

AGENDA ITEM #2B
April 28, 2009
Action

M E M O R A N D U M

April 24, 2009

TO: County Council

FROM: Essie McGuire, Legislative Analyst 

SUBJECT: **Action – Supplemental Appropriation to the Montgomery County Public Schools FY09 Capital Budget, \$154,640 for the Current Replacements/Modernizations project (Carderock Springs Elementary School)**

EDUCATION COMMITTEE RECOMMENDATION: The Education Committee unanimously recommends approval of this supplemental appropriation.

Today the Education Committee will review a supplemental appropriation to the Montgomery County Public Schools FY09 Capital Budget, \$154,640 for the Current Replacements/Modernizations project (Carderock Springs Elementary School). The source of funds for this appropriation is contributions from Carderock Springs Elementary School Foundation, and it does not require any County funds. Transmittal documents are attached on circles 1-5 and an appropriation resolution is attached on circles 6-7.

The Board of Education requested this appropriation on March 13. The Council introduced this appropriation on March 24, and held a public hearing on April 21. The County Executive recommends approval (circle 8).

The appropriation will accept the contribution of the Carderock Springs Elementary School Foundation to fund various improvements which will be done as part of the modernization process. The improvements are: 1) Habitat garden seating including retaining wall and seating in wall; 2) Site sign upgrades; 3) Stone work for the amphitheatre; 4) Terrazzo tile for the front entrance; 5) Carderock stone on the front columns; 6) APR upgrades to the sound system; 7) Two glass backboards in the gym for basketball.

Board of Education policy CND (attached on circles 9-12) governs “Facility Improvements That Are Not Funded with Montgomery County Revenues”. It provides “for contributions for facility improvements from non-Montgomery County funding sources, without creating inequity among schools” (circle 11). Since this contribution was larger than \$50,000, Board approval was required and is reflected in the attached transmittal documents. The Committee discussed this policy and practice with Board of Education and MCPS representatives.

Council staff recommends approval of the supplemental appropriation of \$154,648 for Carderock Springs Elementary School (Current Replacements/Modernizations project).

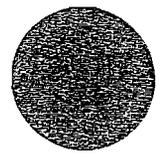
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Office of the Superintendent of Schools
MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

March 13, 2009

041102



MEMORANDUM

To: The Honorable Isiah Leggett, County Executive
The Honorable Phil Andrews, President, County Council

From: Jerry D. Weast, Superintendent of Schools *[Signature]*

Subject: Transmittal – FY 2009 Special Appropriation and Amendment to the FY 2009-2014 Capital Improvements Program (CIP) for Carderock Springs Elementary School Modernization

Board of Education Meeting Date: November 11, 2008

Amount of Request: \$154,648

Type of Action:

Special Appropriation

Transfer

Notification

JDW:JL:ak

Attachments

Copy to:
Montgomery County Office of Management and Budget
Department of Management, Budget, and Planning

REC'D 17 11 20 09
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Office of the Superintendent of Schools
MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

November 11, 2008

MEMORANDUM

To: Members of the Board of Education

From: Jerry D. Weast, Superintendent of Schools 

Subject: Award of Contract—Carderock Springs Elementary School Modernization

WHEREAS, On September 11, 2007, the Board of Education authorized staff to utilize a construction management process for the Carderock Springs Elementary School modernization project and awarded a contract for preconstruction services to Hess Construction + Engineering Services; and

WHEREAS, The following low bids were received on October 7, 2008, for the Carderock Springs Elementary School modernization project:

<u>Low Bidders</u>	<u>Amount</u>
2B-Earthwork/Utilities – Ross Contracting, Inc.	\$2,302,000
2C-Geothermal – Chesapeake Geosystems, Inc.	998,300
3A-Concrete – Dance Brothers, Inc.	894,350
4A-Masonry – Manganaro Midatlantic, LLC	1,974,625
5A-Steel – S. A. Halac Iron Works, Inc.	1,952,070
7A-Roofing – Interstate Corporation	589,500
9A-Drywall and Acoustical – Can-Am Contractors, Inc.	504,100
15A-PHVAC – Mallick Plumbing & Heating, Inc.	2,570,287
15B-Fire Sprinkler – Kennedy Fire Protection, LLC	243,400
16A-Electrical – C. T. Electrical Corporation	1,303,550

and

WHEREAS, On October 7, 2008, Hess Construction + Engineering Services received bid proposals for the remaining trade contracts for the project, which will be included in the guaranteed maximum price; and

