

Board of Trustees Agenda Item

Board Meeting Date: January 7, 2013

Title of Item: Approval of Lease Agreement with Mobile Modular Inc.

Background and Analysis:

Temporary office space will be required for the Disability Resource Center personnel to use as swing space while Building #5800 is being renovated under Project #105 - Modernization of Learning Support Center, Biology and General Classrooms (Bldgs. #5100, #5400, #5600, #5700 and #5800). Although the Disability Resource Center is currently located in Building #5800, the program will relocate into the newly renovated Building #5400. A quote was solicited from Mobile Modular Inc. (Mobile Modular) for the lease of a 48' x 40' relocatable, modular structure for a 22-month period to accommodate the project's construction schedule.

The total 22-month price to lease the DSA approved 48' x 40' relocatable modular is \$103,403.60. This price includes delivery, installation, skirting, flooring, wood foundations, fire extinguishers, and ramps. The price also includes the costs to dismantle and return the building at the end of the 22-month term. The insurance value of the structure is \$96,000.00. The project will be funded by Measure C. If the District were to purchase the building the cost would be \$155,573.20. The District at this time does not believe it will need the trailers beyond the 22-month lease.

Public Contract Code 20652 allows the governing board of any community college district, without advertising for bids, and when the board has determined it to be of the best interests of the district, to issue purchase orders based upon a competitive bid by any public corporation or agency, including any county, city, town, or district in order to lease or purchase equipment, materials, supplies, or other personal property for the district.

Based upon competitive bids, Franklin McKinley School District previously awarded a contract for modular buildings to McGrath Rent Corporation dba Mobile Modular Inc. As part of the contract, Mobile Modular agreed that other school districts are entitled to lease modular buildings at the same prices as Franklin McKinley School District. Modular buildings that meet the need to provide temporary space are available from Mobile Modular based upon Franklin McKinley Bid #1298.

Furthermore, pursuant to Education Code 81526 "(a) The governing board of a community college district may lease relocatable structures for a term extending to the expected duration of use by the district, but not to exceed 10 years. (b) Any lease agreement or contract entered into pursuant to this section shall be initiated by resolution authorizing such action and prescribing the terms thereof adopted by vote of a majority of the members of the governing board."

Recommendation:

Approve the 22-month lease agreement between the District and Mobile Modular Inc. for a 48' x 40' relocatable, modular structure at a total cost of \$103,403.60 based upon the Franklin McKinley School District bid #1298 and adopt the attached resolution entitled “ Resolution of the Governing Board of Foothill De Anza Community College District to Lease a Relocatable Structure.”

Submitted by:	Gina Bailey, ext. 6165
Additional contact	Charles Allen ext. 6150, Art Heinrich ext. 6295, Annette Perez ext. 6163
Is backup provided?	Yes

RESOLUTION NO. 2013-02

RESOLUTION OF THE GOVERNING BOARD
OF FOOTHILL DE ANZA COMMUNITY COLLEGE DISTRICT
TO LEASE A RELOCATABLE STRUCTURE

WHEREAS, California Education Code 81526 (a) requires “the governing board of a community college district may lease relocatable structures for a term extending to the expected duration of use by the district, but not to exceed 10 years,” and

WHEREAS, California Education Code 81526 (b) requires “any lease agreement or contract entered into pursuant to this section shall be initiated by resolution authorizing such action and prescribing the terms thereof adopted by vote of a majority of the members of the governing board.”

WHEREAS, the Foothill De Anza Community College District requires a 48’ x 40’ relocatable structure for use as a temporary swing space for the Disability Resource Center for the duration of the renovation Project 105 at Foothill College for an 22-month period at a total cost of \$103,403.60.

NOW, THEREFORE, the Governing Board of the Foothill De Anza Community College District hereby finds, determines, declares, orders, and resolves as follows:

Section 1. That the above recitals are true and correct.

Section 2. That the Foothill De Anza Community College District’s Director of Purchasing Services is authorized to enter into an 22-month lease agreement with Mobile Modular Inc. for a 48’ x 40’ relocatable structure at a total cost of \$103,403.60. Such agreement shall take any and all additional steps to carry out, give effect to, and comply with the terms and intent of this Resolution.

APPROVED, PASSED, AND ADOPTED by the Governing Board of the Foothill De Anza Community College District on this 7th day of January 2013, by the following vote:

AYES: _____
NOES: _____
ABSTENTIONS: _____

I hereby certify that the foregoing resolution is duly introduced, passed, and adopted at the time and place and by the vote as noted above.

Secretary, Linda M. Thor
Board of Trustees
Foothill De Anza Community College District