in the Custodian Room	\$3,544	4	4	
549	Provide Manpower in Support of Ultrasonic Weld Testing by the Material Testing and Inspection Lab	\$1,033	6	6	
550	Change Condensing Unit Amperage to 60 AMP and Revise Wiring from #10 to #8	\$2,709	4	4	
551	Install Concrete Encasement of Site Utilities under the Zone of Influence	\$7,911	4	1	Unforeseen field condition
552	Relocate Temporary Construction Fence for Contractor to Have Continuous Undisrupted Access to their Areas	\$4,562	4	6	Not Design Deficiency. Method of performing work
553	Omit Notched Backing from the Perimeter of Every Room with a Lay-in Ceiling for the Classroom Bldg	(\$11,624)	4	6	Value Engineering
554	Remove Underground Asbestos- Wrapped Pipe around Classroom Bldg #5	\$31,858	1	1	
555	Install Angle Framing Insulation and Drywall Overlap at the Acoustical Wallmat Isolation Pad	\$12,988	4	4	
556	Credit for the Removal of Fire Alarm Devices from the System and Installation of New Devices	(\$8,218)	4	6	Value Engineering
557	Installation of Welded 12 Gauge Plate	\$7,620	4	1	Unforeseen field condition
558	Reconfiguration of Steel for Duct Riser	\$7,370	4	4	
559	Roof Deck Penetrations	\$3,221	4	4	
560	HSS Steel Slope Adjustment to Support Fiber Glass Sandwich Panels	\$14,866	4	4	
561	Installation of One Structural Steel Roof Member	\$5,714	4	4	
562	Demolish Concrete Slab at Custodian Rm for Ductwork Installation	\$1,897	4	4	
563	Install Steel Members and Stiffener Plates in Support of the Metal Deck	\$7,439	4	4	
564	Install Flat Straps to Support Roofing PVC Membrane	\$1,678	4	4	
565	Install Motion Detection Devices to First and Second Floor	\$21,423	4	4	
566	Provide Clearance at the Bent Plate to allow for Plumbing Rough-in from the Drinking Fountain	\$600	4	4	

Install Additional Data Drops to 1st and 2nd Floor Classrooms	\$14,737	4	4	
Install Wiremold at Existing Bldgs Where Concealed Conduit Installation Is Not Accessible	\$79,383	4	1	Unforeseen Condition
Reroute Storm Drain to Avoid Clashing with New Electrical Vaults	\$7,374	1	1	
Remove and Reinstall Concrete Slab at Existing Electrical Service Enclosure for Bldg #6 Connection	\$10,892	4	4	
Install 16-gauge Flat Stock Sheet Metal to Receive an Un-Interrupted Installation of Dense glass	\$8,393	4	4	
Provide Credit for the Removal of Ballet Barres and Wall Backing from Contract Scope of Work	(\$1,222)	6	6	
Replace Light Fixtures in New Classroom Bldg	\$61,478	4	4	
Remove the Underground Asbestos Wrapped Pipe on the Exterior of Classroom Bldg #5	\$5,759	1	1	
Credit for Deletion of Heat Detectors from Multi-Purpose Bldg	(\$3,995)	4	2	Requested by M&O for attic access issues
Provide 120V to the Stepdown Transformer to Power the Thermostat Interface Kit	\$6,423	4	4	
Install HB-1 Hose Bibbs in Lieu of HB-7 Hose Bibbs	\$12,307	4	4	
Extension of an HSS Member to allow for Waterproofing Installation	\$7,661	4	4	
Add Concrete Pedestal to Capture Existing Bldg 4 Canopy Column	\$6,329	4	1	Unforeseen Condition. The existing footing was impacted by the demolition of the stair construction.
Installation of Bottle Filler Fixtures for Drinking Fountains	\$4,690	3	3	
Modifications to Projector and Audio/Video System	\$19,989	4	2	Owner Initiated Scope Change
Mounting Racks for Rooftop HVAC Disconnect Switches	\$45,920	4	4	
	Install Wiremold at Existing Bldgs Where Concealed Conduit Installation Is Not Accessible Reroute Storm Drain to Avoid Clashing with New Electrical Vaults Remove and Reinstall Concrete Slab at Existing Electrical Service Enclosure for Bldg #6 Connection Install 16-gauge Flat Stock Sheet Metal to Receive an Un-Interrupted Installation of Dense glass Provide Credit for the Removal of Ballet Barres and Wall Backing from Contract Scope of Work Replace Light Fixtures in New Classroom Bldg Remove the Underground Asbestos Wrapped Pipe on the Exterior of Classroom Bldg #5 Credit for Deletion of Heat Detectors from Multi-Purpose Bldg Provide 120V to the Stepdown Transformer to Power the Thermostat Interface Kit Install HB-1 Hose Bibbs in Lieu of HB-7 Hose Bibbs Extension of an HSS Member to allow for Waterproofing Installation Add Concrete Pedestal to Capture Existing Bldg 4 Canopy Column Installation of Bottle Filler Fixtures for Drinking Fountains Modifications to Projector and Audio/Video System Mounting Racks for Rooftop HVAC	2nd Floor Classrooms  Install Wiremold at Existing Bldgs Where Concealed Conduit Installation Is Not Accessible  Reroute Storm Drain to Avoid Clashing with New Electrical Vaults  Remove and Reinstall Concrete Slab at Existing Electrical Service Enclosure for Bldg #6 Connection  Install 16-gauge Flat Stock Sheet Metal to Receive an Un-Interrupted Installation of Dense glass  Provide Credit for the Removal of Ballet Barres and Wall Backing from Contract Scope of Work  Replace Light Fixtures in New Classroom Bldg  Remove the Underground Asbestos Wrapped Pipe on the Exterior of Classroom Bldg #5  Credit for Deletion of Heat Detectors from Multi-Purpose Bldg  Provide 120V to the Stepdown Transformer to Power the Thermostat Interface Kit  Install HB-1 Hose Bibbs in Lieu of HB-7 Hose Bibbs  Extension of an HSS Member to allow for Waterproofing Installation  Add Concrete Pedestal to Capture Existing Bldg 4 Canopy Column  Solution of Bottle Filler Fixtures for Drinking Fountains  Modifications to Projector and Audio/Video System  Mounting Racks for Rooftop HVAC  Solution Stables  Stables  ### Stables	Install Wiremold at Existing Bldgs Where Concealed Conduit Installation Is Not Accessible Reroute Storm Drain to Avoid Clashing with New Electrical Vaults Remove and Reinstall Concrete Slab at Existing Electrical Service Enclosure for Bldg #6 Connection Install 16-gauge Flat Stock Sheet Metal to Receive an Un-Interrupted Installation of Dense glass Provide Credit for the Removal of Ballet Barres and Wall Backing from Contract Scope of Work Replace Light Fixtures in New Classroom Bldg Remove the Underground Asbestos Wrapped Pipe on the Exterior of Classroom Bldg #5  Credit for Deletion of Heat Detectors from Multi-Purpose Bldg  Provide 120V to the Stepdown Transformer to Power the Thermostat Interface Kit Install HB-1 Hose Bibbs in Lieu of HB-7 Hose Bibbs Extension of an HSS Member to allow for Waterproofing Installation  Add Concrete Pedestal to Capture Existing Bldg 4 Canopy Column  Mounting Racks for Rooftop HVAC  \$45,520  4  Add Contract Scope of Mork  S55,759  4  Add Contract Pedestal to Capture Existing Bldg 4 Canopy Column  Mounting Racks for Rooftop HVAC  \$45,520  4  Mounting Racks for Rooftop HVAC	Install Wiremold at Existing Bidgs Where

583	Soffit Framing Connection to Bent Plate at Stair 6-B Landing	\$4,401	4	6	To provide alternate resolution of the installed condition.
584	Sink and Toilet Rough-in Adjustment for ADA Requirements	\$20,323	4	4	
585	Gas Line Installation at Electrical Room	\$2,759	4	4	
586	Install Middle Rail at Fence and Gate	\$3,637	4	4	
587	Install Rigid Insulation at the Exterior on West Elevation	\$2,296	4	4	
588	Modifications to Rolling Gate	\$31,088	4	2	Requested by M&O
589	Install 18-gauge Blank-off Plate	\$3,075	4	4	
590	Installation of Additional Fire Sprinkler System Components	\$15,723	4	4	
591	Add Expansion Panels to Interim Housing to Support IP Convergence Security System	\$11,640	1	1	
592	Revision to Material and Placement of Luxury Vinyl Tile (LVT) Floor Tile	\$11,861	3	3	
593	Frame Additional Soffit at Elevator Machine Room	\$1,449	4	5	Requested by elevator manufacturer
594	Electrical Duct Bank Under Fire Water Line	\$1,710	1	1	
595	Connect Exit Signs to the Nearest Available Emergency Circuit	\$7,995	4	4	
596	Add Access Panel Backing and Framing for Fire Detection Devices	\$2,771	4	4	
597	Removal of Baseboard at Kindergarten Bldg	\$4,332	1	1	
598	Relocate Temporary Fence to Allow for School Storage Unit Placement	\$1,076	1	2	Not Unforeseen, but Owner Initiated Scope Change
599	Relocate Fire Sprinkler Head Off-Center at Restroom 113	\$464	4	4	
600	Paint Exposed Fire Sprinkler Lines at 2nd Floor Canopy	\$10,847	4	2	Not Design Deficiency, but Owner Initiated Change
601	Revise the Fire Alarm Sequence of Operations for the Carbon Monoxide Detector	\$5,735	4	4	

