

**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF TRUSTEES OF THE  
COALINGA-HURON LIBRARY DISTRICT  
Tuesday, November 18, 2014 5:30 p.m.  
Coalinga Library – Program Room**

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**TRUSTEES PRESENT:** Mr. Chavez, President; Mr. Albrecht, Vice-President; Mr. Crawford, Clerk; Mr. Whitwill, Trustee; Patty Alvarado, Trustee (5:35PM)

**ADMINISTRATION PRESENT:** Ms. Mary Leal, Director of Library Services and Jacqueline Collings, Administrative Assistant.

**CALL TO ORDER:** The meeting was called to order by President Mr. Chavez at 5:30 p.m.

**FLAG SALUTE:** Mr. Chavez led the flag salute.

**APPROVAL OF THE AGENDA:**

**Mr. Chavez:** Approval of Agenda?

**Mr. Albrecht:** So moved, seconded by Mr. Crawford. Motion carried unanimously.

**CONSENT AGENDA**

These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item or Action Item.

- C-1 Approval of October Checks 013636 thru 013673 in the amount of \$76,091.12 of which \$41,114.89 was for payroll and \$2,771.48 was for the Coalinga Renovation project.
- C-2 Approval of October 2014 Weed List.
- C-3 Approval of minutes for regular board meeting held on October 21, 2014.

**Mr. Chavez:** Anyone have any questions? Do I have a motion?

**Mr. Whitwill:** So moved, Seconded by Mr. Crawford. Motion Carried unanimously.

**DIRECTOR'S UPDATE**

**Ms. Leal:** Most of the items are action items that I need to speak about today. I do want to thank Tom, we did have a little bit of a leak in the roof again and Tom went up there and cleaned it for us. Then he went up there and cleaned it again so, Thank You Tom for doing that we really appreciate it. Everything else is in Action Items.

**Mr. Chavez:** Okay.

## **ACTION ITEMS**

- A-1 Book Sale

**Ms. Leal:** At the last meeting I had asked for permission to move the book sale to January, and you said yes. So, I double checked with the Kiwanis and they said yes that once again they would sponsor it. The dates we have set up for the book sale are January 12 thru the 17th, 2015. That is Monday thru Saturday we would be setting up the Saturday before and tearing down the following Monday or Tuesday. The Monday after the book sale is Martin Luther King Day. I told the Kiwanis that I would be more than glad to let them in that day or if they want to take that day off, we can tear down on Tuesday.

**Mr. Chavez:** Any questions or comments? Anyone from the public?

**Ms. Sartuche:** Why the move?

**Ms. Leal:** We are going to be in the middle of renovation.

**Ms. Sartuche:** So it will only be this year?

**Ms. Leal:** Hopefully it will just be this year. We are going to be in the middle of renovation and we just want to get that out of the way.

**Mr. Crawford:** They will be using the program room as a staging area.

**Ms. Sartuche:** I was just curious because it wouldn't be a big sale month.

**Mr. Crawford:** Right after the holidays.

**Ms. Leal:** We are really going to advertise it.

**Mr. Chavez:** Do I have a motion to approve?

**Mr. Whitwill:** So moved, Seconded by Mr. Albrecht. Motion Carried unanimously.

- A-2 Volunteer List Approval

**Ms. Leal:** I sent you all through the board packet a list of 15 to 20 people that would like to volunteer for the library. Most of them are students. As you know the students need to do many hours of community service. There are a few adults, but 95% of them are students. I would like your approval so I can go ahead and sign them up and start working. I have volunteer packets I use. First I have a meeting with them, and then I have their parents sign off so they can volunteer. I go over the rules with them so they know up front what is going on. Then I give them a time so they can start volunteering.

**Mr. Chavez:** Any questions or comments, anyone from the public? If not, can I get a motion to approve?

**Mr. Albrecht:** So moved, Seconded by Mr. Crawford. Motion Carried unanimously.

- A-3 Coalinga Renovation Project – Bid Approval

**Ms. Leal:** On the 14<sup>th</sup> of November we had the bid opening with 6 different companies which came and put in their bid. The bid will be awarded with your permission to the lowest bidder. I have Chris Hale from CM Construction Services, Inc. that will give you all the details.

