

# AGENDA PACKET FOX OAKLAND THEATER, INC.

a California nonprofit public benefit corporation controlled by the City of Oakland

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## BOARD OF DIRECTORS MEETING

### TELECONFERENCE ACCESS INFORMATION AND PUBLIC COMMENT GUIDANCE

**Monday, December 7, 2020  
3:00 p.m.**

#### ACCESSING FOT BOARD TELECONFERENCE MEETINGS:

This meeting will be held by tele-conference and recorded. The public may observe and/or participate in this meeting in the following two ways:

- **To join the meeting by video conference**, please click on this Zoom link at the noticed meeting time:  
<https://zoom.us/j/93907579910>  
Webinar/Meeting ID: **939 0757 9910**
- **To listen to the meeting by phone**, please dial the numbers below, **depending on your location**, at the noticed meeting time.

**To call using iPhone OneTap**,  
dial either of the numbers below:

(USA) +1 (408) 638-0968  
followed by 939 075 799 10 #

(USA) +1 (669) 900-6833  
followed by 939 075 799 10 #

**To call regularly**, dial either of the numbers below followed by the Meeting ID (for better quality, dial number closest to current calling location):

+1 (408) 638-0968 (San Jose)  
+1 (669) 900-6833 (San Jose)  
+1 (253) 215-8782 (Tacoma)

+1 (346) 248-7799 (Houston)  
+1 (312) 626-6799 (Chicago)

+1 (646) 876 9923 (New York)  
+1 (301) 715 8592 (Germantown)

For international call-in numbers:  
<https://zoom.us/u/acJcKkA6b4>

If you need special assistance to participate in meetings, **please contact the FOT Secretary Hui-Chang Li** ([hLi@oaklandca.gov](mailto:hLi@oaklandca.gov) or 510-238-6239) or **FOTB staff Brandon Wolinsky** ([bWolinsky@oaklandca.gov](mailto:bWolinsky@oaklandca.gov) or (510) 238-3250). When possible, please **notify staff five (5) days prior** to the meeting so we can make reasonable arrangements to ensure accessibility.

## PROVIDING PUBLIC COMMENT:

All public comment will be taken at the beginning of the meeting under Agenda Item No. 2: Public Comment.

There are two ways to submit public comments:

- **Email before the meeting.** Please email [hli@oaklandca.gov](mailto:hli@oaklandca.gov) to send your comment directly to the Board and staff BEFORE the meeting starts. eComment submission closes five (5) minutes before posted meeting time
- **During the Public Comment period at the meeting.** During Agenda Item No. 2, participants may provide comment during the live meeting webcasting, either by:
  - Clicking the **“Raise Your Hand”** button to request to speak during the Public Comment period, which occurs in within the first half of the meeting. During your turn, you will be permitted to provide your comment, and after the allotted time, re-muted.
  - To comment by phone, please call on one of the above listed phone numbers. You will be prompted to **“Raise Your Hand”** by pressing **“\* 9”** to speak when Public Comment is taken. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted.  
**Please unmute yourself by pressing “\* 6.”**

# AGENDA PACKET

## FOX OAKLAND THEATER, INC.

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### BOARD OF DIRECTORS MEETING

### AGENDA

Monday, December 7, 2020, 3:00 p.m.

**1. Roll Call**

Alexa Jeffress (President)	Kelley Kahn (Director)
Margaret O'Brien (CFO)	Betsy Lake (Director)
Hui-Chang Li (Secretary)	Brendan Moriarty (Director)
	Anthony Reese (Director)

**2. Public Comment**

(1 minute per speaker)

**3. [Approval of October 2, 2020 FOT Board Meeting Minutes](#)**

Presenter: Hui-Chang Li

**ACTION ITEM**

**4. FOT Financial Status [\(Exhibit A\)](#)**

Presenter: Hui-Chang Li

**INFO ITEM**

**5. Fox Theater Asset Transfer from ORSA to City**

Presenter: Hui-Chang Li

**INFO ITEM**

**6. Property Management**

**6a) Enter into Property Management Agreement with Colliers**

Presenter: Anthony Reese

**ACTION ITEM**

**Staff Recommendation:**

Authorize approval and execution of a Property Management Agreement with Collier's International Real Estate Management Services (CA), Inc. to serve as the Property Manager for the Fox Oakland Theater in an amount not to exceed \$6,200 per month, or \$74,400 per year plus a 3% interest increase on each anniversary date, for a term of 5 years, which may be extended for two additional terms of 5 years each, consistent with the terms of the request for proposal issued on March 13, 2020, as described in the Resolution [\(Exhibit B\)](#)

