

RESOLUTION NO. 2021-66

**LODI UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION
RESOLUTION SUPPORTING AWARD OF LEASE-LEASEBACK AGREEMENT
FOR THE LODI HIGH SCHOOL AQUATIC CENTER AND LOCKER ROOMS PROJECT**

WHEREAS, the Lodi Unified School District ("District") is currently undertaking a project known as the Lodi High School Aquatic Center and Locker Rooms ("Project");

WHEREAS, the District's Board of Education ("Board") adopted a resolution that adopted and published required procedures and guidelines ("Best Value Methodology") for evaluating the qualifications of proposers to ensure the best value selections by the District are conducted in a fair and impartial manner pursuant to Education Code section 17406;

WHEREAS, the District incorporated the Best Value Methodology in a Request for Qualifications and Proposals ("RFQ/P"), which was advertised in a newspaper and trade paper of general circulation once a week for two weeks;

WHEREAS, District staff, in conjunction with District consultants, have reviewed proposals submitted in response to the RFQ/P, in accordance with the adopted Best Value Methodology and taking into consideration the proposers' demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required;

WHEREAS, after consideration of all of the proposals, the Board hereby awards the Site Lease and Facilities Lease ("Lease-Leaseback Agreement") for the Project to Diede Construction Inc. ("Diede"), who was the highest ranked respondent according to the adopted Best Value Methodology;

WHEREAS, Diede has been prequalified pursuant to Public Contract Code section 20111.6;

WHEREAS, Education Code section 17406 provides that a school district's governing board shall issue a written decision supporting its contract award and stating the basis of the award; and

WHEREAS, attached hereto as **Exhibit "A"** is a copy of the written findings of the Board supporting the Board's award of the Lease-Leaseback Agreement for the Project to Diede.

NOW, THEREFORE, the Lodi Unified School District Board of Education hereby resolves, determines, and finds the following:

Section 1. That the foregoing recitals and the findings are true.

Section 2. That the District complied with the procedure set forth in Education Code section 17406, the Best Value Methodology adopted by the District, and the RFQ/P issued by the District.

Section 3. That Diede provided the best value to the District, taking into consideration the proposer's demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required.

Section 4. That based on the foregoing, it is in the best interest of the District to award the Lease-Leaseback Agreement for the Project to Diede.

Section 5. That the Superintendent and her designees are authorized to enter into the Lease-Leaseback Agreement with Diede, to negotiate and finalize the Guaranteed Maximum Price and any amendments, and to take any and all actions that are necessary to carry out, give effect to, and comply with the terms and intent of this Resolution.

PASSED AND ADOPTED by the Lodi Unified School District Board of Education, this 14th day of December, 2021, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

President, Board of Education of the
Lodi Unified School District

Attested to:

Clerk, Board of Education of the
Lodi Unified School District

EXHIBIT "A"

**FINDINGS REGARDING THE AWARD OF THE LEASE-LEASEBACK AGREEMENT FOR THE LODI
HIGH SCHOOL MODULAR PROJECT INCREMENT 2 INSTALLATION OF MODULAR AND/OR
PREFABRICATED BUILDINGS**

WHEREAS, Diede passed the Executive Summary;

WHEREAS, Diede passed the Table of Contents;

WHEREAS, Diede passed the Cover Letter;

WHEREAS, Diede received 40.00 points out of 40.00 points for *Respondent Information*;

WHEREAS, Diede received 36.67 points out of 40.00 points for *Methods and Strategic Plan*;

WHEREAS, Diede received 38.89 points out of 40.00 points for *Prior Relevant Experience*;

WHEREAS, Diede received 40.00 points out of 40.00 points for *Contracting History*;

WHEREAS, Diede received 62.22 points out of 70.00 points for *Pricing & Contingency*;

WHEREAS, Diede received 10.00 points out of 10.00 points for *Insurance*;

WHEREAS, Diede received 9.44 points out of 10.00 points for *Assurances*;

WHEREAS, Diede received 10.00 points out of 10.00 points for *Comments to Form of Agreement*;

WHEREAS, Diede's overall combined score was 250.22 out of 260.00 points based on RFQ/P evaluation criteria (VIII. C.), which was the greatest number of points in accordance with the methodology described in the RFQ/P, and was ranked as the best value to the District out of four proposals submitted.