



# Meeting Minutes | October 21<sup>st</sup>, 2015

Portland Public Schools Bond Accountability Committee  
(BAC)

PORTLAND PUBLIC SCHOOLS  
Office of School Modernization  
501 North Dixon Street • Portland, OR 97227

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*Members present:* Kevin Spellman, Cheryl Twete, Steve March, , Tom Peterson, John Mohlis, Louis Fontenot

*PPS OSM staff present:* CJ Sylvester, Dan Jung, Ken Fisher, Debbie Pearson, Michelle Platter, Michelle Chariton, Darwin Dittmar, David Mayne, Derek Henderson, Theresa Fagin, Erik Gerding, Ayana Horn

*Public Present:* 4 members of the public

*Absentees*

*BAC:* Willy Paul

*Board Liasons:* Amy Kohnstamm, Paul Anthony, Pam Knowles

*Next meeting:* TBD

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## I. Welcome & Introductions

Kevin Spellman calls the meeting to order at 5:07pm and welcomes everyone. Introductions are made by all present.

## II. Public Comment

No public comment.

## III. Program Overview

- CJ Sylvester: Welcomes Everyone.
- Starting with the summer IP 15 work, 27 schools completed and opened on time and ready for school.
- Roosevelt High School opened temporary facilities and phase 1 of construction is underway.
- Marshall Campus opened to welcome Franklin High School to their new home for the next two years.
- Tubman Campus opened to welcome Faubion Elementary School to their new home for the next two years.
- This was the most significant summer for the bond to date, with the most projects in the shortest summer of the 2012 Bond Program.
- Notation that slides being presented contain data current as of prior months end.
- Roosevelt High School is 90% bought out.
- Franklin High School is 100% bought out.

- Permitting on the Roosevelt project continues to be a problem as permit approval by the city is taking much longer than anticipated.
  - Grant High School is well into the Master Planning phase. The Design Advisory Group is in process with three meetings to date having already occurred.
  - IP 16 is in Design Phase.
  - Master Planning for Lincoln, Madison and Benson are about to be underway.
  - OSM organizational structure update on changes in staffing and reporting structure.
  - Darren Lee has been selected as the Construction Manager for the Faubion Replacement Project.
  - Michelle Platter, Project Director for Roosevelt High School, is leaving. Her last day is November 2<sup>nd</sup>, 2015.
  - CJ Sylvester is also leaving. An offer has been made and start date for the new Chief is forthcoming, pending the background check. CJ Sylvester has agreed to stay on for one week of transition for the new Chief.
  - *Cheryl Twete asks: Is there a date for this?*
  - *CJ Sylvester replies: An offer has been made and start date is forthcoming pending the background check.*
  - OSM will inform the BAC with dates and logistics once this is finalized.
  - *Kevin Spellman asks: A one week turn transition raises concern that this may be too short of time. Does OSM feel comfortable with this?*
  - *CJ Sylvester responds: The one week transition is the information that we have now. The new chief will have influence on possibly extending a transition period, and the former Senior Director of OSM has also offered possible assistance with this effort.*
  - Not many changes on the balance scorecard since the last BAC meeting. Provided in the packets for the BAC, a new schedule draft is included for committee review and approval. This will be covered in the update by Ken Fisher.
  - Dan Jung begins the detailed program update by thanking CJ Sylvester for her many years of hard work, vision, and dedication to creating and facilitating a successful bond program.
  - *Kevin Spellman adds: I would also like to thank CJ for all of her hard work and dedication, and states he has misgivings about this transition with the loss of Jim Owens and CJ Sylvester.* The Committee concurs.
- **Program Update - Balanced Scorecard**
    - **Stakeholder Perspective**
      - Not many changes from the last update. We are currently tabulating responses from our latest survey effort and will reflect these updates in the next meeting.
    - **Equity Perspective**