602	Soil Import for Back Fill	\$19,205	1	1	
603	Install Metal Flashing in Lieu of Plaster to Watertight Windows at Sunshade Locations	\$490	4	4	
604	Revise Flush Valve Height Installation at Urinals to Meet ADA Requirements	\$7,348	4	4	
605	Install Kalwall Canopy at Lower Slope	\$8,628	4	4	
606	Eliminate Corner Nichiha at Windows and Install Flashing	\$2,534	4	5	Requested by Nichiha panel manufacturer
607	Site Security Watch	\$34,473	1	1	
608	Deletion of Smoke Detector and Fire Alarm Control Relay for EF-1	(\$1,264)	4	4	
609	Switch Location of Fan Coil Unit and Condensing Unit No.1 and No.2	\$14,644	4	4	
610	Reframe for Installation of a Larger Access Panel	\$1,470	4	4	
611	Connect Storm Drain Line to Sub-Drain Line	\$12,867	4	4	
612	Bird Proofing Devices	\$32,821	3	3	
613	Credit for Smoke Detector Deletion from Classroom #11	(\$881)	4	4	
614	New Analog Emergency Red Telephone	\$916	1	1	
615	Provide Structural Concrete at Areas of Influence	\$3,236	4	1	Unforeseen conditions due to existing site conditions
616	Exterior Steel Painting at the Column Base	\$2,120	4	1	Unforeseen site conditions
617	Close Guard Rail Gaps at 2nd Floor Top Landings	\$2,114	4	6	Others
618	Stair Nosing's Adjustment	\$22,611	4	No Merit	No Merit. The contractor did not fabricate the stair pan return properly.
619	Place Concrete Pavement over the Gas Line Area	\$27,278	4	2	Requested by M&O
620	Adjust the Elevator Hoist Beam Connection at Elevator Shaft	\$4,827	4	5	Per deferred approval on elevator shop drawings
621	Potholing Gas-Line for Bldg #6	\$912	1	1	

622	Staining of Wood Doors	\$6,492	4	2	The specified doors are not factory finished.
623	Install Shunt Trip Breaker at Ansul System	\$3,124	4	4	
624	New Baseboard at Bldg #5	\$2,106	1	2	Owner Initiated Scope Change
625	Install LVT Flooring in Lieu of Carpet at Instrument Room #6-101	\$3,219	4	4	
626	Cubbies Material Change in Classrooms	(\$10,000)	4	2	Owner Initiated Scope Change
627	Relocate Two One Inch Domestic Water Lines	\$1,615	4	6	Due to installed conditions
628	Field Flange Cutting for Bird Proofing Devices	\$9,373	2	2	
629	Sand Blasting Finish of CMU Wall Blocks	\$6,917	4	4	
630	Install Heat Detectors at Both Elevator Lobbies	\$3,338	4	4	
631	Application of Satin Finish at Aluminum Windowsills	\$2,931	4	4	
632	Painting of Restroom Interior at Kindergarten Classroom Bldg	\$5,366	1	1	
633	Patching Cavities and Penetrations for Kindergarten Bldg	\$9,344	1	1	
634	Bush Hammer Concrete at Planter Area of Kindergarten Bldg	\$7,160.17	4	1	Unforeseen conditions
635	HA Light Fixtures at Level 2 Corridor	\$47,126	4	4	
636	Add Handrail	\$9,205	4	4	
637	Drywells For Condensate Drain at Classroom Bldg #5	\$15,288	1	1	
638	Change Elevation of Exterior Hardscape to Match Bldg Elevation	\$7,386	4	4	
639	Windows of Bldg #5	\$4,864	1	1	
640	Connect Condensate Lines to Custodian Room Sinks	\$8,980	4	4	
641	Installation of Vision Lite Window Film at Two Staff Restrooms	\$954	4	2	Owner Initiated Scope Change
642	Shaft Closure	\$3,994	4	4	
643	Connect Fan coil Transformer	\$3,207	4	4	
645	Adjust Guardrails and Handrails	\$26,878	4	2	Requested by OEHS

646	Install Sealant Between Steel and Plaster	\$21,247	4	4	
647	Removal of Asbestos Wrapped Piping from Bldg #4	\$3,320	1	1	
648	Install Wall Mounted J-Hooks to Support Data Cables in the Data Room	\$1,393	4	6	Others
649	Blank-off Transoms	\$3,108	4	4	
650	Soil Haul off from Concrete Paving over Gas-Line Area	\$6,592	4	2	Change requested by M&O
651	Control Line to Gas Pressure Regulation Valve	\$2,750	4	4	
652	Credit for Parking Lot Light Pole Fixture	(\$2,635)	4	2	Owner Initiated Scope Change
653	Provide Wireless Access Points Infrastructure to Exterior Wall of Bldg #6	\$6,108	4	2	Requested by ITS
654	Painting of Existing Casework and Added Wood Trim in Bldg #5	\$21,835	4	2	Requested by Asset Management
657	Install Notifier Annunciator Model #NCA- 2 in Lieu of Notifier Model #LCD-160	\$4,396	4	4	
658	HVAC Equipment ID Tags	\$620	4	4	
659	Provide Power Feed to Circulating Pump and Time Clock	\$1,771	4	4	
660	Relocate Lighting Fixtures and Return Air Registers	\$6,525	4	4	
661	Install a New Drain Line and Divert it from the New Catch Basin	\$28,725	1	1	
662	Add Concrete Retaining Curb Adjacent to Gridline D.2	\$43,796	4	4	
663	Addition of Solar Reflective Coating to Tri- Cycle Track Striping	\$11,207	4	4	
664	Remove and Dispose of Abandoned Conduits	\$1,726	1	1	
665	Correct an Alignment Problem with the Elevator Guide Rail	\$9,722	1	1	
666	Revise Accessible Drinking Fountain Height	\$6,232	4	4	
667	Correct Door Clearances at Classrooms 6-101 and 6-103	\$7,556	4	4	
668	Remove and Replace Asphalt Band	\$40,029	1	1	
669	Extend the East Side Fence	\$9,170	4	4	

670	Provide Slot Weep Holes at Inverted Vee Rolling Gate Track	\$2,453	4	4	
671	Install Vandal Proof Cage at Fire Sprinkler Heads Underneath Bridge	\$612	4	2	Owner Initiated Scope Change
672	Grading and Hydroseeding of Northwest Hillside	\$1,302	1	1	
673	Removal of Low Voltage Equipment Furniture and TMP Ramps from Modular Classrooms	\$6,492	4	2	Owner Initiated Scope Change
674	Remove and Reinstall Chain Link Fencing on Abalone Avenue	\$4,692	1	1	
675	Install Metal Fencing Flag at Rolling Gate Enclosure	\$2,655	4	4	
676	Drain Pan in Electrical Room	\$14,516	4	4	
677	Troubleshoot Intrusion Security System Trouble Notifications	\$1,604	1	1	
678	Adjust Landing Past Concrete Bridge	\$13,481	4	1	Unforeseen conditions
679	Removal of Yellow Paint	\$10,625	1	1	
680	Install Tri-Pod Mounting Supports for Clock System Antenna	\$1,589	6	6	
681	Chain Link Fence and Gate at CMU Wall	\$12,797	4	2	Owner Initiated Scope Change (Requested by Asset Management)
682	Install Inspector Test Valve for First Floor Fire Sprinkler System of CR Bldg. #6	\$2,720	4	2	
683	Exterior Corridor Lighting	\$4,113	1	1	
685	Parking Lot Light Fixture Adjustments	\$7,741	4	2	Requested by Community Relations
686	Investigate the Existence of Signal Pathways between Yard Vaults at the Upper Yard and Lower Level	\$1,974	1	1	
687	HVAC Global Shutdown at Admin Office	\$28,598	4	4	
688	Abatement and Disposal of Asbestos Wrapped Pipe and Exposed Areas at Pipes	\$22,580	1	1	
689	Replace Installed Single Gang Wiremold Boxes with Double Gang Wiremold Boxes	\$13,748	4	6	Others

690	Relocate Irrigation Lines North of Bldg. #6 Retaining Curb	\$14,687	4	1	Unforeseen conditions
691	Repair Damaged Existing Storm Drain Piping	\$8,181	1	1	
692	Retain Sanitary Modular Bldg at Upper Yard	\$1,741	3	3	
695	Construct One New Catch Basin and Connect to Existing Storm Drain	\$28,631	3	3	
696	Reconnect Underground Pathways to Sanitary Bldg	\$42,618	3	3	
697	Reverse Gate Swing at Bldg #5 to Allow Required 24 Inches Clearance on Pull Side per RFC 05-382 Response	\$4,849	4	4	
698	Credit for Un-used Allowance Reconciliation	(\$159,832)	6	6	
699	Adjust the Height of the Catch Basin and Adjust Grade Contours	\$5,831	2	2	
701	Expedite HVAC Commissioning Process	\$2,073	1	1	
702	Repair Fire Alarm DAL Troubles	\$3,018	1	1	
703	Provide Power and Dataline for Metering of Switchgear	\$3,000	4	4	
704	Ornamental Fence	\$5,990	4	3	Requested by the school principal
705	Baseball Backstops	\$51,820	4	2	Owner Initiated Scope Change
706	Abate Asbestos Pipe Wrap at the Upper Yard Next to the Sanitary Bldg	\$11,202	1	1	
707	Lower Irrigation Line in Upper Yard	\$7,488	1	1	
708	Fencing at Electrical Substation Area	\$15,996	3	3	
709	New Irrigation Lateral Line at Upper Field	\$20,836	4	1	Unforeseen conditions
710	Final Line Voltage Connections and Fire Alarm System Raceways to the Sanitary Bldg	\$4,979	3	3	
711	Added Chain Link Fence on the Backside of the Modular Restroom	\$2,492	3	3	
712	Repairs to Assembly Area Ceiling at MPR Bldg	\$51,966	1	1	
713	Remove Existing Duct Bank	\$10,060	4	1	Unforeseen conditions

714	Irrigation Lines to Existing Trees within the Over Excavation Area	\$4,610	1	1	
715	Install Heat Detectors at MPR-Assembly Room Attic Space	\$11,361	4	1	Unforeseen conditions
716	Upgrade Copper Wiring to Fiber Optics	\$43,035	1	1	
717	Voice over Internet Protocol (VoIP) Wiremold Replacement	\$29,505	4	4	
718	Electrical Infrastructure to New Irrigation Control Location	\$14,286	1	1	
720	Infrastructure for WIFI and PA Speaker	\$43,932	1	1	
	Total	\$2,174,517.35			

Contract Amount \$ 19,281,046.00

CO Rate \$ 11.28%

We reviewed the CO documents and performed site visits to determine whether PCL completed CO work in accordance with the approved CO documents.