**Mr. Hale:** First of all I would like to thank you for allowing me to participate here and at the Huron Renovation. This project was advertised in the Fresno Bee, Hanford Sentinel, and the Coalinga Record. It was advertised in a few different places, plus it was also in the Central Valley Builders Exchange which is Fresno, Kern County and the Tulare-Kings. When we had our walk through we had a considerable number of contractors who did come in and asked questions as the project approached bid. Six qualified contractors bid on the project, which was a good number. The low bid was Marko Construction Group, Inc. with \$872,466.00 the second low bidder was Pickard & Butters Construction with \$881,076.00 and BVI Construction was the third with \$909,200.00. If you think about it that was \$32,000 .00 between your first and third bidders. You guys had a very tight bid so I felt very comfortable with that. I did my due diligence checking both the general contractor and also all of the subcontractors. I believe the Board got my recommendation letter. It just so happens that most of these subcontractors I have worked with and I find they are very good subcontractors that is where all of your quality is going to come from. The general contractor, Marko Construction Group, Inc. did fill out all of the paper work that is required. They did have a bid bond, contractor's license bond, and worker's compensation insurance company. All the exhibits were filled out, and all the exhibits were complete. This contractor is a Class A contractor which is general engineering. They also have a Class B, which is just a general contractor and that is what we asked for on this project. He is also a C39 which is a roofing contractor, but it looks like he is not doing that on this project. The license on this was active all the way through February 2016. I would recommend to the board that they approve Marko Construction Group, Inc. for \$872,466.00. I would also recommend that the board would place a contingency into your contract for \$87,000.00 about 10% of the project. Now this money for the contingency does not go on any books for the contractor that is arm's length away. You are constantly in control, but if anything happens we don't have to come back to the board for more votes for additional money. It is already there and that is always in control by the library.

We did have a protest on this bid. The number two low bidder Pickard & Butters Construction said that Marko Construction Group, Inc. did not have the right workman's compensation insurance. That they were self-insured and that they had an unfair advantage. If you go back to the DIR that is permissible and perfectly legal. In fact checking with my insurance company a lot of contractors are doing this because it is cheaper, but when I went to Marko Construction to ask them for their certificate from the DIR they told me that on August 1, 2014 they actually were insured by Ace American Insurance Company. So they sent me their insurance form, so they are insured just like everyone else. I know where Pickard & Butter came from because if you go on the Contactor License Board down at the bottom it will always say who they are insured by and it says self-insured. The Contract Board has not updated their files. I believe we have also been in contact with your legal counsel.

**Ms. Leal:** We have an attorney that specializes in construction; he is a gentleman from Web and Bordson APC, they are from Fresno. Their specialty is in construction contracts. So immediately when we got this letter of protest I contacted them and they completely agree with Mr. Hale's findings. Michael Shaddix feels that it is fine to go ahead and move on with Marko Construction Group, Inc. Mr. Shaddix will be sending us documentation. We just got this letter yesterday so he did not have time to send us his letter, but he did do all of his due diligence. He will send us something for our files.

**Mr. Chavez:** That is the reason why we got that company to do it. We just want to make sure we cross out T's and dot our I's.

**Mr. Hale:** And with that too I will be sending a letter probably tomorrow to Pickard & Butters telling them that we don't find that their protest is valid. I will also send them a copy of the insurance form from the company too because that is public record and they do need to see it. If you have any questions I will be happy to answer them.

**Mr. Chavez:** Are you confident that they know the scope of the work. I don't want them to come back later and say it is going to cost us more.

**Mr. Hale:** They just finished a million dollar school remodel with the same architect that is doing your project. I don't know them personally, but we have another side of our company that does "A" contracting if you don't know what that is, it's mostly for military. It's for disadvantaged small businesses and the federal government gives you grade "A" license for that. I know that my bosses have a great relationship with Marko Construction. They are working with them right now at the Lemoore Navy Air Station. Like I said I have never worked with them before, but the one thing I am confident about is most of the sub-contractors I have dealt with them before.