- Also not a lot of changes here since the last BAC meeting. In terms of **Student Learning**, we continue to exceed goals. We had a successful internship program that we worked closely with, and are gathering details from contractors who had interns outside of the program we were involved with. We are forecasting total numbers for Summer 2015 to be in the high teens. Additionally, Lease Crutcher Lewis has facilitated a Construction 101 workshop at Roosevelt for incoming Freshman. We have a number of Grant High School Students on the Grant D.A.G.
- **Workforce Equity:** Projects managed to hit numbers over the summer, despite the difficulty faced by the amount of construction that is currently taking place in the Portland market.
- *John Mohlis responds: It does vary greatly, when it is slow, it is much easier to fill this requirement but now when the industry is extremely busy this can become a challenge. Equally, when things are busy different disciplines will sometimes have a surge in apprenticeships.*
- *Kevin Spellman asks: What is the process of notification that workforce has in place? Dan Jung responds: We do get notifications on who has not followed through on the requirements.*
- *John Mohlis adds: The steps for BOLI are sufficient and the city is good about staying on top of this. Dan Jung concurs: The city does notify us of infractions.*
- *Steve March asks: If the evaluation is poor, does this put them on a list that takes them out of future consideration? Dan Jung replies: This has not been the case to date.*
- *Dan Jung adds: For the Faubion Replacement project we have implemented two-step bid process to weed out problem contractors.*
- Continuing on equity perspective: **MWESB** remains constant in numbers and the challenge that bringing these contractors on continues to have. We consistently exceed the goal in consultants, and fall short with our contractors. Much of this is attributed to OSM's ability to influence consultant and contractor selection. Procurements that allow a great level of selection influence (EG: small purchases, intermediate procurements or RFPs) we do well in exceeding our goals. Procurements that do not lend for selection influence (EG: ITBs) we do not meet our goals.
- *Tom Peterson asks: Are all current contracts accounted for in this? Dan Jung replies: We are still getting the final information in as we move into closeout. We are still reporting about 5 percent MWESB for construction (about 10% overall), and forecast when we have all the current details from the contractors that we should be in about 10 percent.*

- *Kevin Spellman states: We should have a good sense of this based on the contracts.*
  - *Tom Peterson asks: Are all tiers tracked? Dan Jung replies: Yes, as invoices come in we get a report from B2G.*
  - *Kevin Spellman states: It would be interesting to get a report on how contractors are attempting to get MWESB contractors. They were partly selected to bring this 18 percent, so if it is not happening they should explain this to OSM and the District.*
  - *Tom Peterson adds: This should be dollars spent as well as award issues. Might be useful to see what their target is and how they track it. Dan Jung replies: what we have discussed is asking what steps they are going through. Kevin Spellman adds: this would be good for the program to explore way to identify this and remind contractors of their obligation. OSM to provide report draft/ideas for the next meeting.*
  - *Kevin Spellman asks: Will there be further internships. Dan Jung responds: Yes. This is our second year working with interns in the Summerworks program. We anticipate this involvement will only continue to grow.*
- **Budget Perspective**
    - We are coming in mostly green for budget. IP 15 is reading yellow as this project is now projected to exceed the current budget. A number of items caused this project to exceed budget. At the time of bidding the bids came in higher than we had hoped so we know we were going into construction with a slimmer contingency than usual. In some cases the record drawings did not match existing conditions (EG: discovering concrete roof crickets and missing plywood decking at Creative Science), additional structural needs were discovered, etc. Program contingency will be used to cover any cost overage.
    - *CJ Sylvester adds: We have already applied lessons learned from this, and IP 16 is already working on more destructive testing to better account of record drawings not matching what was actually built.*
    - Marshall Swing Site is nearly complete and will be off the list by the next meeting. We have had mainly power supply and IT issues, and one wall had a bowing issue that needed to be corrected. Another example is the existing dishwasher burnt out when it was turned on, so that had to be replaced.
    - Franklin is also yellow due to buy out was a little higher, but contingency has been transferred to cover this.
    - Overall, nothing significant in program budget changes.
    - **Resource Breakdown**

- PM cost report---showing about \$300k over for administrative costs, but this is a conservative number over the remaining 5-1/2 years.
- *Tom Peterson asks: The project estimate at completion, is this including contingencies? Dan Jung replies: Contingencies are not forecasted to be expended until specific costs are identified.*
- *Steve March Asks: regarding the master planning budgets for Lincoln, Madison, and Benson.....last report these budgets were going to be equal share and now they have changed. Can you tell me why?*
- *CJ Sylvester continues: Benson High School is at a higher budget due to comprehensive educational specifications for a focus option school needing to be developed. Based on an evaluation by our Bond Counsel, it was determined that the educational specifications for comprehensive high schools were complete.*
- *Kevin Spellman asks: I see that on the organizational chart there are some vacancies. Does this overage account for the vacant positions, or would that be additional once those are filled? Dan Jung replies: we forecast that as though all positions are filled and accounted for. This report includes everything.*
- *Kevin Spellman asks: Can we get an update on the current vacancies? CJ Sylvester responds: We are in the process of interviewing for the Roosevelt Project Director Position this week with an offer going out next week. Dan Jung has stepped in to allow for overlap between Michelle Platter and the new project director. We have 3 person project teams....project director, project coordinator and construction manager. Michelle's last day will be November 2<sup>nd</sup>. We also have a position open for Community Relations Manager, and an offer is being made for the position of Educational Liaison, formerly held by John Wilhelmi.*
- *Kevin Spellman asks: Is the position of Community Relations Manager new? CJ Sylvester answers: Yes. After multiple conversations with the superintendent and reflecting on lessons learned, this position was created to better serve community needs that the Project Directors do not have the bandwidth to effectively manage for our projects.*
- *CJ Sylvester continues: Also noteworthy, Darren Lee has been selected as the Construction Manager for the Faubion project.*