During our site visits, we confirmed that PCL completed the CO work, including:

- CO T-531 installation of a new masonry wall on the southwest property line (Figure 14)
- CO T-543 substitution of infill guardrail to Orsogril and change top rail material to round tube steel (Figure 15)
- CO T-573 replacement of interior light fixtures to the new classroom building (Figure 16)
- CO T-582 installation of new mounting racks for rooftop HVAC disconnect switches (Figure 17)
- CO T-612 installation of new bird-proofing devices (Figure 18)
- CO T-635 replacement of exterior light fixtures at level 2 corridor of the new classroom building (Figure 19)
- CO T-669 installation of the extended east side fences (Figure 20)
- CO T-708 installation of a new chain-link fence at the electrical substation area (Figure 21)

Figure 14. A New Masonry Wall Installed on the Southwest Property Line for CO T-531



Figure 15. Orsogril Infill Guardrail and Round Tube Top Rail Installed on the Second Floor of the New Classroom Building for CO T-543

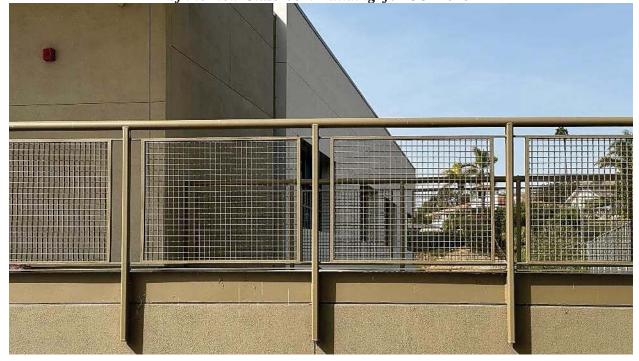




Figure 17. New Mounting Racks for Rooftop HVAC Disconnect Switches on the Classroom Building Roof for CO T-582



Figure 18. New Bird-proofing Devices on the Fire Sprinkler Pipes for CO T-612



Figure 19. New Exterior Light Fixtures Installed in the 2nd Floor Corridor of the New Classroom Building for CO T-635



Figure 20. New Extended Metal Fence Installed on the East Side of the New Classroom

Building for CO T-669



Figure 21. A New Chain-link Fence Installed at the Electrical Substation Area for CO T-708



### **Completion of Contract Work**

Our evaluation indicated that PCL completed most contractual work, including:

- Construction of a new classroom building with 12 classrooms and support facilities (Figures 22, 23, and 24).
- Construction of a new shade structure (Figure 25).
- Construction of a new recreational play area and related equipment (Figure 26).
- Modification of the existing parking area to accommodate ADA-compliant parking (Figure 27).
- Construction of site-related path of travel improvements (Figure 28).
- Installation of new HVAC systems (Figure 29).
- Installation of a new water supply system (Figure 30).
- Provision of six interim housing units (Figure 31).
- Upgrading of the campus-wide fire alarm system (Figure 32).

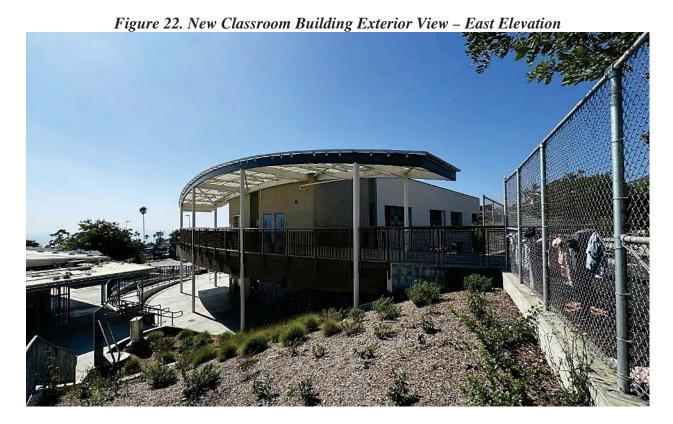


Figure 23. New Classroom Building Interior View - Classroom 110



Figure 24. New Classroom Building – All Gender Restroom



Figure 25. New Shade Structure



Figure 26. New Recreational Play Area and Equipment



Figure 27. Upgraded ADA Parking Stall at Parking Lot B

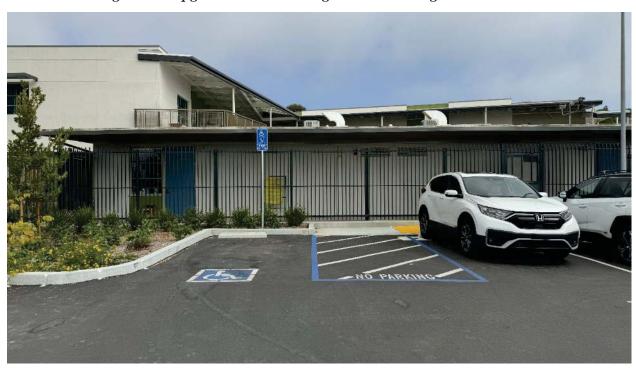


Figure 28. Accessible Path of Travel: New ADA Concrete Ramp

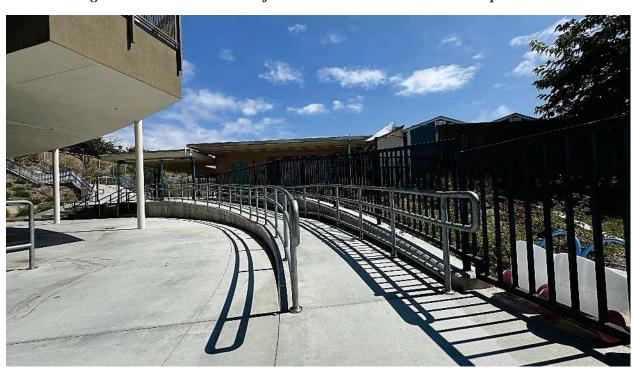


Figure 29. New HVAC Equipment Installed on the Roof of the New Classroom Building



Figure 30. Double Check Detector Assembly



Figure 31. Installed Six Interim Housing (Source: FSD)

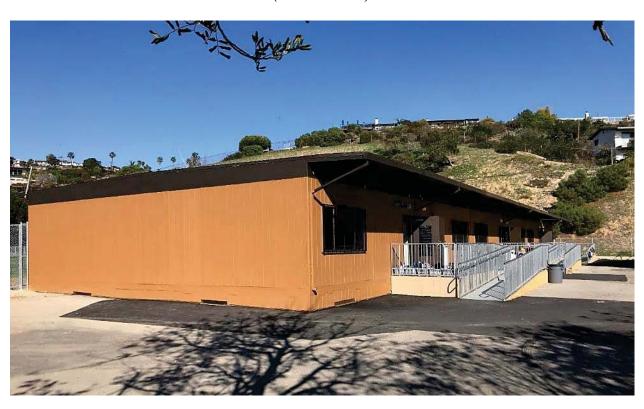
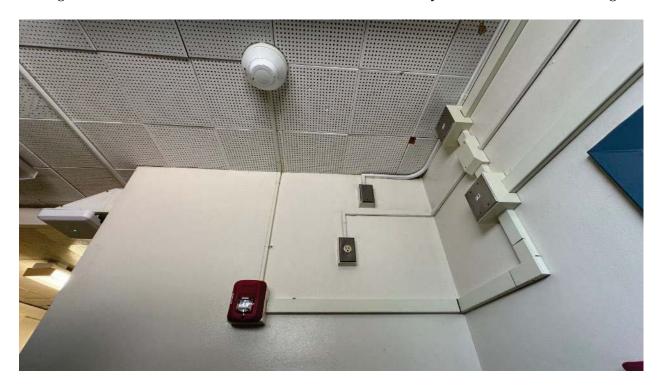


Figure 32. New Fire Alarm Devices and Wiremold Raceway Installed at MPR Building



### **Contractor Evaluation**

Based on our technical evaluation, which included site visits, interviews with project staff, and a review of project records, PCL's performance was generally satisfactory. The PCL project team consistently demonstrated professionalism and dedication, and met expected standards.

In the District's Performance Evaluation for the project (Figure 36), of the 250 maximum total points, PCL earned 158 points, achieving 63.20% of the applicable maximum points (Figure 33). Notably, PCL received a perfect score in the client satisfaction category.

Figure 33. District's Performance Evaluation Summary for PCL by Categories

Categories	Maximum Score	PCL Score	Percentile (%)
1. Timeliness/Schedule	50	25	50.00%
2. Quality of Work, Punchlist, Corrections and Deviations	75	40	53.33%
3. COs, RFCs, RFPs, CDs	25	19	76.00%
4. Project Record Documentation	30	16	53.33%
5. Project Job-Site Safety	20	15	75.00%
6. Manpower, Subcontractor Coordination and Logistics	25	18	72.00%
7. Client Satisfaction	25	25	100.00%
Total Score	250	158	63.20%

PCL received a rating of "Meets Expectations" or higher in all 31 evaluation categories. Specifically, PCL was rated "Meets Expectations" in 19 categories, "Exceeds Expectations" in nine, and "Exceptional" in three out of the 31 evaluation categories (Figure 35).

Figure 34. District's Performance Evaluation for PCL by Rating Scales

Rating Scales	PCL Score	Percentile (%)	
Unsatisfactory	0	0.00%	
Improvement needed	0	0.00%	
Meets Expectations	19	61.29%	
Exceeds Expectations	9	29.03%	
Exceptional	3	9.68%	
Total	31	100.00%	

We noted that the District's project management team was generally satisfied with PCL's performance on the project. During our interviews, we asked key project management personnel, including the Senior Project Manager, the OAR, and the IOR, to rate PCL's overall performance on a scale of 1-10.