**6b) CCIG Property Management Agreement Extension**

**ACTION ITEM**

Presenter: Anthony Reese

**Staff Recommendation:**

Authorize staff to negotiate and execute an Amendment No. 13 to the professional services agreement with California Capital & Investment Group (“CCIG”) to continue providing property management services at the Fox Theater until the earlier of January 31, 2021 or 30 days after the execution of the property management agreement with Collier’s International Real Estate Management Services (CA), Inc.

**6c) Capital Improvement Needs: Waterproofing and Roof Repair**

**ACTION ITEM**

Presenter: George Durney

**Staff Recommendation:**

Authorize approval and execution of an agreement with roofing material and services proposal with Garland/DBS, Inc. to provide roofing material and services in the amount of \$476,281, plus a 15% contingency in the amount of \$71,442, for a total amount not to exceed \$547,723, as described in the Resolution ([Exhibit C](#))

**6d) Capital Improvement Needs: HVAC Repairs**

**INFO ITEM**

Presenter: Anthony Reese

**7. Schedule for Upcoming Meetings**

The following is the tentative schedule for upcoming quarterly FOT Board meetings in 2021:

- Monday, March 1, 2021, 3pm
- Monday, June 7, 2021, 3pm
- Monday, August 2, 2021, 3pm
- Monday, November 1, 2021, 3pm

**8. Other Items to Discuss**

**9. Adjournment for Closed Session**

**Pursuant to California Government Code Section 54956.8:**

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

**a) Property:** Fox Theater, 1807 Telegraph Ave, Oakland, California (a portion of the ground floor of the wrap around buildings off Telegraph, along 18th Street and 19th Street, as well as the second and third floors)

**FOT's Negotiator:** Brendan Moriarty, Anthony Reese, Jordan Flanders, and Naree Chan

**Negotiating Parties:** Oakland School for the Arts

**Under Negotiation:** Price and terms of payment for the lease of the property.

# FOX OAKLAND THEATER, INC.

a California nonprofit public benefit corporation controlled by the City of Oakland

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## BOARD OF DIRECTORS MEETING

October 2, 2020

2:00 p.m.

### MINUTES

#### 1. Roll call

*Meeting called to order at 2:05 p.m.*

**Board Members present:** Alexa Jeffress (President), Hui-Chang Li (Secretary), Anthony Reese (Director), Brendan Moriarty (Director)

*Quorum was achieved with four members present.*

*Betsy Lake (Director) arrived late after quorum was achieved.*

**Others present:** Patrick Lane (staff), Brandon Wolinsky (staff), Jens Hillmer (staff), Margaret O'Brien

#### 2. Public Comment

*No speakers provided public comment.*

#### 3. Approval of Minutes for July 15, 2020 – **Action Item**

*Moved by Hui-Chang Li, seconded by Alexa Jeffress. Motion was approved.*

#### 4. Board appointments – **Action Item**

*Hui-Chang Li moved to confirm Margaret O'Brien to replace Adam Benson as CFO, seconded by Anthony Reese. Motion was approved by consensus.*

#### 5. FOT Financial Status – **Informational Item**

*Hui-Chang Li updated the Board that the FY 19-20 audit is currently underway. Consultant will provide draft report by November 30, 2020. As of October 1, 2020, FOT has approximately \$5.2 million in Operating and Capital Reserve funds, which have been stable since July 2020. Hui-*

*Chang Li added that reserve funds would usually be growing over this period in usual years, and reminded that projections for revenue and expenses in FY 2020-21 will be a “wash.” Operating reserve funds also include the One-Time Payment to ORSA for the Fox Theater transfer to the City (\$4.4 million) and the remaining OSA Rent Reserve (\$403,153), the latter is expected to be exhausted by July 1, 2021.*