#### **IV. Project Update**

- Ken Fisher begins by thanking CJ Sylvester for her hard work and dedication, and her many years of service on making this program what it is today. He invites her to all the ribbon cuttings.

- Franklin High School
  - Currently in full construction phase.
  - Buy out is in process.
  - We have had only two reportable accidents, one where a contractor had to get a couple of stitches and another where an apprentice hurt his shoulder due to an overloaded wheel barrel.
  - The new gym is coming up, which you can see here in the photos.
  - Budget breakout for the beginning of the month....contingency has gone down due to the cost of construction going up.
  - *Kevin Spellman asks: How are we managing the contingency? Ken Fisher replies: change orders. Kevin Spellman asks: Does the district/board have to approve these changes? Ken Fisher replies: Yes. We keep everything in eBuilder so it can be appropriately accounted for, with all delegated levels of approval.*
  - Photos of the interior work at Franklin are shared.
  - Ken Fisher presents a revised schedule format for the BAC to consider, by request of the BAC from the last meeting. Ken Fisher invites feedback on this format.
  - *Kevin Spellman asks: if you look at STEM and CTE, there appear to be some critical issues about the end date imposed....is this completion?*
  - *Kevin Spellman continues: are the critical activities done, and what of successor activities?*
  - *Tom Peterson adds: Another way to look at this---the completion of the STEM CTE addition critical to the other areas? Ken Fisher responds: Some will be driven by crews.*
  - *Steve March states: Critical activities are then by sector/crew. Not necessarily critical to the entire opening, rather just the activity.*
  - *CJ Sylvester adds: critical issues are based on date and deliverable. Tom Peterson asks: How do they relate to the overall completion of the school?*
  - *Louis Fontenot states: I would like more data....just blow it up and send electronically. Kevin Spellman concurs.*
  - *CJ Sylvester asks: How about a summary of critical paths every three months? Tom Peterson states this would be helpful.*
  - *Kevin Spellman furthers: I do not want to create a lot of extra work for you. Critical path summary, and detailed report electronically provided by OSM would be sufficient.*
  - *Ken Fisher will provide this for Roosevelt High School.*
  - *Kevin Spellman asks: What happened with the change order for Franklin. Ken Fisher responds: In the process of setting the GMP, when*

*all bid packages came in we were over and our options were adding money and value engineering. We brought costs down as much as possible with VE, but money was eventually added to the project. Kevin Spellman states: This typically results in arm wrestling, who is who is responsible for this. CJ Sylvester states: There has been robust conversation with the Design firm about this. Kevin Spellman states: We might need a subcommittee to go over this in detail.*

- *Cheryl Twete asks: What of the forecasted overages---talk about the over and under. CJ Sylvester responds: this is the contingencies we were discussing previously.*
- **Roosevelt High School**
  - *Ken Fisher thanks Michelle Platter for her hard work and dedication, especially to her devotion to the Roosevelt project for the last two years.*
  - *Budget pie chart remains unchanged. Current assessment is that this will remain constant.*
  - *Schedule is getting back on track and all is going well. Expect to open all phases of construction on time. No accidents here.*
  - *Kevin Spellman asks: Regarding the RHS auto shop, since the last meeting, the BAC recommended in its report that the BOE does not move forward with this. Clearly, they chose not to heed this advice. Can you give an update on what has happened since then? CJ Sylvester responds: Roosevelt Bid Packages were coming in on August 4<sup>th</sup>, so as the teams were finishing this, Bassetti prepared a conditions report for this. Lease Crutcher Lewis prepared a cost report. Both a draft report and staff report have been submitted to the BOE chairs, as well as meeting with the Capital Bond Committee, and meetings with these groups will continue and we hope to get a better sense of timing and decision on this in the near future.*
  - *Kevin Spellman asks: How did Bassetti and Lease Crutcher do this? Michelle Platter responds: when we originally went through-it was demo. Bassetti started with going through entire building for what we have. Next step was CTE and STEM needs for the space. Code requirements were then examined. Research then about grandfathered in, which helped to get a handle on what we can do. LCL on the other hand was looking at cost for this and what needs had to be done. The other thing we did was to study how we would get the utility infrastructure to the building to support a variety of directions for the program. We made reasonable assumptions on what the needs were to get this building ready to accept a program.*