On a scale of 1 to 10, the Senior Project Manager rated PCL's performance a nine, the OAR rated it a seven, and the IOR rated it an eight, with an average rating of 8. (Figure 36). These ratings indicated that project management staff were generally satisfied with PCL's performance on the project.

Figure 35. PCL's Overall Performance Assessed by District Project Staff

Project Staff	PCL's Overall Performance	Comments
Senior Project Manager	9	
OAR	7	PCL was new to the District and had to familiarize itself with how the District operates, including the CO process.
IOR	8	PCL replaced the quality control personnel with someone less experienced.
Average Performance Rating	8	

PCL's performance in terms of health and safety requirements was good, except for the improper handling of ACM noted in Finding 3. Our review of 54 safety audit reports<sup>80</sup> issued for the project showed that PCL received an average score of 98.99 out of 100, which is considered a good score.<sup>81</sup> (Figure 38). There were no incidents associated with injuries.

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<sup>&</sup>lt;sup>80</sup> Pursuant to the FSD Policies & Procedures 14.9 Construction Safety Section 6.2.2, the District's Construction Safety Specialist conducts safety audits at construction projects and prepares audit reports to assess contractor compliance with safety standards.

<sup>81</sup> According to the Construction Safety Director of FSD, 90 points or above is considered a good score.

## Figure 36. District's Performance Evaluation of PCL

	Contractor/Consulta	ant Performance Evaluation i	for LAUSD Projects				
Project ID	103693	47		1			
			ot EC Classroom Deplessment				
Project Name							
School Name	ool Name South Shores Visual & Performing Arts Magnet ES  atract Type Formal						
Contract Number		440009889					
Facilities Blanket		2110031					
Construction NTP		10/11/2021					
Substantial Completion		09/05/2024					
Award Amount		\$17,412,780					
Vendor Number	100000						
Vendor Name	PCLC	ONSTRUCTION SERVICES, INC.					
Project Owner							
Owner's Email							
Score	158						
Project Description	DOH P	ortable Replacement ? New Classroom	Building				
		ovide Procurement Services overall work performance. Y Prequalification process.					
		INSTRUCTIONS					
"Unsatisfactory" or	"Needs Improvement" shal ation records, photographs,	the highest score or shall re I require a written explanatio emails, telephone records, pes not apply shall be scored	on or supporting documenta written notices, incidence re	tion, such as meeting			
	question diat de	es not apply shall be scored	ras exceptionar.				
Timeliness/Schedule: (50)     a. Did the Contractor timely decompositions		d construction baseline schedule in compl		ation?			
				ation?  Exceptional (10)			
a. Did the Contractor timely de	emonstrate capability to develop a detaile	d construction baseline schedule in compl	iance with the contract schedule specific				
a. Did the Contractor timely do Unsatisfactory (0) Modified by	emonstrate capability to develop a detaile Improvement needed (3) on 11/25/2024	d construction baseline schedule in compl  Meets Expectations (6)	iance with the contract schedule specification (8)	Exceptional (10)			
a. Did the Contractor timely do Unsatisfactory (0) Modified by	emonstrate capability to develop a detaile Improvement needed (3) on 11/25/2024	d construction baseline schedule in compl	iance with the contract schedule specification (8)	Exceptional (10)			
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Unsatisfactory (0)  Modified by	Improvement needed (4) on 11/27/2024	Meets Expectations (8)	Exceeds Expectations (11)	Exceptional (15)
d. Did the contractor address	correction and deviation notices timely dur	ing construction?		
Ounsatisfactory (0)  Modified by	O Improvement needed (4) on 11/27/2024	Meets Expectations (8)	Exceeds Expectations (11)	Exceptional (15)
e. At final completion or 60 da	ays after substantial completion: how efficie	nt was the contractor in completing all (1	00%) of their contractual punch-list items?	
Ounsatisfactory (0)  Modified by	Improvement needed (4) on 11/27/2024	Meets Expectations (8)	Exceeds Expectations (11)	Exceptional (15)
	uests for Clarification (RFCs), Requests rivolous or untimely RFCs? Were answers		Irectives (CDs): (25) ngs or contained in the specifications? (Cont	ractor is not penalized for
Unsatisfactory (0)  Modified by	Improvement needed (3) on 11/27/2024	Meets Expectations (5)	Exceeds Expectations (8)	Exceptional (10)
b. Did the contractor respond	timely to RFPs, COs and CDs? Average of	finitial response to RFPs, COs and CDs	2	
Unsatisfactory (0) Modified by	On 11/27/2024	○ Meets Expectations (8)	Exceeds Expectations (11)	Exceptional (15)
4. Project Record Document a. Did the Contractor follow th				
Unsatisfactory (0)  Modified by	Improvement needed (2) on 11/25/2024	Meets Expectations (3)	Exceeds Expectations (5)	Exceptional (6)
b. Did the contractor submit a	Ill required warranties?			
Unsatisfactory (0)  Modified by	Improvement needed (1) on 11/25/2024	Meets Expectations (2)	Exceeds Expectations (3)	Exceptional (4)
c.Did the contractor submit al	I required owner's manuals?			
Unsatisfactory (0)  Modified by	Improvement needed (1) on 11/25/2024	Meets Expectations (2)	Exceeds Expectations (3)	Exceptional (4)
d.Did the contractor submit at	I required as-built drawings?			
Unsatisfactory (0)  Modified by	Improvement needed (1) on 11/25/2024	Meets Expectations (2)	Exceeds Expectations (3)	Exceptional (4)
e.Did the contractor submit ti	mely Daily Reports?			
Unsatisfactory (0)  Modified by	On 11/25/2024	Meets Expectations (2)	Exceeds Expectations (3)	Exceptional (4)
f.Did the contractor provide co	omplete and accurate invoices?			
Unsatisfactory (0)  Modified by	On 11/25/2024	Meets Expectations (2)	Exceeds Expectations (3)	© Exceptional (4)
g.Did the contractor keep acc	urate and timely Certified Payroll?			
Unsatisfactory (0)  Modified by	Improvement needed (1) on 11/25/2024	Meets Expectations (2)	Exceeds Expectations (3)	Exceptional (4)
5. Project Job-Site Safety: (2 a. Did the contractor keep the	0) i jobsite clean and quickly address safety c	oncerns?		
Unsatisfactory (0)  Modified by	On 11/25/2024	Meets Expectations (3)	Exceeds Expectations (4)	Exceptional (5)
b. Did the contractor conduct	weekly safety meetings?			
Unsatisfactory (0)  Modified by	Improvement needed (1) on 11/25/2024	O Meets Expectations (3)	Exceeds Expectations (4)	Exceptional (5)
c. Did the contractor properly staff, faculty or public?	manage the jobsite hazard analysis progra	m and take adequate precautions with h	azardous materials and clean up to alleviate	any exposure to students,
O Unsatisfactory (0)  Modified by	On 11/27/2024	Meets Expectations (3)	Exceeds Expectations (4)	© Exceptional (5)

		-1-112		
	ely report incidents of property damage o		Evenedo Evenestationo (4)	Eventional (f)
Unsatisfactory (0)  Modified by	O Improvement needed (1) on 11/25/2024	○ Meets Expectations (3)	Exceeds Expectations (4)	Exceptional (5)
Manpower, Subcontractor C     a. Did the contractor provide ac	Coordination and Logistics: (25)			
Unsatisfactory (0)  Modified by	Improvement needed (1)	O Meets Expectations (3)	Exceeds Expectations (4)	Exceptional (5)
		iate trades on the job? Did subcontractor	rs have to accelerate due to a lack of plannir	ng or coordination by the
contractor?				
Ounsatisfactory (0)  Modified by	Omprovement needed (1) on 11/25/2024	Meets Expectations (3)	Exceeds Expectations (4)	C Exceptional (5)
c. Did the contractor adhere to	the requirements of section 4107 of the	Public Contract Code when substituting	subcontractors not listed in the original bid?	
Unsatisfactory (0)  Modified by	On 11/25/2024	Meets Expectations (3)	Exceeds Expectations (4)	Exceptional (5)
d. Did the contractor coordinate	e with suppliers and manufactures to ens	sure timely delivery of supplies and mater	rials?	
Ounsatisfactory (0) Modified by	On 11/27/2024	Meets Expectations (3)	Exceeds Expectations (4)	Exceptional (5)
e. Did the contractor provide ar	nd proactively manage the logistics of the	e site (for example, cleanliness, security,	sanitary facilities, stock piling and storage o	f materials)?
Ounsatisfactory (0)  Modified by	On 11/27/2024	O Meets Expectations (3)	Exceeds Expectations (4)	Exceptional (5)
	by School Principal or appointee): (25 ble in minimizing the impacts on day-to-d			
Unsatisfactory (0)  Modified by	Improvement needed (3) on 12/03/2024	Meets Expectations (5)	Exceeds Expectations (8)	Exceptional (10)
b. Did M&O staff at the school	boliove the contractor was courteeur, an	railable, and responsive to the people of t	he school, did quality work and kept the worl	ksita slazn?
Unsatisfactory (0)	Improvement needed (3)	Meets Expectations (5)	Exceeds Expectations (8)	Exceptional (10)
Modified by	on 12/03/2024	- ····· (-,	τ-,	
c. Would you want to work with	the contractor again?			
Unsatisfactory (0)	Improvement needed (1)	Meets Expectations (3)	Exceeds Expectations (4)	Exceptional (5)
Modified by	on 12/03/2024	,,	,	, , , ,
		CERTIFICATION		
reference is to be	used solely for the LAUSD	prequalification process for	ility to perform work on public public works projects. I certif valuations of the contractor p	y that the following
evaluation is truthiu				
OAR Certification: Electronical	ly Completed by	(UID: 4943) on 11/27/2024 10:06:17 A	м	
		UID: 4943) on 11/27/2024 10:06:17 A	М	
OAR Certification: Electronical	y Completed by UID: 20			
OAR Certification: Electronical			м	