6. Lease Updates – **Informational Item**

**a) Another Planet Entertainment LLC (“APE”)-GASS Entertainment LLC Lease & Request for Rent Deferral – Update**

*On September 4, 2020, Brendan Moriarty and Anthony Reese submitted a proposal in response to APE allowing for rent deferral, with an interest charge, until December 31, 2021, or after five concerts hosted the Fox Theater, whichever the sooner of the two. Proposal included requirement to continue contributions towards the CAM charges.*

*In response, APE stated that they had secured funding from an alternative source and will no longer need the FOTB’s rent deferral assistance. Will be coming current on outstanding payments and will be continue to make rent payments and contribute to CAM charges.*

*Regarding OSA: Brendan Moriarty and Anthony Reese flagged about \$68,000 in payments from 2007 to 2019 paid by OSA to APE for use of theater stage. This contradicted the APE-GASS lease agreement with OSA that allowed OSA ten uses of the stage for free. In addition, OSA was provided with 30 uses of the stage conditional on reimbursing GASS for its out-of-pocket costs related to OSA’s stage use. In their response, APE-GASS claimed that the written agreement doesn’t reflect the original intent of both parties. Brendan Moriarty and Anthony Reese will be following up with APE to better understand the historic practice and original intent of both parties. They will likely will provide an update on outcome of these discussions at the next FOTB meeting.*

**b) Emporium Lease & Request for Rent Deferral – Update**

*Emporium had requested a rent deferral, which Anthony Reese confirmed was granted. Duration of this deferral will continue until they are able to substantially re-open their business.*

**i) Rudy's Back Rent Loan Payment – Update**

*Rudy's, a former Fox tenant that previously moved out, has an outstanding loan balance for back rent owed to FOT for approximately \$55,000 in principal (original principal amount a little under \$100,000); they now request a relief in the form of loan deferral. Anthony Reese stated that they requested financials that demonstrate financial hardship. It's expected that the FOTB will receive these documents by the end of October. Once reviewed, we'll either grant them a deferral or return to the FOT Board for further direction.*

**c) OSA Lease Amendment – Update**

*OSA still pending review of FOT Board's lease amendment extending their term to April 30, 2026. OSA had requested rent relief, but we're still waiting for them on a written request for specific terms of rent relief to the FOT Board. Their prepaid rent reserve is expected to expire in July, 2021, so we're eager to finalize negotiations prior to then.*

**7. Fox Theater Asset Transfer from ORSA to City/FOT – Informational Item**

*Jens Hillmer provided update that report is with the City Attorney's office. Staff is still working on the legislation for the report. Initial goal was to take this report in conjunction with bond spending plan staff report to the November 10<sup>th</sup> City Council meeting, followed with the second reading of the ordinances and that report on December 1<sup>st</sup>. The deadline is extremely tight, as the entire report is due by October 12<sup>th</sup> to the City Administrator's Office. Staff are unsure if the Board would like to postpone this item until December or January. The staff report for the Asset Transfer item is near complete. Primary drivers of this delay are due to finalizing the legislation for the report. Alexa Jeffress noted the importance of advancing this item by the end of this year, due to potential additional evaluation by the State DOF. She will follow up with staff to discuss timing and strategy.*

**8. Property Management**

**a) RFP For Property Management Services to replace CCIG – Action Item**

*Anthony Reese introduced Colliers International, the selected vendor providing FOT with its property management services, as well as their skills, expertise and a summary of their past experiences in property management.*

*Staff recommends authorization to negotiate an asset/property management agreement with Colliers International as the new Property Manager for the Fox Oakland Theater in an amount not to exceed Six Thousand Two Hundred Dollars (\$6,200) per month, or Seventy-Four Thousand Four Hundred Dollars (\$74,400) per year plus a three percent (3%) increase on each anniversary date, for a term of five (5) years, which may be extended for two (2) additional terms of five (5) years each.*