WHEREAS, Detailed information on these bid proposals is available for review in the Department of Facilities Management; and

WHEREAS, The construction management contract contains provisions that permit Montgomery County Public Schools to assign the awarded trade contracts to Hess Construction + Engineering Services as part of a guaranteed price agreement to complete the Carderock Springs Elementary School modernization project; and

WHEREAS, Staff has negotiated and recommends approval of a guaranteed price contract with Hess Construction + Engineering Services for the completion of the Carderock Springs Elementary School modernization project that includes the assignment of trade work awarded by Montgomery County Public Schools, along with all management and general conditions costs; and

WHEREAS, Hess Construction + Engineering Services has agreed to accept the assignment of the Carderock Springs Elementary School trade contracts awarded on November 11, 2008, and complete the project for the guaranteed price; and

~~WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 15 percent; and~~

WHEREAS, The aggregate Minority Business Enterprise participation submitted is 15.54 percent Maryland Department of Transportation-certified, of which 2.87 percent is African American, 2.95 percent is women-owned, and 9.72 percent is other minority-owned; and

WHEREAS, That 0.67 percent non-Maryland Department of Transportation-certified Minority Business Enterprise participation has also been submitted, totaling 16.21 percent Minority Business Enterprise participation; and

WHEREAS, On June 23, 2008, the Board of Education approved the request of the Carderock Springs Elementary School Educational Foundation, Inc. (Foundation), to raise funds to be used for various improvements which were designed as add-alternates to the project; and

WHEREAS, Bids received on October 7, 2008, included add-alternate pricing for the various improvements to be funded by the Foundation in the amount of \$154,648; now therefore be it

Resolved, That the following trade contract packages be awarded to the low bidders for the construction of Carderock Springs Elementary School modernization:

<u>Low Bidders</u>	<u>Amounts</u>
2B-Earthwork/Utilities – Ross Contracting, Inc.	\$2,302,000
2C-Geothermal – Chesapeake Geosystems, Inc.	998,300

3A-Concrete – Dance Brothers, Inc.	894,350
4A-Masonry – Manganaro Midatlantic, LLC	1,974,625
5A-Steel – S. A. Halac Iron Works, Inc.	1,952,070
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15B-Fire Sprinkler – Kennedy Fire Protection, LLC	243,400
16A-Electrical – C. T. Electrical Corporation	1,303,550

and be it further

Resolved, That the trade contracts awarded for the Carderock Springs Elementary School modernization project be assigned to Hess Construction + Engineering Services; and be it further

Resolved, That a contract in the amount of \$21,294,787, to include the assignment of the trade contract awards, be awarded to Hess Construction + Engineering Services for the Carderock Springs Elementary School modernization project, in accordance with drawings and specifications prepared by BeeryRio Architecture + Interiors; and be it further

Resolved, That a change order in the amount of \$154,648 be issued to Hess Construction + Engineering Services for the add-alternates requested by the Carderock Springs Elementary School Educational Foundation, Inc. (Foundation), contingent upon receipt of funds and approval of the County Council appropriating the private funds to the project budget; and be it further

Resolved, That an FY 2009 supplemental appropriation in the amount of \$154,648 be requested to add the Foundation-funded alternates to the contract with Hess Construction + Engineering Services for the modernization of Carderock Springs Elementary School, contingent on the donation of private funds from the Foundation; and be it further

Resolved, That the supplemental appropriation request be forwarded to the county executive, requesting it be recommended to the County Council.

JDW:LAB:JLJ:jlc

Current Replacements/Modernizations -- No. 926575 -- Master Project

Category
SubCategory
Administering Agency
Planning Area

Montgomery County Public Schools
Countywide
MCPS
Countywide

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

May 19, 2008
No
None
On-going

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	52,657	12,504	6,588	33,565	4,513	5,989	6,828	9,064	5,765	1,406	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	92,222	8,247	12,508	71,467	8,468	10,103	15,333	22,021	8,901	6,641	0
Construction	583,218	74,249	87,189	489,452	80,028	61,892	63,159	96,746	108,216	79,411	32,328
Other	26,055	1,800	2,735	19,402	3,289	3,501	3,066	3,494	3,494	3,333	1,128
Total	853,149	96,800	109,020	613,886	95,728	81,273	88,821	130,897	126,376	90,791	0