Figure 37. District's Safety Audit Scores on PCL

Report No.	Date of Reports	Audit Score (%)	Number of Findings	Safety Assessment Findings Details
1	11/17/2021	100	0	
2	5/18/2022	100	0	
3	5/24/2022	99.3	1	Observed the ignition key left on the equipment while unattended.
4	6/17/2022	98.39	1	Observed the telehandler ignition left in the ignition while parked/unattended. (Repeat)
5	7/11/2022	100	0	
6	7/19/2022	97.76	1	The Delivery Gate was closed and secured.
7	8/5/2022	100	0	
8	8/15/2022	100	0	
9	8/31/2022	98.19	1	The observed gate was wide open while unattended.
10	9/9/2022	100	0	
11	9/20/2022	97.28	1	Gate wide open while unattended. (Repeat)
12	9/27/2022	100	0	
13	10/11/2022	100	0	
14	10/18/2022	100	0	
15	10/27/2022	100	0	
16	11/8/2022	100	0	
17	11/14/2022	100	0	
18	12/9/2022	100	0	
19	12/22/2022	100	0	
20	12/27/2022	94.15	1	Observed workers standing on top of guardrails.
21	1/11/2023	98.83	2	Observed the operator not wearing Safety Glasses. Grinder without a guard in place.
22	1/18/2023	98.8	1	Observed stair tower being used with no inspection record
23	1/27/2023	99.37	1	The key was left in the ignition while unattended.
24	2/7/2023	100	0	
25	2/17/2023	98.68	1	Grinder without a guard in place. (No Photo. Taken out of service by the Superintendent)
26	3/3/2023	100	0	
27	3/9/2023	100	0	
28	3/15/2023	97.37	2	The stepladder is improperly set up. Improper use of stepladder.

20	2/24/2022	100		
29	3/24/2023	100	0	
30	3/31/2023	100	0	
31	4/12/2023	100	0	
32	4/19/2023	95	3	The gate was left open to public and student access.  Toe boards missing from a scaffold platform.  Chipping concrete with no Silica dust control.
33	4/26/2023	96.55	3	Fencing was open to public and student access.  Toe boards were missing on the scaffold platform - repeat deficiency.  Light housekeeping is needed.
34	5/3/2023	91.3	4	Toe boards coming apart off scaffolding.  Toe boards falling off scaffolding.  The scaffolding leg is not mounted properly.  The scaffold no longer in use should be red tagged.
35	5/11/2023	100	0	
36	5/19/2023	98.51	2	Observed Perry scaffold wheels unlocked while in use. Observed some workers not wearing safety glasses while working.
37	5/31/2023	99.35	1	Scaffold Inspection not recorded.
38	6/28/2023	99.35	1	Dirt stockpile uncovered.
39	7/12/2023	100	0	Î
40	7/24/2023	99.33	1	Grinder without a guard in place.
41	8/4/2023	100	0	
42	8/10/2023	100	0	
43	9/5/2023	99.28	1	Observed the operator wearing his safety glasses on the back of his head. (Corrected)
44	9/12/2023	100	0	
45	9/21/2023	98.56	2	GFCI was not used. Two workers not wearing safety glasses while working. (Corrected)
46	9/29/2023	95.14	2	Gate wide open while unattended. GFCI was not used.
47	10/9/2023	98.65	1	Observed a worker using a grinder without a guard. (Corrected)
48	10/24/2023	100	0	
49	11/9/2023	100	0	

50	11/17/2023	97.37	3	Observed the operator not wearing safety glasses.  GFCI not utilized.  Observed several workers not wearing safety glasses.
51	12/7/2023	98.68	1	Observed three workers not wearing safety glasses. (Corrected)
52	12/21/2023	100	0	
53	12/28/2023	100	0	
54	5/15/2024	100	0	
Avera	age Score	98.99		

#### LAUSD Schools Located within One Mile and Two Miles of the Coastline

- Schools located within approximately one mile of the coastline: 19 schools
  - o Region West
    - Broadway Elementary School
    - Canyon Elementary School
    - Marquez Elementary School
    - Pacific Palisades Elementary School
    - Palisades Charter High School
    - Paseo Del Rey Academy
    - Venice Skills Center
    - Westminster Avenue Math & Technology Environmental Studies Magnet
    - Westside Global Awareness Magnet
  - o Region South
    - 15th Street Elementary School
    - Dana Middle School
    - Ft Fermin Magnet School
    - Ft MacArthur Center
    - Leland Street Elementary School
    - Olguin High School
    - San Pedro Skills Center
    - San Pedro High School
    - South Shores Visual & Performing Art Magnet Elementary School
    - White Point Elementary School
- Schools located within approximately two miles from the coastline (in addition to the 19 schools listed above): 36 schools
  - o Region West
    - Coeur D Alene Avenue Elementary School
    - Johnson STEM Academy
    - Loyola Village Elementary Fine/Performing Arts Magnet School
    - Mark Twain Middle School
    - Playa Vista Elementary School
    - Venice High School
    - Walgrove Avenue Elementary School
    - Westchester Enriched Sciences Magnet High School
  - o Region South
    - 7th Street Elementary Arts Integration Magnet School
    - Bandini Street Elementary School
    - Barton Hill Elementary School
    - Cabrillo Avenue Elementary School
    - George De La Torre Jr Elementary STEAM Magnet School
    - Harbor Occupational Center
    - San Pedro/ Narbonne Adult Center
    - Willenberg Special Education Center
    - Wilmington Skill Center

- Addenda Written or graphic information prepared and issued by the District prior to execution of the Design-Build Contract, which modifies or interprets the Pre-Qualification Documents, RFP Documents, or Contract Documents by additions, deletions, clarifications, or corrections.
- Administrative Closeout Administrative Closeout shall be the duration allowed for completion of all Contract requirements after Substantial Completion such as Punch List items, submittal of final warranties and guaranties, and record documents.
- Architect of Record (AOR) A licensed design professional recognized by the Division of the State Architect in general responsible charge for the project.
- As-Built Drawings Plans and specifications received from the contractor following substantial completion that document field changes, additions, or deletions to the work that occurred during construction and reflect existing field conditions upon completion of the Work.
- ASTM International, originally known as the American Society for Testing and Materials, is an international standards organization that develops and publishes voluntary consensus technical standards for a wide range of materials, products, systems, and services.
- AutoCAD A computer-aided design (CAD) software that is used for precise 2D and 3D drafting, design, and modeling with solids, surfaces, mesh objects, documentation features, and more.
- Back Flow Preventer- A backflow preventer is a device designed to keep water inside fireprotection and other water-based systems on a property—ensuring it only travels in one direction: from the water main into the system's pipes.
- Baseline Schedule The planned schedule of a project used to measure and monitor the performance of a project.
- Beneficial Occupancy A term that means that the District has assumed physical occupancy and use of all or some portions of the Work.
- Bidding Documents All documents made available to bidders.
- California Building Code (CBC) also known as Title 24 of the California Code of Regulations, is the official building code for the state of California. It sets the minimum standards for the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures within the state.
- Change Order (CO) A written instrument confirming a change or adjustment to the contract amount, milestones and/or contract time, and/or an addition, deletion, or revision in the work.

- Change Order Proposal (COP) A written instrument prepared and issued by the contractor, setting forth proposed adjustments to the contract amount, milestones, and/or contract time, and/or an addition, deletion, or revision in the work.
- Commissioning Report It includes comprehensive project documentation, energy performance analysis, test results, and systems and training manuals for operations and maintenance personnel.
- Construction Change Document (CCD) The documentation of construction changes to the DSA-approved construction documents.
- Construction Directive (CD) A written directive issued by the Owner Authorized Representative, on or after the effective date of the contract, directing the contractor to proceed regarding an issue of dispute, or requiring the contractor to take a specified action regarding the work, project and/or contract.
- Contract Completion When the owner determines all contract requirements of the contractor have been met or when the Administrative Closeout Period has expired, and a Notice of Contract Completion is issued by the owner to the contractor.
- Contract Amount The dollar amount stated in the contract payable by the owner to the contractor. The Contract Amount may be increased or decreased only by a Change Order.
- Contract Documents The Bid and Acceptance Form, Addenda, bid (including documentation accompanying the bid and any post bid documentation submitted after the Notice of Intent to Award) when attached as an exhibit to the Bid and Acceptance Form, the Notice to Proceed, the bonds, these General Conditions, the Supplementary Conditions, the Insurance Manual as further described in Article 5.1, the Safety Standards Manual, the Specifications and the Drawings, together with all Change Orders, Construction Directives, and Architect written interpretations and clarifications issued pursuant to General Condition Article 9.4. Reports, drawings, and/or other documents referenced in Section 00 3000, Product Data and Sample submittals reviewed relative to Articles 6.46 and 6.47 are not Contract Documents.
- Contract Time The duration in calendar days from the date in the Notice to Proceed to the Contract Completion, plus Change Order adjustments.
- Contractor The person, firm, corporation, or entity with whom the owner has entered into the Contract.
- Day Means a calendar day in every case.
- Defective When preceding the term "work," it references work deemed to be unacceptable, faulty, unsuitable, unsightly, or otherwise not in compliance with the Contract Documents, including any inspection, standard, test, submittal, and/or approvals required by the Contract Documents.