*Brendan Moriarty moved to authorize staff to negotiate an asset/property management agreement with Colliers International as the new Property Manager for the FOT. Motion was seconded by Alexa Jeffress and approved by consensus.*

**b) Capital Improvement Needs – Update on Waterproofing and Roof Report – Update**

*Staff has been attempting to fix various roof leaks at the Fox Theater that are affecting the OSA and other spaces in the building. Staff has been working with Public Works Department and one of their on-call roofing contractors, the Garland Company, to investigate the causes and to propose fixes. Once staff inspects roof, they hope that the contractor will be able to refine their preliminary estimate into a final bid price. Staff expects availability within the next two to three weeks, at which time, would request the Board to approve at the next convening. Staff expects the work should take around 10 days to complete.*

**9. Next Meeting: December 7, 2020 @ 3 p.m.**

*Alexa Jeffress stated there may be a special FOTB meeting prior to this date – however, date has not been confirmed.*

**10. Other**

**11. Adjournment**

*Meeting adjourned at 2:54 p.m.*

**[DRAFT]**

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Hui-Chang Li, Secretary

**To be signed when approved by FOT Board**

# EXHIBIT A

## Item #4 FOT Financial Status – Update

- FY 19-20 Audit is underway, first draft is due December 18, 2020 (delayed from Nov 30, 2020)
  
- Operating Reserves as of
  - Oct 1, 2020: approximately \$5.2 million
  - Dec 1, 2020: approximately \$5.2 million
    - Includes One-Time Reserve Payment for ORSA  
Asset transfer: \$4.4 million
    - Includes OSA Rent Reserve Remaining: \$259,903
      - expected to exhaust by 6/1/2021

# EXHIBIT B

## ACTION BY THE BOARD OF DIRECTORS OF FOX OAKLAND THEATER, INC.

RESOLUTION NO. \_\_\_\_\_

RE: AUTHORIZE APPROVAL AND EXECUTION OF A PROPERTY MANAGEMENT SERVICES AGREEMENT WITH COLLIER'S INTERNATIONAL REAL ESTATE MANAGEMENT SERVICES (CA), INC. TO SERVE AS THE PROPERTY MANAGER FOR THE FOX OAKLAND THEATER IN AN AMOUNT NOT TO EXCEED SIX THOUSAND TWO HUNDRED DOLLARS (\$6,200) PER MONTH, OR SEVENTY-FOUR THOUSAND FOUR HUNDRED DOLLARS (\$74,400) PER YEAR PLUS A THREE PERCENT (3%) INCREASE ON EACH ANNIVERSARY DATE, FOR A TERM OF FIVE (5) YEARS, WHICH MAY BE EXTENDED FOR TWO (2) ADDITIONAL TERMS OF FIVE (5) YEARS EACH, CONSISTENT WITH THE TERMS OF THE REQUEST FOR PROPOSAL ISSUED ON MARCH 13, 2020

The undersigned, constituting all members of the Board of Directors of Fox Oakland Theater Inc., a California nonprofit public benefit corporation (the "**Corporation**"), do hereby adopt the following statements as true and correct and, where resolved, comprise the resolutions and authorizations of the Corporation:

WHEREAS, the Corporation executed Amendment No. 12 to a professional services agreement with California Capital & Investment Group ("CCIG") as successor to California Capital Group to provide property management services at the Fox Theater through December 31, 2020, which amends that original agreement dated February 1, 2004 with the Redevelopment Agency of the City of Oakland as the original assignor; and

WHEREAS, on March 13, 2020, the Corporation issued a request for proposal for asset/property management services for the Fox Theater; and

WHEREAS, Colliers International Real Estate Management Services (CA), Inc. ("Colliers") responded to the Request for Proposal; and

WHEREAS, Colliers has managed over 40 assignments totaling more than 3.7 million square feet of historic buildings and has extensive property management experience with theaters, restaurants, and schools; and

WHEREAS, Colliers submitted a strong proposal and responses to follow-up questions, had superior references, provided a transfer of management checklist and proposed a competitive management fee; and

WHEREAS, the selection committee agreed unanimously to recommend that the Corporation enter into a property management agreement (the “Agreement”) with Colliers; and