**Mr. Crawford:** They have worked at the West Hills College.

**Mr. Hale:** Marko? Okay. Jeff Ramsay who is the Visalia School District, Director of Facilities, I asked him because if you notice on one of their references they put Central School District from Fresno that is where he is from. He just said like everyone, you watch them basically that is what you pay me to do anyway. I will work a little bit different here than I did in Huron because here I am a regular construction manager and everything gets filtered through me. So there is really no communication between contractor, architect, owner, without my personal reply. You guys will direct it, but you will direct through me and we will go through the proper process.

**Mr. Crawford:** I know that there is a little bit of concern with the staging and that is one thing that they were all looking at. I was here when they were opening the bid.

**Mr. Hale:** I worked also with the architect on the staging process I think it's pretty well programed. There seems to be some time in there which will give some slack.

**Mr. Chavez:** The Huron Library was pretty close because we wanted to meet the deadline. This one is more flexible within the time frame.

**Mr. Hale:** It does cost you extra money to do the staging. When I had this project estimated myself I was a little concerned because it came in higher than what you had. I was looking maybe at a 1.3 million dollar project. The architect was looking at 1.2, or 1.3 million. My estimator has actually put \$50,000.00 into your project for the staging, because the contractors can't just come in and do it. They will be here four times just to do your carpet. I told Mary when we get to the point where certain areas are done I would expect to have that time to do a punch list. That protects the contractor as well as the owner because if anything happens to a wall or something like that nobody is pointing fingers. Also, I don't want the contractor to be coming in and trying to patch things around your clients. I want them to take care of it then and moved out so you can move in.

**Ms. Leal:** I was really pleased because the prices came in real close to what DSJ had suggested. There is the \$872,466.00 that does include the 3 alternate bids I think we should vote on a base bid and the alternate bid separately. We need to vote on each alternate bid. The base one and then the alternate bids as well because that is how it is on the bid documents.

**Mr. Hale:** The actual bid goes to the total.

**Ms. Leal:** Okay

**Mr. Hale:** Okay and that was the \$872,466.00 I probably should have read that my recommendation is also to do all three alternates, but the alternates even if you pull them out the bid results based upon total. That is how you want to do it anyway. That way people won't do strange things with the alternate bid.

**Mr. Crawford:** Like when they bid \$2.00.

**Mr. Hale:** Right I have seen that happen, they will say on this alternate bid we will only bid \$2.00. If you want to pull one of the alternates you can and then of course their bid will be lower as far as you are awarding.

**Ms. Leal:** Can you explain the alternate bids to them please.

**Mr. Hale:** On the alternate bids I would take Marko Construction actually. Marko for the base bid was \$823,466.00. Alternate #1 was for the wall paneling where there are hazardous materials back there so they will have to come and take that out pull that paneling off and redo the whole thing. They bid \$15,000.00 to do that. Alternate #2 is the service desk \$10,000.00 for a new service desk that would be over and above what they were going to be using to repair the old service desk so for an extra \$9,000.00 you get a new one.

**Mr. Chavez:** My concern was paying \$60,000.00 for a new one.

**Ms. Leal:** I don't think we can resurface it and get a new counter top for \$9,000.00. I mean we could, but it's not like having a new one.

**Mr. Chavez:** We already started it might as well finish it.

**Mr. Hale:** We also had Alternate #3 which was roof coating that helps you environmentally, it helps cut down energy costs because of the reflecting.

**Mr. Crawford:** I feel after being up there we probably need to look at all the drains to make sure, there was one spot, one crack that was away from everything.

**Mr. Hale:** Those are the reasons that you put a contingency in because if you take a look at something and they come back and say you know we really think from their expert opinion that they need to repair that.

**Mr. Crawford:** I saw it when I was moping around the wells and stuff.

**Mr. Hale:** I think they might put something like a product which is basically a liquid roof that they put right on it. I have actually done a whole roof with that before.