FUNDING SCHEDULE (\$000)

Contributions	300	0	300	0	155	0	0	0	0	0	0
Current Revenue: General	16,716	2,500	4,622	9,594	7,346	2,248	0	0	0	0	0
G.O. Bonds	641,911	50,965	87,501	469,989	49,742	70,535	79,286	114,223	90,806	65,397	33,456
State Aid	59,520	28,289	9,029	22,202	22,202	0	0	0	0	0	0
Agricultural Transfer Tax	0	0	0	0	0	0	0	0	0	0	0
PAYGO	600	600	0	0	0	0	0	0	0	0	0
Recordation Tax	0	0	0	0	0	0	0	0	0	0	0
Current Revenue: Recordation Tax	70,525	14,445	6,253	49,826	6,081	6,590	0	0	19,050	18,105	0
Schools Impact Tax	63,590	0	1,315	62,275	10,357	1,900	9,535	16,674	16,520	7,289	0
Total	853,162	96,800	109,020	613,886	95,728	81,273	88,821	130,897	126,376	90,791	33,456

OPERATING BUDGET IMPACT (\$000)

Energy				608	152	152	152	152	0	0	0
Maintenance				1,544	386	386	386	386	0	0	0
Program-Staff				288	72	72	72	72	0	0	0
Net Impact				2,440	610	610	610	610	0	0	0
Work Years					1.0	1.0	1.0	1.0	0.0	0.0	0.0

DESCRIPTION

This project combines all current modernization projects as prioritized by the FACT assessments. Future modernizations with planning in FY 2011 or later are in PDF No. 886536. Due to fiscal constraints, the FY 2005-2010 CIP adopted by the County Council, shifted funds for elementary school modernizations beginning with College Gardens ES and shifted funds for the Richard Montgomery and Walter Johnson high school modernization projects. An FY 2006 appropriation was approved for construction funds for Parkland MS and Richard Montgomery HS, and planning funds for Walter Johnson HS, Francis S. Key MS and College Gardens ES. During the budget process for the amendments to the FY 2005-2010 CIP, the County Council shifted the planning funds for Cashell and Galway elementary schools from FY 2006 to FY 2007, but did not change the completion dates.

An FY 2007 appropriation was approved for the balance of construction funds for Richard Montgomery HS, and Parkland MS; construction funds for Walter Johnson HS and College Gardens ES; planning funds for Paint Branch HS, Francis S. Key MS, Cashell, Galway, and Cresthaven elementary schools. The County Council, in the FY 2007-2012 CIP, approved the acceleration of the modernization of Belts Mill Elementary School. Therefore, the FY 2007 appropriation also will provide funding to begin planning for the modernization of Belts Mill Elementary School. An amendment to the FY 2007-2012 CIP was approved to provide an additional \$3.5 million in construction funding for one modernization project.

The approved FY 2008 appropriation will provide construction funding for five modernization projects and planning funds for two modernization projects. An FY 2008 transfer of \$3.1 million was approved for the Richard Montgomery HS modernization. Due to fiscal constraints, the County Council, in the adopted FY 2009-2014 CIP, delayed high school modernizations one year, with the exception of Wheaton HS which was delayed two years, beyond the Board of Education's request. An FY 2009 appropriation was approved to provide planning funds for Cannon Road ES, Garrett Park ES, and Farmland ES; construction funds for Cresthaven ES, Carderock Springs ES and Cabin John MS; and furniture and equipment funds for five modernizations.

FISCAL NOTE

The impact tax reflected in the expenditure schedule shown above is applied to the addition portions of some modernizations within this project.

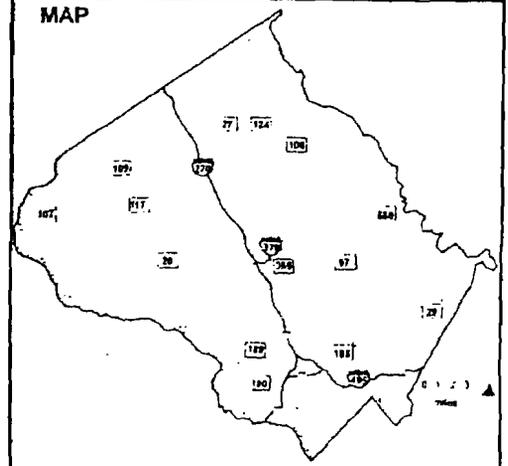
APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY	(\$000)
First Cost Estimate	FY02	520,618
Current Scope		
Last FY's Cost Estimate		764,674
Appropriation Request	FY09	105,348
Appropriation Request Est	FY10	58,499
Supplemental Appropriation Request		155,680
Transfer		0
Cumulative Appropriation		324,331
Expenditures / Encumbrances		137,249
Unencumbered Balance		187,082
Partial Closeout Thru	FY06	152,786
New Partial Closeout	FY07	132,012
Total Partial Closeout		284,798