WHEREAS, on October 2, 2020, the Board of Directors of FOT authorized staff to negotiate an asset/property management agreement with Colliers International to provide property management services for the Fox Theater; and

WHEREAS, the Corporation has negotiated the following terms (“Terms”) for the Agreement:

1. The monthly management fee shall be in an amount of not to exceed Six Thousand Two Hundred Dollars (\$6,200) for a total of Seventy-Four Thousand Four Hundred Dollars (\$74,400) per year.
2. The monthly management fee shall be increased by 3% each year on the anniversary of the effective date of the Agreement.
3. The Agreement shall be for a term of five (5) years, which may be extended for two (2) additional terms of five (5) years each; and

WHEREAS, the Board of Directors of the Corporation deems it to be in the best interest of the Corporation to have the Corporation authorize the execution of the Agreement with Colliers and to conduct all other necessary actions for this transaction.

NOW, THEREFORE, BE IT RESOLVED: That the Board of Directors hereby authorize the Corporation to execute an Agreement with Collier’s as the new Property Manager for the Fox Oakland Theater based on the Terms consistent with the terms of the request for proposal issued on March 13, 2020; and be it

FURTHER RESOLVED: That the Agreement between the Corporation and Colliers shall be reviewed and approved for form and legality by the Corporation’s General Counsel; and be it

FURTHER RESOLVED: That any one officer of the Corporation and any one board member of the Corporation, acting on behalf of the Corporation, shall be authorized and directed to execute and deliver any and all necessary documents and instruments to facilitate the transactions authorized herein and any other action described in this Resolution; and be it

FURTHER RESOLVED: That to the extent that any actions authorized herein have already been performed by the Corporation, such actions are hereby ratified, confirmed and approved in all respects.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK- SIGNATURES ON FOLLOWING PAGE]

IN WITNESS HEREOF, the undersigned Members of the Board of Directors of the Corporation have executed this Action as of December 7, 2020.

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Alexa Jeffress, President

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Hui Chang Li, Secretary

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Margaret O'Brien, Chief Financial Officer

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Betsy Lake, Board Member

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Brendan Moriarty, Board Member

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Anthony Reese, Board Member

# EXHIBIT C

## ACTION BY THE BOARD OF DIRECTORS OF FOX OAKLAND THEATER, INC.

RESOLUTION NO. \_\_\_\_\_

RE: AUTHORIZE APPROVAL AND EXECUTION OF AN AGREEMENT WITH GARLAND/DBS, INC. TO PROVIDE ROOFING MATERIAL AND SERVICES FOR THE FOX OAKLAND THEATER IN THE AMOUNT OF FOUR HUNDRED SEVENTY SIX THOUSAND-TWO HUNDRED AND EIGHTY ONE DOLLARS (\$476,281), PLUS A FIFTEEN PERCENT (15%) CONTINGENCY IN THE AMOUNT OF SEVENTY ONE THOUSAND-FOUR HUNDRED AND FORTY-TWO DOLLARS (\$71,442), FOR A TOTAL AMOUNT NOT TO EXCEED FIVE HUNDRED FORTY SEVEN THOUSAND-SEVEN HUNDRED AND TWENTY THREE DOLLARS (\$547,723).

The undersigned, constituting all members of the Board of Directors of Fox Oakland Theater Inc., a California nonprofit public benefit corporation (the “**Corporation**”), do hereby adopt the following statements as true and correct and, where resolved, comprise the resolutions and authorizations of the Corporation:

WHEREAS, the Fox Theater has several areas of leakage at the roof, exterior walls and at or below grade walls and floors, as documented through visual observations by the two principal tenants, the Oakland School of the Arts (“**OSA**”) and GASS Entertainment, LLC as tenant and Another Planet Entertainment, LLC (“**APE**”) as guarantor; and

WHEREAS, on March 2, 2020, Wiss, Janney, Elstner Associates, Inc., an engineering firm specializing in waterproofing investigation generated a Leak Investigation & Roof Condition Report identifying several sources of leaks, including the seven roofs; exterior walls, and at or below grade walls; and