**Mr. Crawford:** You are going to do all the jacks and stuff because of the new air conditioner.

**Mr. Hale:** Correct and that was part of the regular base bid this was just putting coating and walk pads.

**Mr. Crawford:** One thing, they did say something about walk pads.

**Mr. Hale:** It's just so people can walk on them. They don't have to walk on your roof, because every time they walk on your roof you think about the damage. When they walk on the pads or walk around your HVAC units that is what they are going to be doing up there they will actually walk on the pads. With this they will have the same type of pads that your roof is made of if you have a single ply it would be the same thing, it's just a piece of plastic that is up there so that people won't slip, but usually when somebody sees a walk pad that is where they are going to go. That was \$25,000.00. Most of them were pretty close we have one, two people who were up in the \$80,000.00 on the roof.

**Mr. Crawford:** They must have thought they wanted the whole roof done.

**Mr. Hale:** That is what I was thinking, but I don't know. When I first read it, if you were here when I first looked at it I was, that number can't be right.

**Ms. Leal:** I looked at it too and that is what it said.

**Ms. Sartuche:** How much was the amount of the roof coating?

**Mr. Hale:** For this contractor it's \$25,000.00.

**Ms. Leal:** I did want to remind everybody about a concern that happened with the Huron project. This is for the hard cost which is for the actual construction. There are also the soft costs like CM Construction, the architects, all those other kinds of things. When it's all said and done at the end of the project in June or July it will probably be a \$1,100.00. In Huron people were questioning, well you said it was only going to be this and now it's this. So I just want to be clear that this is just the hard cost. There will be soft costs on top of the construction cost.

**Mr. Hale:** We also have the lab test on the soft cost that is also part of it. That is what my recommendation is, because it was a very good competitive price. Any other questions?

**Mr. Chavez:** Anybody else? Could I have a motion?

**Mr. Crawford:** I make the motion to approve this contract for Marko Construction Group, Inc. with a 10% contingency on top, Seconded by Mr. Albrecht. Motion carried unanimously.

- A-4 Coalinga Renovation – Approval of Special Inspection/Testing Company

**Mr. Hale:** A while back I don't know exactly when, I put in an RFP (Request for Proposals) and also an estimated price for a testing lab. The testing lab is going to do a number of things that need to be tested. Compaction testing in a few places that need to be tore up and dirt needs to be tested. You have some concrete that is both outside and inside that should be tested. You have dowel pins that will actually be tying the cement and concrete slab into the existing one with the new one. Also, all of your shelving have anchors, a percentage of those will be tested. I sent this to three companies and I received two back. One was RMA GeoScience from Visalia and Moore Twining Associates, Inc. from Fresno. Mary do you have those prices?

**Ms. Leal:** Moore Twining Associates, Inc. was \$1,759.44 and RMA GeoScience was \$6,375.00. There is a reason why there is a big difference Chris will explain.

**Mr. Hale:** The reason why I asked you to read what they had submitted was because Moore Twining only submitted a quote to test the anchors that are going to go into your shelving. The other company RMA GeoScience actually gave me prices on the anchors, dowels, and the concrete basically everything I asked for. You are going to get hit more for trip charges which are the big issue, but the reason why I would go with RMA GeoScience is because I know they read the whole specifications. It concerns me sometimes when somebody only gives me part of the bid. That means that they did not read what I asked them to read. Also, I have worked with RMA GeoScience on Visalia School District's four million dollar contract. It's a new company in the valley as far as opening a shop, but you will find out if you call it's all BSK people. You had BSK people here before and they do a lot of work here in Coalinga, but most of the people that are working now for RMA opened up the office in Fresno are BSK people. The times that I have worked with them have done a very good job. They were your lab in Huron and here in the City of Coalinga, one of the gentlemen did the welding inspection for that three million dollar water tank up on the hill. I am more confident going with them. You also have to remember that this is an estimate of what they need; it could be a little bit more or a little less.

**Mr. Chavez:** Like I was saying I want it less.

**Mr. Hale:** Based on the schedule with the contractor, testing could really put a stop to things. When these people gave me the estimate I told them it was in phases. So they understand that they would be out here various times that also shows that they read the specs. There will be time, what I like to do is have the contractor go through me then we can schedule the lab to come out. Because I just don't want the contractor to call them personally all the time. Like I said it can be less or a little bit more. I would recommend RMA GeoScience.