COORDINATION

Mandatory Referral - M-NCPPC
Department of Environmental Protection
Building Permits:
Code Review
Fire Marshal
Department of Transportation
Inspections
Sediment Control
Stormwater Management
WSSC Permits

MAP



Resolution: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

SUBJECT: Special Appropriation and amendment to the FY09 Capital Budget and Amendment to the FY09-14 Capital Improvements Program Montgomery County Public Schools Current Replacements/Modernizations Project, No. 926575 (Carderock Springs Elementary School), \$154,648

Background

1. Section 308 of the County Charter provides that a special appropriation is an appropriation which states that it is necessary to meet an unforeseen disaster or other emergency, or to act without delay in the public interest. Each special appropriation shall be approved by not less than six Councilmembers. The Council may approve a special appropriation at any time after public notice by news release. Each special appropriation shall specify the source of funds to finance it.
2. Section 302 of the County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of six Councilmembers.
3. The Board of Education requested a special appropriation for the Montgomery County Public Schools' capital projects as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Amount</u>	<u>Source of Funds</u>
Current Replacements/ Modernizations	926575	\$154,648	Contribution
TOTAL		\$154,648	Contribution

4. This request is needed to appropriate the contribution of the Carderock Springs Elementary School Foundation to support various improvements which will be done as part of the modernization process for the school. The improvements include: 1) Habitat garden seating including retaining wall and seating in wall; 2) Site sign upgrades; 3) Stone work for the

amphitheatre; 4) Terrazzo tile for the front entrance; 5) Carderock stone on the front columns; 6) APR upgrades to the sound system; and 7) Two glass backboards in the gym for basketball.

5. Notice of public hearing was given and a public hearing was held on April 21, 2009.
6. The County Council declares this request is in the public interest to be acted upon without delay as provided for under special appropriation requirements described in Article 3-Section 308 of the Montgomery County Charter.

Action

The County Council for Montgomery County, Maryland approves the following action:

A special appropriation to the FY09 Capital Budget and amendment to the FY09-14 Capital Improvements Program is approved for the Montgomery County Public Schools as follows and as shown on the attached project description forms.

<u>Project Name</u>	<u>Project Number</u>	<u>Amount</u>	<u>Source of Funds</u>
Current Replacements/ Modernizations	926575	\$154,648	Contribution
TOTAL		\$154,648	Contribution

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

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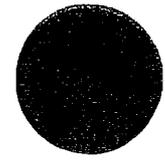
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Isiah Leggett
County Executive

OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

MEMORANDUM



April 01, 2009

2009 APR -3 AM 10:32

TO: Phil Andrews, President, County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Special Appropriation #29-S09-CMCPS-4 to the FY09 Capital Budget and Amendment to the FY09-14 Capital Improvements Program
Montgomery County Public Schools
Carderock Springs Elementary School Modernization (No. 996562), \$154,648

I am recommending a special appropriation to the FY09 Capital Budget and Amendment to the FY09-14 Capital Improvements Program for the Montgomery County Public Schools (MCPS) in the amount of \$154,648 for various facility upgrades described below at Carderock Springs Elementary School (No. 996562). The cost of this work will be funded by contributions from the local community and will have no impact on County resources.

A private foundation in the community of Carderock Springs Elementary School has offered to finance several projects at the school. These include constructing habitat garden seating; upgrading site signage; putting stone work in the amphitheater, terrazzo tiles in the front entrance, and Carderock stone on the front columns; improving the sound system in the all-purpose room; and installing glass backboards in the gymnasium basketball court.

I recommend that the County Council approve this special appropriation in the amount of \$154,648, and specify the source of funds as contributions. I appreciate your prompt consideration of this action.