- *Tom Peterson asks: Is the roof a problem? Michelle Platter responds: Yes the roof is a problem. Walls are also a problem, and the overall issue of life safety. I would like to add that one thing we did not look at is what would need to be done aesthetically.*
- *Kevin Spellman asks: What about outreach on this, was anything done? Michelle Platter responds: We did not do any outreach on this because we don't have a clear direction on the program.*
- *CJ Sylvester adds: Staff has recommended program development and a task force is working on the program.*
- *Kevin Spellman states: Observationally, they seem to be working backwards.*
- *Tom Peterson states: Sometimes you have to go through this to get understanding on why you don't reevaluate in the construction phase.*
- *Kevin Spellman asks: What about the effect on the other high schools? CJ Sylvester responds: This was addressed and the issue is with the BOE.*
- *Michelle Platter adds: Another issue is with the tennis courts and the removal of that program if the auto shop goes through.*
- *Kevin Spellman states: Hopefully they will not let \$2 million derail the project.*
- *Tom Peterson asks: How is construction going on an active schools site?*
- *Michelle Platter states: Its going well and we are fine tuning the communication. We have radios now so we can communicate on campus. Fire drills have gone well. Michelle Platter states for future reference that the project coordinator is spending about 75 percent of her time facilitating all of this, and projects on an active site should anticipate this level of involvement to keep things running smoothly.*
- *Ken Fisher adds: This is the fourth effort working on active school sites. Lots of success working on active sites.*
- *There was a small fire in the Roosevelt auditorium. This was determined to be a break in and arson. Michelle Platter adds: a report will be available when the Fire Marshall completes their review.*
- *Schedule: because of all the things going on we don't have a finalized schedule, but we have the Project Director's assessment. Permitting continues to be an issue with the city for the schedule.*
- *Cheryl Twete asks: Why is the permitting taking longer? Michelle Platter responds: The structural review is the only outstanding item and has been for an extended period of time. The City has not been willing to accept additional funding for overtime review or outside review. We anticipated 12 weeks, and we are now on 20 weeks. We understand that this is due to the work in the city. This is not impacting our work,*

*as we have shifted some work to existing permits and courtesy inspections.*

- *Tom Peterson states: During the downturn in the economy, the city laid off 40 to 60 percent of their staff---and they are trying to dig out with the massive amount of work going on.*
- *Ken Fisher states: despite all of the challenges, we feel completely confident that phase 1 will be on time.*
- *Kevin Spellman adds: I want to highlight the committee appreciation of Michelle Platter and her work throughout....professional and dedicated through a couple of difficult details.*
- Grant High School
  - Project is in master planning. Mahlum is the architect, and the project has 3 D.A.G meetings already completed, and the first public design workshop is happening on October 24<sup>th</sup>.
  - *Tom Peterson asks: Is anyone from the BAC involved in this? CJ Sylvester asks: Would you like to be involved? OSM to invite BAC Tom Peterson and Kevin Spellman to future workshops.*
  - Budget has remained constant. On schedule.
  - *Kevin Spellman asks: Are we on schedule for masterplan in December? Ken Fisher replies: Yes. We are on schedule for December.*
- Faubion
  - First step is out on contracting. Skanska has notified us that they are out. Pre-bid meeting was earlier this week with the remaining four.
  - Concordia has transferred the property to us. 2 houses to be demolished on that property.
  - *Kevin Spellman asks: How are Concordia's interests going to be managed through this process? CJ Sylvester responds: A construction cost agreement is in development to address change orders, etc.*
  - *CJ Sylvester adds: One other thing is the property; it is also the 3 to PHD program. Concordia, PPS, Trillium....cost, lease, operating agreements are all happening between these three entities. We would like to think this will be complete at the end of the year, with operation going in to next year.*
  - *Kevin Spellman asks: How are we doing with the permits? Ken Fisher replies: Permits are done.*
  - *Kevin Spellman asks: Jan 2<sup>nd</sup> is the scheduled demo? Ken Fisher replies: Yes. OSM to update from 1/1/2016 to 1/2/2016 to account for holiday.*
  - *Tom Peterson states: Looks like an adequate timeframe for permitting.*
  - *CJ Sylvester adds: The longer timeframe was because Concordia wanted to continue fundraising through 2015.*