**Mr. Chavez:** Okay, any questions? If not, can I have a motion?

**Mr. Whitwill:** So moved that we go with RMA GeoScience, Seconded by Mr. Albrecht. Motion Carried unanimously.

**Ms. Leal:** Thank you so much for coming Mr. Hale.

**Mr. Hale:** Hopefully I will send out the award letter tomorrow to Marko Construction Group, Inc. so we can instruct them to send us their bonds, insurance and that information to us as well as the agreement and their portion of the signed agreement will be coming to us. We have plenty of time on this. When those things come out I will send a notice to proceed. What I do is I send all that information to Mary and it helps her. I will take care of that. Thank you very much.

- A-5 Ratification of Memorandum of Understanding between C.H.L.D. and local 39, Stationary Engineers

**Mr. Leal:** As you know the contract with Stationary Engineers Local 39 Union ended June 30, 2014. We have been working on it since April 2014. We have been working through some give and take with a mediator. We gave the union an offer and the union members meet on the 31<sup>st</sup> of October and they agreed to the offer. I need for you (the Board) to ratify and approve the last, best and final offer.

**Mr. Chavez:** Which I believe was good for both sides.

**Ms. Leal:** Yes.

**Mr. Chavez:** And it is right before Thanksgiving.

**Ms. Leal:** The new contract once approved will start November 1<sup>st</sup> for the next 3 years.

**Mr. Chavez:** Any comments from the board or the public? If not, do I have a motion to approve?

**Mr. Albrecht:** So moved, Seconded by Mr. Whitwill. Motion Carried unanimously.

**Mr. Chavez:** Any abstentions?

**Mr. Crawford:** One abstention.

**Mr. Chavez:** I vote yes, and we will go with it for another 3 years. I think it was a better give and take even though it took a little while.

- A-6 Acceptance of Library Board Reorganization Meeting on Tuesday, December 9, 2014 at 5:30 p.m. – Resolution #2014-4

**Mr. Leal:** I have a resolution here that was sent to all the Board members in their Board Packets. It covers the need to vote on officers for the upcoming year.

**Mr. Chavez:** Do I have a motion?

**Mr. Whitwill:** So moved, Seconded by Mr. Albrecht. Motion Carried unanimously.

**Mr. Chavez:** Roll Call

**Mr. Leal:** Mr. Whitwill

**Mr. Whitwill:** Yes

**Ms. Leal:** Ms. Alvarado

**Ms. Alvarado:** Yes

**Ms. Leal:** Mr. Chavez

**Mr. Chavez:** Yes

**Ms. Leal:** Mr. Albrecht

**Mr. Albrecht:** Yes

**Ms. Leal:** Mr. Crawford

**Mr. Crawford:** Yes

## **BOARD MEMBERS REPORT**

**Mr. Chavez:** Mr. Crawford

**Mr. Crawford:** Other than, it was interesting to see when the contractors came in to see what the project was all about. I was surprised to see how many showed up. Also all the people that came in to represent their companies. I am excited because at least we got this thing moving.

**Mr. Chavez:** Mr. Albrecht

**Mr. Albrecht:** I am also very excited that it is moving and gratified that we got the employment contract and let's get on in remodeling this building.

**Mr. Chavez:** Ms. Alvarado

**Ms. Alvarado:** Nothing

**Mr. Chavez:** I am also happy with the contract with the employees and tell them that I appreciate all their hard work and let's move forward and provide the best service for the community because that is what we are here for. Also thank you Ms. Leal for all the work you are doing and also thank you Ms. Collings for all the work you have been doing as well.

### **PUBLIC COMMENTS**

This portion of the agenda may be utilized by any person to address the Library Board on any matter within the jurisdiction of the Library District. However, depending on the subject matter, the Board may be unable to respond at this time or until the specific item is placed on the agenda at a future meeting, as provided by the Brown Act. Speakers should limit their comments to not more than three (3) minutes.