- Design-Build Contract A construction project delivery method in which the owner of the
  project enters into a single contract with a design-build contractor to perform both the
  design and construction work. This is in contrast to the traditional design-bid-build
  approach, in which the owner hires separate contractors for the design and construction
  phases.
- District Design Guidelines The District's set of guidelines that incorporate the District's principles and goals for the design of a school and comply with the California Department of Education (CDE) statewide standards. This set of guidelines includes the District's School Design Guide, Educational Specifications, Guide Specifications, and Standard Technical Drawings.
- Design-Builder The person or entity under contract with the District pursuant to the Design-Build Contract to design and construct the Work.
- Drawings Pictorial or graphical portions of the Contract Documents, prepared by or on behalf of the architect, denoting the scope, design, extent, location, character, and dimensions of the work to be performed and may include plans, elevations, sections, details, schedules, and diagrams, etc.
- Division of the State Architect (DSA) Provides design and construction oversight for K-12 schools, community colleges, and various other state-owned and leased facilities.
- Energy Management System (EMS) A control system designed to manage and optimize the energy consumption of a building's heating, ventilation, and air conditioning (HVAC) systems.
- Educational Specifications The detailed descriptions of the functional and facilities support requirements for each space defined in the Facilities Space Program, including prototype drawings and equipment lists. The Educational Specifications are available for High, Middle, and Elementary Schools.
- End User A person or organization that ultimately uses or is intended to ultimately use a product or service. In school construction, the end user is the school that uses the buildings and facilities.
- Facilities Environmental Technical Unit (FETU) It manages environmental project
  activities related to site investigations of existing LAUSD properties and new acquisitions
  such as performing preliminary environmental assessments, supplemental site
  investigations, developing remedial action work plans, and preparing removal action
  completion reports.
- Fair Cost Estimate (FCE) A separate and independent estimate of the cost and time impact of the proposed Change Order prepared by the OAR, Project Estimator, or the Estimating Unit.

- Fire Alarm Control Panel (FACP) The central control unit for a fire alarm system. It is designed to receive and process signals from fire detectors and other devices within a building or facility, and to initiate appropriate responses such as sounding alarms, notifying building occupants, and alerting emergency responders.
- Fire Alarm Terminal Cabinet A metal enclosure that houses the wiring and termination points for a fire alarm system. It helps to protect the wiring from damage and tampering.
- General Conditions (GC) All references to GC shall refer to Contract Documents Section 00 7000. This is the portion of the Contract in which the rights, responsibilities, and relationships of the parties involved are itemized.
- Guide Specifications Construction specifications in Construction Specifications Institute (CSI) format that define the materials and systems acceptable to the District, including considerations of economy, performance, and maintenance and operations.
- Multi-zone HVAC Unit A type of HVAC unit that allows to independently control the temperature and climate in different areas or zones of a building.
- Inspector of Record (IOR) The IOR is the same as the Project Inspector.
- Internet Protocol (IP) Convergence Use of IP as the standard platform for transmitting all information such as voice and data. Music, video, TV, teleconferencing, etc.
- Knox Box A small, secure box mounted on the exterior of a building. Firefighters, emergency medical services (EMS), and sometimes police can access the Knox Box using a special key. Inside the Knox Box, there are keys to the building, which allows first responders to enter quickly in an emergency.
- National Electrical Manufacturers Association (NEMA) A trade association in the United States that develops standards and guidelines for electrical equipment and components to ensure safety, performance, and compatibility.
- Non-Conformance Items List (NCIL) A list generated by Project Inspectors during construction prior to substantial completion to record all items that are not in conformance with the approved plans and specifications.
- Notice of Event (NOE) Written notice provided by the contractor to the Owner Authorized Representative (OAR) if the contractor and/or its subcontractors encounter any issue, event, condition, circumstance, and/or cause of a perceived and/or actual delay, disruption, interference, hindrance, and/or acceleration to the work, or any portion thereof.
- Notice to Proceed (NTP) Written notice issued by the owner to the contractor establishing the date of commencement of the contract time and authorizing the contractor to proceed with the work.

- Notice to Proceed with Preliminary Design The written notice issued by the District to the Design-Builder to complete the Preliminary Design Requirements.
- Owner The Los Angeles Unified School District (LAUSD).
- Owner Authorized Representative (OAR) The designated authorized representative of the owner who administers the contract.
- Partial Use or Occupancy Use or occupancy by the owner of a partially completed portion, part, space, or area of the work, prior to Substantial Completion of the work.
- Path of Travel (POT) refers to a continuous, unobstructed route that allows safe and easy movement for everyone, including people with disabilities, throughout a building or public space.
- Performance Bond and Payment Bond The surety bonds required to be provided by the Design-Builder pursuant to California Education Code § 17250.30
- Potholing Utility potholing also called utility daylighting, hydro-excavation, or air-excavation is a technique which involves digging a series of non-intrusive, non-destructive test holes to gather as much information as possible about the layout of various utilities on a project site.
- Preliminary Design The collaborated and approved revisions between the District and the Design-Builder to winning the conceptual design competition design prior to starting the schematic design phase.
- Pressure Regulator Valve A type of valve that is designed to automatically maintain a specific pressure level in a system, regardless of changes in upstream or downstream pressures.
- Product Data Contractor-furnished literature, illustrations, standard schedules, performance charts, instructions, brochures, diagrams, catalog cuts, color charts, templates, installation and maintenance instructions, test data, agency or regulatory approvals, or other required product information furnished by the contractor relative to the work.
- Project The public works approved by the owner's governing board, and for which the work is being performed.
- Project Inspector The person approved by the Division of the State Architect (DSA) and employed by the owner in accordance with the requirements of Title 24 of the California Code of Regulations.
- Project Manager The overseer of the project from conception through construction and completion of the project, who ensures the project meets design and is completed on time and within budget.

- Punch List A list of minor corrective items, which does not include uncompleted work.
- Request for Clarification (RFC) A written instrument prepared by the contractor and issued to the architect and the OAR requesting clarification of the contract documents.
- Request for Proposals (RFP) The design-build competition process conducted by the District that is intended to lead to the Award of a Design-Build Contract.
- Retention The monies withheld from a Contractor's progress payments to assure the timely and satisfactory completion of the Contract Work. Per the California Public Contract Code, the amount of retention can never be less than 5% of the most current approved Contract value.
- School Design Guide A set of guidelines prepared to establish and sustain consistent representation of requirements and standards to all members of the Design-Builder Team. It presents design guidelines and criteria for the planning, design, and technical development of new schools and modernization.
- Scope of Work (SOW) Description of the work to be performed.
- Shop Drawings Contractor furnished original drawings such as illustrations, diagrams, schedules, fabrications, erection, coordination, layout, setting, details, standards, performance charts or curves, installation, routing, iso-metrics, wiring, control, piping, or other required shop drawings.
- Specifications Those portions of the contract documents consisting of the written technical and/or administrative descriptions of materials, equipment, systems, codes, regulations, procedures, standards, workmanship, services, facilities, supplies, instructions, transportation, quality, etc., as applied to the work.
- Standard Technical Drawings Construction detail drawings that provide District-wide consistent operational and safety standards.
- Submittal Shop drawings, product data, samples, detailed designs, exemplars, fabrication and installation drawings, lists, graphs, operating instructions and other required documents or Substantiation Requirements to be submitted by the Design-Builder under the Contract Documents for review by District, District's Authorized Representative or a District Consultant.
- Subcontractor The person, firm, corporation, or entity executing a direct contract with the contractor or with any subcontractor for the performance of a portion of the work.
- Substantial Completion The stage in the progress of the work when all requirements of the contract are completed, except Punch List items, final warranties and guarantees, and record documents submittals.

- Superintendent The superintendent is an individual responsible for supervising all field activities related to actual construction. The superintendent's job is to run the day-to-day operations on the construction site and control short-term schedules.
- Switchboard An electrical device that distributes electricity from one or more sources of supply to several smaller load circuits. It is an assembly of one or more panels, each of which contains switching devices for the protection and control of circuits fed from the switchboard.
- Time Impact Analysis (TIA) A formal method used in construction project management to evaluate the effect of potential or actual delays on the project schedule. It helps assess the impact of changes, disruptions, or unforeseen events on the project's completion date.
- Transformer An electrical device that transfers electric energy from one alternatingcurrent circuit to one or more other circuits, either increasing or reducing the voltage.
- Withholds Monies retained from Contractor payment pending resolution of an issue.
  District withholds monies for incomplete contractual requirements (Punch List) and
  various statutory obligations regarding payments of subcontractors (Stop Notices) and
  Contractor workers (Labor Compliance).
- Work All of the terms and conditions set forth in the Contract Documents, including the various separately identifiable parts thereof to be furnished thereunder. The work must include, without limitation, all labor, materials, apparatus, supplies, services, facilities, utilities, transportation, manuals, warranties, training, and the like, necessary for the contractor to faithfully perform and complete all obligations under the contract.

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#### Los Angeles Unified School District

#### PROCUREMENT SERVICES DIVISION

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ALBERTO M. CARVALHO Superintendent

KARLA ESTRADA

Deputy Superintendent of Instruction

PEDRO SALCIDO
Deputy Superintendent of Business Services & Operations

OS MIGELES UNIFIED

CHRISTOPHER D. MOUNT-BENITES

Chief Financial Officer

SUNG YON LEE
Deputy Chief Business Officer

MATTHEW A. FRIEDMAN
Chief Procurement Officer

**DATE:** June 13, 2025

TO: Mark H. Pearson, Assistant Inspector General, Audits

Office of the Inspector General

FROM: Matthew Friedman, Chief Procurement Officer

Procurement Services Division

Signed by:

Matthew Friedman

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SUBJECT: RESPONSE TO DRAFT CRADLE-TO-GRAVE REPORT ON

CONTRACT 2110031-4400009889 PCL CONSTRUCTION SERVICES, INC.

SOUTH SHORES VISUAL & PERFORMING ARTS MAGNET ES

CLASSROOM REPLACEMENT

BEST VALUE PROCUREMENT AUDIT

The following is in response to the draft Cradle-to-Grave Report of the South Shores VAPA Magnet ES Classroom Replacement project.

#### **Prequalification Process**

Finding No. 1: Bank letters from two bidders and three subcontractors lacked at least one required element.