WHEREAS, the roof itself being weathered, worn, deteriorated, patched, and continuing to leak, was identified as a candidate for targeted roof repairs; and

WHEREAS, the City of Oakland, Facilities Services Division, was contacted and has existing contracts with roofing supply and service vendors, including the Garland Company/DBS, Inc. (the “**Contractor**”); and

WHEREAS, the Contractor performed its initial investigation of roof leaks on May 28, 2020 and proposed roofing repairs with preliminary budget numbers for the built-up roof and concrete deck sections near Telegraph Avenue; and

WHEREAS, the Contractor returned to the site in the intervening months to investigate additional sources of roof leakage and perform additional testing at the Theater Roof and other secondary roof locations; and

WHEREAS, the Contractor returned to site with three subcontractors on October 30, 2020 to obtain subcontractor bids to finalize pricing for the proposed roof repairs; and

WHEREAS, the Contractor submitted final pricing in their Roofing Material and Services Proposal dated December 2, 2020, and as shown in **Attachment A: Summary of Costs** dated December 2, 2020, for the roof repairs, with a total bid sum of Four Hundred Seventy Six Thousand-Two Hundred and Eighty One Dollars (\$476,281); and

WHEREAS, it is prudent to maintain and authorize a contingency reserve of fifteen percent (15%), or Seventy-One Thousand-Four Hundred and Forty-Two Dollars (\$71,442);

NOW, THEREFORE, BE IT RESOLVED: That the Corporation shall authorize the execution of an agreement with Garland/DBS, Inc., for a total bid sum of Four Hundred Seventy Six Thousand-Two Hundred and Eighty One Dollars (\$476,281); and include a construction contingency of Seventy One Thousand-Four Hundred and Forty-Two Dollars (\$71,442), for a total amount not to exceed Five Hundred Forty Seven Thousand-Seven Hundred and Twenty Three Dollars (\$547,723) through an existing Purchase Order with the City of Oakland, Office of Public Works Facilities Services Division, to perform targeted roof repairs; and be it

FURTHER RESOLVED: That any one officer of the Corporation and any one board member of the Corporation, acting on behalf of the Corporation, shall be authorized and directed to execute and deliver any and all necessary documents and instruments to facilitate the transactions authorized herein and any other action described in this Resolution; and be it

FURTHER RESOLVED: That the agreement between the Corporation and the Contractor shall be reviewed and approved for form and legality by the Corporation's General Counsel; and be it

RESOLVED FURTHER: That to the extent that any actions authorized herein have already been performed by the Corporation, such actions are hereby ratified, confirmed and approved in all respects.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK- SIGNATURES ON FOLLOWING PAGE]

IN WITNESS HEREOF, the undersigned Members of the Board of Directors of the Corporation have executed this Action as of December 7, 2020.

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Alexa Jeffress, President

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Hui Chang Li, Secretary

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Margaret O'Brien, Chief Financial Officer

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Betsy Lake, Board Member

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Brendan Moriarty, Board Member

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Anthony Reese, Board Member

# ATTACHMENT A - SUMMARY OF COSTS



Garland/DBS, Inc.  
3800 East 91<sup>st</sup> Street  
Cleveland, OH 44105  
Phone: (800) 762-8225  
Fax: (216) 883-2055



## ROOFING MATERIAL AND SERVICES PROPOSAL

Fox Theater  
City of Oakland  
1807 Telegraph Ave  
Oakland, CA 94612

Date Submitted: 12/02/2020  
Proposal #: 25-CA-200935  
MICPA # PW1925

California General Contractor License #: 949380

Purchase orders to be made out to: Garland/DBS, Inc.

**Please Note:** The following budget/estimate is being provided according to the pricing established under the Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with Racine County, WI and OMNIA Partners, Public Sector (U.S. Communities). The line item pricing breakdown from Attachment C: Bid Form should be viewed as the maximum price an agency will be charged under the agreement. Garland/DBS, Inc. administered an informal competitive process for obtaining quotes for the project with the hopes of providing a lower market-adjusted price whenever possible.