**Mr. Chavez:** Any questions or comments from the public?

**Ms. Sartuche:** It's not a comment it is a question. I don't know if anyone here, I think Mr. Crawford would be the only one to know what happened, after 6 months we will pay off this project \$1.1 million a lot of the money is coming from Measure B.

**Ms. Leal:** All of the money is coming from Measure B.

**Ms. Sartuche:** So are we going to start socking away some money, are we going to start saving money?

**Ms. Leal:** May I address this question?

**Mr. Chavez:** Yes

**Ms. Leal:** I don't think you were here for the budget meeting last month in Huron. We have \$2.2 million in Measure B right now and this will cover that. Again I don't have the budget in front of me, but a lot of that money also goes to construction, materials, new books and programs. It also goes to new employee hires not to bump up existing employee's salary. We hired two part-time people so Measure B funds are being used for that. We still have plenty of money guaranteed in the budget for these issues. Also every month we get Measure B money.

**Ms. Sartuche:** I was wondering we pay off the balance and then you have up keep. I was just wondering if we were going to start saving some money.

**Ms. Leal:** Again we have \$2.2 million in Measure B and that will cover the project and the programs things of that nature and it is still building. Also we have \$750,000.00 that is restricted reserved money.

**Ms. Sartuche:** Okay

**Ms. Leal:** Does that answer your question?

**Ms. Sartuche:** Yes you already know the amount.

**Ms. Leal:** And if you want to look at a copy of our audit I will be more than happy to show you.

**Ms. Sartuche:** No that's fine.

**Ms. McClain:** I would also like to ask something. We had that embezzlement at the museum and I know you have never addressed it, well at least you have not while I have been here. What do we have in place here to prevent something like that? How does that work?

**Ms. Leal:** That is the reason why we are audited every single year.

**Ms. McClain:** Where they audited too?

**Ms. Leal:** I don't know anything about the museum that is not my business. We are audited every single year by an accountant that specializes in that and they have certain practices that they follow.

**Ms. McClain:** Do you have procedures that certain people do certain things.

**Ms. Leal:** That is why at every meeting I send the board members copies of the warrants. The auditor not only looks through my books that I have here. He looks through all of the receipts, bills, charges; he basically looks through every single thing. He spends a couple of days at the library and a couple of days at Marc Scotts Office because they have the other half of things.

**Mr. Crawford:** That's more of a check right there.

**Mr. Chavez:** We actually did those 4 years ago when he took over the accounts payable.

**Ms. Leal:** He was doing the audit and the bookkeeping and I think that is when we switched to a different company so that there would be a new set of eyes looking at it. Does that answer your question?

**Ms. McClain:** Yes.

**Mr. Dominguez:** Just one, I would advise that we have a weekly construction meeting and you of all people should be there and maybe alternate members of the Board. Just to see how all the people work and it keeps you connected on what is going on at a weekly basis.

**Mr. Chavez:** Just remember we can only observe. Mr. Hale is the one calling the shots that is why we hired him.

**Ms. Leal:** The construction conference is January 5<sup>th</sup> 2015 and how they handled it in Huron is that they had a weekly meeting. That is when everyone got together to have a team meeting and see what was going on. The first phase is supposed to be finished March 16<sup>th</sup> 2015 and that will take place in the new wing which has less work to be done. Keep in mind that the library will always be open. Next is the children's area and that is scheduled to be done May 4<sup>th</sup> 2015. The third phase is the adult section and that should be done by June 29<sup>th</sup> 2015. Than to get everything wrapped up which is the completion phase would be July 27<sup>th</sup> 2015.

**Ms. Sartuche:** When will the door come in?

**Ms. Leal:** That will be the last thing. When they will be working on this part we will be coming in through the back door. We have a plan, well in my head I have a plan and how it is going to roll out. Our goal to keep it open as much as possible.

## **AJOURNMENT**

**Mr. Chavez:** Can I have a motion to adjourn?

**Mr. Crawford:** So moved, seconded by Mr. Alvarado. Motion Carried unanimously. The meeting was adjourned at 6:12 p.m.

**DATE OF THE NEXT REGULAR MEETING:** The next regular board meeting is Tuesday, December 9, 2014 at 5:30 p.m. at the Coalinga Program Room.