**Recommendation No. 1:** We recommend that PSD determine the best way for contractors and subcontractors to provide evidence of banking relationships/bank history, and update the policy as needed.

Response: We acknowledge that the bank letters from two bidders and three subcontractors did not meet all required elements. In light of the industry's shift toward automated forms and the increased reliance on financial statements, we are reviewing the necessity of the current bank letter requirement. As part of this effort, we will collaborate with stakeholders, including the Office of General Counsel, to determine the need of these bank letters and if needed the appropriate structure and content of bank letters. We aim to complete this review and implement any necessary changes by July 31, 2025.

**Finding No. 2:** Three of the nine bidders had differing Contractor Performance Scores on the Safety Prequalification Log and their Contractor Prequalification Scoring Summary. One subcontractor had mismatched approval and expiration dates on their Approval Letter and the prequalification list.

**Recommendation No. 2:** The PSD should review and verify that updates to the Safety Prequalification Log are accurate.

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Response: We acknowledge the discrepancies identified in the Contractor Performance Scores and the mismatched approval and expiration dates for one subcontractor. In response, PSD has validated the findings and initiated a peer review process as of June 13, 2025, to ensure the accuracy of updates to the Safety Prequalification Log. Additionally, during a staff meeting held on May 27, 2025, we conducted training to reemphasize the importance of accurate data entry and the need for employees to double-check their entries prior to finalizing files. These actions are intended to improve data integrity and prevent similar issues in the future.

#### **Best Value Procurement Process**

Finding No. 3: The documented Best Value construction contract procedures do not reflect updated evaluation criteria and procurement practices.

**Recommendation No. 3:** The PSD should update the policies and procedures to reflect the current Best Value practices, evaluation, and selection criteria.

Response: PSD concurs with this recommendation and is conducting a broader review of its policies and procedures to enhance and improve Best Value procurement practices, including the evaluation and selection criteria. This effort goes beyond what was reviewed during the audit and aims to strengthen transparency, fairness, and effectiveness. The updated procedures are targeted for completion by **December 31, 2025**.

**Finding No. 4:** PCL's bid and contract documents were signed by an individual who was not listed on PCL's authorized signatory list.

**Recommendation No. 4:** The PSD should implement policies and procedures that require the verification of contractor signatures on bid and contract documents to ensure that only authorized signatories are providing approval.

Response: To streamline operations while maintaining accountability, PSD will enhance its self-certification process by requiring all contractor signatories to formally attest—within the bid and acceptance form—that they are duly authorized to bind their company to the terms of the agreement. PSD will collaborate with the District's legal department to finalize language that safeguards the District's interests and upholds the enforceability of its contracts. This approach minimizes administrative burden while clearly placing legal responsibility on the contractor. The revised process is targeted for implementation by August 30, 2025.



#### LOS ANGELES UNIFIED SCHOOL DISTRICT

#### **Facilities Services Division**

**DATE:** July 10, 2025

TO: Amy Long, Assistant Inspector General

Office of the Inspector General

Jung Beum (JB) Kim, MSCM, CIGE, Facilities Project Manager II

Office of the Inspector General

FROM: Krisztina Tokes, Chief Facilities Executive, Facilities Services Division

Krisztina

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SUBJECT: Incurred Cost Audit and Technical Evaluation of the Classroom Replacement Project at

South Shores Visual & Performing Arts Magnet Elementary School (South Shores ES)

and PCL Construction Services, Inc. (PCL) (Contract No. 4400009889)

Please find below Facilities Services Division's (FSD) response to recommendations provided in the Office of the Inspector General's (OIG) Draft Cradle-to-Grave Report on the Classroom Replacement Project at South Shores Visual & Performing Arts Magnet Elementary School (South Shores ES) and PCL Construction Services, Inc. (PCL) (Contract No. 4400009889).

#### **Facilities Services Division Findings**

#### 3. Incurred Costs and Change Orders:

**Objective 3:** Determine whether the amounts billed by PCL were adequately supported and allowable per the Contract's terms and conditions.

Finding No. 5: PCL applied incorrect bond rates and overbilled the District by \$18,553.

**Recommendation for Finding No. 5**: OIG recommends that PCL refund the District \$18,553 for the overbilled bond costs due to discrepancies in the applied bond rates. FSD's Director of Project Execution has reviewed this matter and indicated via an email message that FSD would withhold from PCL the amount the District overpaid for bond costs resulting from the bond percentage discrepancies.

#### Facilities Response to Recommendation for Finding No. 5:

- i. Response: FSD agrees with the recommendation.
- ii. Action: FSD has processed a permanent withhold (2110031-1003) to recover the amount of \$18,553 from PCL's account for this matter. This effectively and unilaterally deducts those monies from their contract amount.
- iii. Target: Completed.

**Objective 4**: Determine whether the change orders were executed according to FSD's Change Order Procedures 14.16.

<u>Finding No. 6</u>: FSD did not comply with all policies and procedures in maintaining accurate documentation for 8 out of 31 change orders.

**Recommendation for Finding No.6**: OIG recommends that the project team should perform the following corrective actions for the cited change orders:

- 1. Upload the missing Change Order Proposal and Fair Cost Estimate forms to COLIN.
- Remove the incorrect Record of Negotiation forms initially uploaded in COLIN and replace them with accurate forms.
- 3. Correct the description of the Justification for Contract Modification forms and upload the updated forms to COLIN.
- Obtain approvals from BOE, OAR, and/or senior project managers for the Change Order forms missing signatures and save the updated, authorized forms to COLIN.

#### Facilities Response to Recommendation for Finding No. 6.1:

- i. **Response:** FSD agrees with the recommendation.
- ii. Action: The requisite documents have been uploaded to COLIN. Please note that due to a cyberattack upon the LAUSD servers, FSD was contemporaneously obligated to prepare the original documents via a hard copy format.
- iii. Target: Completed. OIG staff have, accordingly, been informed on May 14, 2025.

#### Facilities Response to Recommendation for Finding No. 6.2:

- Response: FSD agrees with the recommendation.
- ii. Action: The Record of Negotiation forms have been replaced in COLIN. Please note that due to a cyberattack upon the LAUSD servers, FSD was contemporaneously obligated to prepare the original documents via a hard copy format.
- Target: Completed. OIG staff have, accordingly, been informed on May 14, 2025.

#### Facilities Response to Recommendation for Finding No. 6.3:

- i. Response: FSD agrees with the recommendation.
- ii. Action: The corrected descriptions for the Justification have been provided as recommended in COLIN. Please note that due to a cyberattack upon the LAUSD servers, FSD was contemporaneously obligated to prepare the original documents via a hard copy format.
- iii. Target: Completed. OIG staff have, accordingly, been informed on May 14, 2025.

#### Facilities Response to Recommendation for Finding No. 6.4:

- Response: FSD agrees with the recommendation.
- ii. Action: Approvals from BOE, OAR, and/or senior project managers for the Change Order were obtained with signatures and have been saved to COLIN. Please note that due to a cyberattack upon the LAUSD servers, FSD was contemporaneously obligated to prepare the original documents via a hard copy format.
- iii. Target: Completed. OIG staff have, accordingly, been informed on May 14, 2025.

#### 4. Technical Evaluation:

**Objective 5**: Evaluate whether PCL completed the contracted work on time and complied with the scheduling requirements.

The project commenced on October 11, 2021, with a contracted duration of 1,050 calendar days and the original substantial completion date of June 26, 2024. PCL achieved substantial completion on September 5, 2024, 71 days later than planned.

**Objective 6**: Evaluate whether the project was completed within the budget, or if change orders were issued.

<u>Finding No. 7</u>: The \$4,353.30 cost associated with Change Order T-509—repairing damaged irrigation valves and boxes—should be borne by Mobile Modular, an LAUSD vendor. The damage occurred during the delivery of LAUSD-leased units by Mobile Modular. Additionally, Change Order T-618 should be voided, as the reason for this change order was to address issues caused by Maya Steel Fabricators, Inc., PCL's structural steel subcontractor, in fabricating the metal pan stairs.

**Recommendation for Finding No. 7.1**: OIG recommends that the FSD should recover \$4,353.30, the cost of CO T-509 from Mobile Modular.

**Recommendation for Finding No. 7.2**: OIG recommends that PCL should reimburse the District \$22,611.00 paid through CO T-618.

#### Facilities Response to Recommendation for Finding No. 7.1:

- i. **Response:** FSD agrees with the recommendation.
- ii. Action: FSD tendered the request for reimbursement of Mobile Modular. Mobile Modular tendered their check dated January 14, 2025, to LAUSD in the amount of \$4,353.30.
- iii. Target: Completed. The check was transferred on February 4, 2025, to LAUSD's Cash Receipt Unit with pertinent accounting data.

#### Facilities Response to Recommendation for Finding No. 7.2:

- i. Response: FSD agrees with the recommendation.
- ii. Action: FSD processed a permanent withhold (2110031-1003) to recover the amount of \$22,611 from PCL's account for this matter. This effectively and unilaterally deducts those monies from their contract amount.
- iii. Target: Completed.

**Objective 7**: Evaluate whether PCL completed the project scope of work (SOW) according to the contract documents comprised of the DSA approved drawings, specifications, and directives.

<u>Finding No.8</u> – Improper Stair Nosing Installation: The stair nosing on two concrete-filled steel stairs were improperly installed, resulting in a visible gap and insecure attachment to the stair treads. This issue arose from PCL's inadequate dimensional coordination.

**Recommendation for Finding No. 8.1**: OIG recommends that PCL should ensure stair pan returns and related components are fabricated according to the specified dimensions and flatness requirements for installing concrete-filled metal pan stairs. Consider conducting a detailed review of fabrication drawings and consulting with the design team to confirm that all critical measurements are met.

**Recommendation for Finding No. 8.2:** OIG recommends that FSD should have its design team survey the stair-nosing installation and provide remedial recommendations. Corrective measures should be implemented to address any deficiencies in the stair nosing installation.