- Tubman
  - Opened on time and is up and running.
  - Large chunk of green in the pie chart is primarily due to transportation.
- IP 14
  - In closeout, nearly complete. This will not be on the next report.
- IP 15
  - Great and very active summer, the most activity in this bond program. Woodlawn elevator installed and moving up and down. Expect this to be completed at winter break. Ainsworth elevator is in the works, and could be done as early as February but for sure will be ready by the scheduled time of April. Sabin skylights are coming in. One accident—ABC roofing sub-contractor working for Corp. Inc. got splashed by tar. Recordable incident.
- Creative Science
  - Variety of classroom upgrades.
  - Casework issue, casework was poorly installed and is being replaced.
- Maplewood
  - Very large roof. Made a late decision to move ahead with this prior to the schedule, but got it in the works due to need.
- IP 16
  - Well into planning. There is a little extra work time next summer.
  - Looking to do a two-step bid process for summer work with IP 16.
  - *Kevin Spellman states: I assume this process will be tailored for the IP work? Ken Fisher states: This will be tailored for the IP work.*
  - Design in works.
- Master Planning:
  - Benson-DOWA contract is being finalized.
  - Lincoln—BOORA has been selected.
  - Madison—pending RFP.
  - Slight adjustment to the schedule on this.
  - *Kevin Spellman asks: So the development of capacity standards for Benson has clearly set us back. Do we still feel confident about the schedule? CJ Sylvester responds: I would say this is not the ideal schedule. Staff has gone to the Capital Bond Committee and the committee has spent six hours on this, and a recommendation was ready, but the co- chairs asked that it wait until further notice.*
  - *Kevin Spellman asks: Do we know what the capacity is for this? CJ Sylvester responds: We need to define the capacity for the programs that are going on, decide on whether or not these programs remain at*

*Benson, which brings up under build and over build issues. Staff recommends that Benson High School has 1700 capacity—allowing for Benson and cooping from other high schools. We don't have this currently, but the option would be that a student at Madison can transfer to Benson in upper years to do more advanced work. The other issues being considered at Benson are Alliance High School, Multiple Pathways to Graduation, the DART program and virtual scholars. Additionally, a recommendation that Alliance be located on the Benson campus as a self-contained but connected High School. The proposal for capacity is that Benson have a capacity of 1350, Alliance have a capacity of 500, and all other programs be relocated and the superintendent can find space for these other programs.*

- *CJ Sylvester continues: Multiple pathways students fall through the cracks, historically. Also, beginning work on Ed Specs for the Focus Option High School has not been able to happen as we are waiting for the BOE decision on capacity.*
- *Kevin Spellman asks: Do we have a feel on when this is supposed to happen? CJ Sylvester replies: Unfortunately we do not have an idea of when this will happen.*
- *Steve March: If Alliance and Benson exist on the same campus, does this mean two buildings will be built? CJ Sylvester responds: That is a possibility.*
- *Tom Peterson asks: Will the Master planning AE become the design AE? CJ Sylvester responds: Not necessarily. A new RFP will be issued for this.*
- Performance audit recommendations. Item 18 has been eliminated. Progress has been made, but given all the ongoing priorities, it has been back burner.
- *Cheryl Twete asks: For number 26, MWESB goals, can we get a report on this when resolution is complete? Dan Jung replies: Yes. Purchasing is working on this to see how we can resolve it.*
- *Kevin Spellman asks: When are the auditors in again? CJ Sylvester responds: The first week in November.*
- *Kevin Spellman asks: Regarding the Marcia Latta report, what is happening with this? CJ Sylvester responds: Jen has built this into Master Planning charters and applications. David Mayne is working into the bond communications plan. One thing of note is that PPS does more public process than anyone else. Kevin Spellman asks that OSM keep the BAC updated on this. OSM to provide updates on this.*

- BAC presentation to the BOE will be on 11/3/2015 or 11/17/2015? Kevin Spellman can do either. Kevin Spellman asks for a volunteer. Steve March and Louis Fontenot volunteer to help.
- Next meeting: January 20<sup>th</sup> would be the normal time. Currently, it is known that 2 BAC members will be out of town. Another date needs to be identified.

**V. BAC Discussion**

- No Discussion.

**VI. Wrap-Up**

- Kevin Spellman thanks everyone for coming.

**VII. Adjournment**

- Kevin ended the meeting at 7:01 pm.