

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

June 15, 2021

Agenda Item: 6.7

Subject: Approval of Modification to the existing Lease/Leaseback Contract with Flint Builders, Inc., San Jose, CA, for Phase II of said contract for Final Guaranteed Maximum Pricing (GMP) for Construction Services, Site Lease and Facilities Lease for the Academic Support and Office Building at Las Positas College

Background: On May 19, 2020, the Board of Trustees approved the Lease/Leaseback Contract with Flint Builders, Inc. for pre-construction services for the Academic Support and Office Building at Las Positas College. Per Article 2, Item 11 Establishing GMP and Milestone Schedule of said Lease Leaseback Agreement, the Contractor has successfully negotiated the Final GMP and milestone schedule for the construction of the Academic Support and Office Building at Las Positas College with District Staff.

Pursuant to the Pre-Construction contract, the District will issue a Notice to Proceed to the LLB Contractor and enter into a separate Site Lease Agreement with Contractor (the "Site Lease"), under which it will lease the Project site described and depicted in Exhibit A1.

Upon completion of project the Contractor will lease the Site and the Project back to the District pursuant to a separate Facilities Lease Agreement (the "Facilities Lease"), under which the District will be required to make lease payments to Contractor for the use and occupancy of the Site, including the Project for a (12) twelve-month period.

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| Current Approved Amount | \$ 700, 208.66 |
| Modification No. 2 | \$ 59,345,514.34 |
| New Contract Amount | \$ 60,045,723.00 |

Recommended Action: That the Board of Trustees approves the proposed Lease/Leaseback contract modification for the Final Guaranteed Maximum Pricing for construction services, site lease and facilities lease to Flint Builders, Inc., San Jose, CA for the Academic Support and Office Project at Las Positas College in the amount not to exceed \$60,546,987.34. It is also recommended that the Board authorize the Vice Chancellor, Business Services, to execute the agreement on behalf of the District.

Funding Source: Measure A Bond Funds

Submitted: Owen Letcher/Date

Approved: Ronald P. Gerhard/Date

_____ APPROVED

_____ DISAPPROVED

_____ TABLED