#### Facilities Response to Recommendation for Finding No. 8.1:

- i. **Response:** FSD agrees with the recommendation made to PCL.
- ii. Action: 1) FSD will continue to work with contractors and their QC managers, where provisioned, to conduct reviews of stair dimensions including clearance for adjoining components such as stair nosings and to request designer review.

- 2) The standard detail for a two-part nosing system on a concrete filled metal pan stair will be revised to avoid this problem on future projects.
- iii. Target: Q3 2025.

#### Facilities Response to Recommendation for Finding No. 8.2:

- i. Response: FSD agrees with the recommendation.
- ii. Action: The design team surveyed the stair-nosing installation and confirmed that there were no structural concerns with the original installation. However, they provided recommendations for an aesthetic and watertight repair solution. After installing an approved mock-up, the contractor repaired the stair-nosing installation by sealing the front and side edges of the nosings with watertight sealant.
- iii. Target: Complete.

**Objective 8**: Evaluate PCL's performance for job supervision, management of subcontractors, and health and safety requirements.

**Finding No. 9**: The District determined, and the OIG agreed, that PCL did not adhere to proper Asbestos Containing Material (ACM) handling procedures. Howard Contracting Inc., PCL's earthwork subcontractor, improperly removed and disposed of potential Asbestos Containing Material pipes in a dumpster, violating contract documents and LAUSD safety regulations.

Recommendation for Finding No. 9: OIG recommends that PCL should ensure that its crews and subcontractors are adequately trained in identifying, handling, and disposing of suspected and presumed ACM. This training should cover Occupational Safety and Health Administration (OSHA) guidelines and LAUSD safety regulations to ensure full compliance with safety and environmental protocols. Upon discovering potential ACM, work in the affected area should be stopped immediately, and the disturbed area should be limited to the immediate vicinity of the ACM to minimize exposure and disruption to surrounding site improvements.

#### Facilities Response to Recommendation for Finding No. 9:

- i. Response: FSD agrees with the recommendations made to PCL.
- Action: As relates to suspected or known ACM, FSD will continue to obligate contractor adherence to identification, proper handling, and disposal.
- iii. Target: N/A.

**Objective 9**: Evaluate whether the District's project staff and its consultants complied with the policies and procedures, and requirements of the District.

<u>Finding No. 10</u>: The OIG observed rust on various stainless-steel items, including hand dryers, restroom mirrors, the mop sink in the custodian room, and classroom sinks in the new classroom building. The new building opened in early January 2024 and had been used for less than a year. The rust appears to have developed due to the salt and high humidity in the air, as the school is in a coastal area.

**Recommendation for Finding No. 10**: OIG recommends that the FSD should use marine-grade stainless steel (e.g., Type 316) for construction projects in coastal areas, as it offers superior corrosion resistance in saltwater environments compared to conventional stainless steel. FSD may also apply protective coatings or finishes to stainless steel and other metal surfaces to prevent rust.

## Facilities Response to Recommendation for Finding No. 10:

- i. Response: District Design Standards looked into the availability of alternate finishes that are available for the toilet accessories called for in our specifications. Marine grade stainless steel was not an available option; however, reinforced resin is an available finish that could be considered for future projects within a specified proximity to the ocean. On visiting the site, the rust was easily removed. Cleaning efforts at this location can resolve the issue for these fixtures.
- ii. Action: District standards will be updated to allow for resin-based hand dryers and hand dryer recess frames to be resin for future projects. Paper towel dispensers at South Shores ES will be cleaned.
- iii. Target: Q3 2025.

C: Sue Stengel
Alix O'Brien
Edward Cadena
Steve Boehm
David Tatevossian
Issam Dahdul
Matthew Friedman
Jorge Ballardo
Dana Greer
Chris Alejo
Rachel Chua



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June 6, 2025 - Revised

Ms. Jung Beum (J.B.) Kim Ms. Maria Thomas

Office of Inspector General – LAUSD 333 South Beaudry Avenue – 12th Floor Los Angeles, CA 90017

Sent via email to: maria.cortes@lausd.net jungbeum.kim@lausd.net sarkes.sarkes@lausd.net

Re: PCL Response to LAUSD "Draft" Cradle-to-Grave Report dated May 29, 2025
Report Includes (1) Incurred Cost Audit and (2) Technical Evaluation
South Shores Visual & Performing Arts Magnet ES Classroom Replacement dated 12/16/24
Contract No: 4400009889

Dear Ms. Kim and Ms. Cortes:

PCL Construction Services, Inc. ("PCL") has reviewed the "Draft" Cradle-to-Grave Report prepared by Los Angeles Unified School District dated 5/29/25.

The following documents were included:

- (1) Summary of Findings, Recommendations and Observations.
- (2) Incurred Cost Audit
- (3) Technical Evaluation

Note: PCL previously responded to the ("Technical Evaluation") dated 12/16/24 has included that reference document as Exhibit 1 to this response.

#### Summary of Findings (p. 5-7) - Incurred Cost and Change Orders

#### Incurred Cost and Change Orders - Finding No. 5 (p.5)

PCL disagrees that it should have been required to refund LAUSD \$18,553 for costs associated with its Subguard / Subcontractor Default Insurance program ("SDI").

This program serves as subcontractor surety on the project and LAUSD had previously concurred on the project that SDI is an allowable expense and a direct cost of the additional scope of work added to the project. PCL understands that on future LAUSD projects, a recent determination has been made to clarify that SDI will be considered an allowable expense.

PCL maintains that it did not overbill LAUSD and that this 'claw-back' by LAUSD is inappropriate. However, due to the cost of dispute resolution, litigation and collection costs, PCL will not pursue the amounts that LAUSD has inappropriately 'clawed back'.

#### Technical Evaluation Finding No. 8 (p.6)

PCL maintains that the concrete stair pan nosings were installed per the contract document requirements and PCL provided ample written notifications outlining its concerns with the inappropriate design and specified products. See Exhibit 1 for additional detail related to this item. Since LAUSD withheld

PCL Construction Services, Inc. 655 N. Central Ave., Suite 1600 Glendale, CA 91203 www.pcl.com



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\$300,000 related to this issue, PCL believes that it was leveraged inappropriately and forced to complete additional joint filling work to remedy this LAUSD design flaw. This withholding was an inappropriate amount to withhold and far exceeded the joint filling cost PCL incurred of less than \$9,000 to resolve this issue.

This stair remedial and additional work has been completed by PCL and accepted by LAUSD. PCL maintains that this withholding and 'claw back' of the previously approved Change Order are inappropriate and in violation of the Contract and without legal justification.

LAUSD has stated that the payment for the balance of the withholding for this stair issue in the amount of \$180,000 will be released and paid to PCL during the week of June 9, 2025.

However, due to the cost of dispute resolution, litigation costs and collection costs, PCL will not pursue this cost that LAUSD has inappropriately 'clawed back' or the associated interest costs associated with the inappropriate withholdings of retention amounts due PCL - assuming that LAUSD will issue the payment for the retention balance to PCL by 6/13/25.

#### Results of Technical Evaluation (p. 26-35)

#### Finding No. 7 - Vendor Should Bear the Cost Responsibility for CO T-618 (p. 27)

As outlined in the previous response and included in Exhibit 1 attached, PCL disagrees that executed change order should be 'clawed-back'. PCL believes that the correspondence and executed CO (which LAUSD negotiated, paid and subsequently 'clawed back') clearly supports PCL on this.

See snip below of the Technical Evaluation Report which accurately describes PCL's position on this issue. Exhibit 1 also includes the efforts PCL took to encourage LAUSD to correct its design issue.

#### Snip from LAUSD Report p. 28:

The Project Manager of PCL responded to this finding by stating that the District's attempt to void and recover \$22,611 from a previously negotiated and approved change order is invalid. They asserted that the fixed-price settlement is legally binding and cannot be unilaterally reversed.

Please see additional detail noted above in the section titled "Technical Evaluation Finding No. 8".

#### Finding No. 9 - Improper Asbestos Containing Material (ACM) Handling

PCL agrees that unforeseen underground abandoned pipes were encountered. Unfortunately, this is a result of the incomplete as-builts and an incomplete environmental report provided by LAUSD to PCL. At the time of the work, PCL's subcontractor (Howard Contracting) did not know that these pipes (which were not shown on LAUSD As-builts) were wrapped with ACM tape. PCL would recommend that LAUSD provide a more thorough and accurate environmental report and also maintain its as-built documents accurately to avoid issues similar to this on future projects. Another option / suggestion would be for LAUSD to employ a full-time environmental inspector during grading operations to ensure that an environmental / abatement expert is on site when LAUSD recognizes that it has provided incomplete bid information to its Contractor. Howard Contracting previously communicated that it had no reason to believe that these specific pipes contained ACM material. Fortunately, this material was abated and the issue is closed with AQMD, LAUSD, PCL and Howard Contracting.

#### Conclusion

PCL appreciates LAUSD sharing its scores and takes pride in knowing that PCL received a meaningful score of 100% client satisfaction from the LAUSD evaluators.



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In summary, PCL does not agree with the draft Cradle-to-Grave report dated May 29,2025 as issued and requests that this response and exhibits are included in the final Cradle-to-Grave Report for record.

Regards,

#### PCL Construction Services, Inc.

Digitally signed by Craig
Gistelate
Dis-C-US,
Craig Glastetter
E-population glob com,
Oracle Construction Services
inc. 1, 604-Craig Glasteter
Date: 2005.06.66
15:20:164-7707

Craig Glastetter Construction Manager

cc: David Clarke, PCL Manager, Financial and Commercial Risk Stephanie Rarog, PCL Assistant Manager, Finance and Commercial Risk Abdul Dabbas, PCL Project Manager Sarkes Sarkes, LAUSD Senior Project Manager Srinivas Hanumanth, LAUSD OAR

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