IL:cfg

POLICY

BOARD OF EDUCATION OF MONTGOMERY COUNTY

Related Entries: CND
Responsible Office: Facilities Management

Facility Improvements That Are Not Funded with Montgomery County Revenues

A. PURPOSE

To provide guidelines for accepting non-Montgomery County government funds for facility improvements that qualify as capital investments. Acceptable improvements to be considered under this policy are limited to physical plant or site improvements that are considered a fixed asset, meet established capital budget funding criteria, and have a minimum life cycle of fifteen (15) years. This policy is not intended for equipment or items that do not meet the capital asset criteria, or for activities covered by Policy CND: *School-Related Fund Raising*.

B. ISSUE

The Board of Education recognizes that private organizations, parent and community groups, businesses, or non-Montgomery County governmental agencies at times want to provide financial support for facility improvements that would normally not be funded as part of county supported programs. The Board also recognizes that while these improvements are not essential, they do provide opportunities to create facility features that are compatible with neighboring buildings or enhance community and school activities.

C. POSITION

1. Except as outlined in Item 2 below, the acceptance of Non-Montgomery County government funds may be considered for facility improvements that:
 - a) Support activities that benefit a school sponsored activity or the school as a whole; such as play ground equipment, stadium lights, or theatrical equipment
 - b) Supplement architectural, landscaping, or aesthetic enhancements to the facility for neighborhood compatibility

- c) Enhance community use of schools; such as a larger gymnasium than would normally be provided as part of a new school, modernization, or addition project
 - d) Provide for the construction of community or recreational improvements funded by other governmental entities for joint community and school use
2. Funds may not be received under this policy for capital projects which are the responsibility of the school system, county government, and/or state to provide for student capacity, including core support space, and maintenance of physical plant.
3. Appropriate funding sources include:
- a) Parent and community organizations and foundations
 - b) Non-Montgomery County governmental agencies
 - c) Private organizations and businesses
 - d) Bequests and trusts
4. Guidelines
- a) Requests to provide financial support for facilities improvements must be reviewed in advance of any such activities by the director of the Department of Facilities Management in collaboration with the principal or site administrator to ensure compliance with this policy.
 - b) The request must include a plan for financial support and sufficient assurances that the entity donating the funds will meet the agreed upon financial obligation.
 - c) If the proposed improvement is less than \$50,000, the director of the Department of Facilities Management is authorized to approve the plan provided it complies with the provisions of this policy. Improvements approved by the director of the Department of Facilities Management will be reported periodically to the Board of Education.
 - d) If the proposed improvement exceeds \$50,000, the director of the Department of Facilities Management will present the request for facilities improvement and the funding plan to the Board of Education for its approval prior to notifying the entity whether they may proceed with the fund raising activities.

- e) In making decisions whether to grant approval for facility improvements under this policy, the following shall be considered:
- (1) Whether the improvement would foster or exacerbate inequity
 - (2) Whether the Board of Education, Montgomery County Government, or Maryland State Department of Education have responsibility for funding similar improvements at all schools using tax supported revenue or bonds sales to the extent available
 - (3) Whether the improvement will cause a future financial liability in annual operating costs
 - (4) Whether the improvement will create safety, security, or other school operation impacts
 - (5) Whether the funds donated would expedite the implementation of county supported programs
 - (6) Whether the improvements would meet or support a greater community need for services
- f) The group providing the funds for facility improvements under this policy will plan and supervise all fundraising activities sponsored by the organization, and will abide by established financial management procedures.
- g) All funds received for facility improvements under this policy must be appropriated in accordance with Montgomery County financial regulations.
- h) The director of the Department of Facilities Management will ensure that the necessary appropriation requests are presented to the Board of Education for approval and the funding is allocated by the Montgomery County Council before any work begins on the facility improvements.

D. DESIRED OUTCOMES

This policy is designed to allow for contributions for facilities improvements from non-Montgomery County funding sources, without creating inequities among school communities. This will strengthen the relationships between the school system and various groups within the community.

E. IMPLEMENTATION STRATEGIES

The superintendent will establish administrative regulations or other administrative procedures that may be necessary for implementing the guidelines outlined in this policy.

F. REVIEW AND REPORTING

This policy will be reviewed on an ongoing basis in accordance with the Board of Education policy review process.

Policy History: Adopted by Resolution No. 530-02, November 21, 2002.