

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 student restrooms will be required when the District Office Building personnel occupy the existing trailers in Parking Lots 5 & 6 as swing space while the District Office Building (DOB) begins construction and is under renovation. District staff will occupy the existing restroom trailer. Therefore, a quote was solicited from Mobile Modular Inc. (Mobile Modular) for the lease of a 12' x 40' relocatable, modular restroom structure for an 18-month period to accommodate the DOB construction schedule.

The total 18-month price to lease the DSA approved 12' x 40' relocatable, modular restroom is \$32,482.41. 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 18-month term. The insurance value of the restroom is \$60,672.00. If the District were to purchase the restroom, the total costs would be \$72,235.72. Measure E will fund the project.

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 which meet the need to provide temporary restrooms 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 18-month lease agreement between the District and Mobile Modular Inc. for a 12' x 40' relocatable, modular structure at a total cost of \$32,482.41 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, Int. Director of Purchasing Services
Additional contact	Charles Allen, Art Heinrich
Is backup provided?	Yes

RESOLUTION NO. 2013-03

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 12’ x 40’ relocatable structure for use as a temporary student restroom facility for the duration of the District Office Building renovation project at Foothill College for an 18-month period at a total cost of \$32,482.41.

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 18-month lease agreement with Mobile Modular Inc. for a 12’ x 40’ relocatable structure at a total cost of \$32,482.41. 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