### **Scope of Work: Liquec**

1. Remove and dispose of 50lnft of base flashings, drain flashings (2' around drain in each direction), and any area coated in silicone.
  - a.Regarding silicone: remove membrane and fiberboard while leaving existing insulation.
2. Patch and repair all blisters, mole runs, unadhered seams, and areas pointed out during job walk.
3. Patch in removed areas using StressBase 80 and StressPly Plus FR Mineral in Flashing Bond Mastic applied at 4-6 gallons per square. Apply 3 course application to all new to old transition seams and apply granules. Allow to cure.
4. Cut out caulking along counterflashing's and seismic support penetrations along wall and at posts located in field. Install Green-Lock Sealant XL to ensure a complete seal.
5. Coat all stucco areas along external parapet wall with Tuff-Coat applied at 2 gallons per square. (Tan Color)
6. Powerwash entire roof system with simplegreen or tsp and water solution.
7. Prime roof using Garla-Block primer at 0.5 gallons per square.
8. Starting at the drain areas Apply Liquec at 3 gallons per square.
9. While coating is wet, install Grip Polyester Soft in a shingled application. Back roll sheets to eliminate any ripples and ensure a solid bond. Allow to cure overnight.

10. Apply Liquitex across entire roof system at 2 gallons per square.
11. In front of stair landing areas and door landing area. Install a 4'x4' patch where aggregate is broadcast into coating to provide non-slip surface.

**Attachment C: Bid Form - Line Item Pricing Breakdown**

Item #	Item Description	Unit Price	Quantity	Unit	Extended Price
2.45	Tear-off & Dispose of Debris: SYSTEM TYPE BUR w/ Mineral Surfacing to the Existing Insulation (Insulation to be Re-Used)	\$ 2.26	700	SF	\$ 1,582
20.01.03	NEW FLASHINGS FOR ROOFING SYSTEMS & RESTORATION OPTIONS: ROOF FLASHINGS FOR MODIFIED & COAL TAR PITCH ROOF SYSTEMS: Minimum 1 Ply of Base Flashing and Mineral Cap Sheet Installed in Hot ASTM D 312 Type III or IV Asphalt FLASHING OPTION: BASE PLY: SBS Modified Fiberglass Reinforced Base Flashing Ply w/ Tensile Strength of 100 lbf/in tensile (ASTM D 5147); TOP PLY: ASTM D 6162 SBS Fiberglass/Polyester Reinforced Modified Bituminous Sheet Material Type III - 310 lbf/in tensile	\$ 13.80	700	SF	\$ 9,660
20.01.11	NEW FLASHINGS FOR ROOFING SYSTEMS & RESTORATION OPTIONS: ROOF FLASHINGS FOR MODIFIED & COAL TAR PITCH ROOF SYSTEMS: Minimum 1 Ply of Base Flashing and Mineral Cap Sheet Installed in Hot ASTM D 312 Type III or IV Asphalt PER SQUARE FOOT COSTS - INSTALLING IN COLD PROCESS FLASHING ADHESIVE Substitute Hot Asphalt Application for Cold Process Flashing Adhesive Application	\$ 6.19	700	SF	\$ 4,333
15.19	RESTORATIONS - RECOATING OF EXISTING ROOF SYSTEMS : RESTORATION OF A MINERAL-SURFACE BUR/MODIFIED BUR SYSTEMS WITH FULLY-REINFORCED, TWO-COMPONENT, LOW-ORDER URETHANE Prepare Roof Surface by Cleaning with TSP or Simple Green, Use Portable Blowers to Clear the Roof Surface of Moisture; Reinforce Entire Roof Surface by Applying a Two-Component, Low-Oder Urethane 2 Gallons per Square / Reinforcement / 1.5 Gallon per Square (3.5 Gallons per Square Total Prior to Top Coat), Wait 24-48 Hours, Apply Two-Component, Low-Oder Urethane as a Top Coat at a Rate of 2 Gallons per Square Over the Entire Roof According to Manufacturer's Specifications.	\$ 11.00	12,800	SF	\$ 140,800

	<b>Sub Total Prior to Multipliers</b>				<b>\$ 156,375</b>
22.01	MULTIPLIER - DIFFICULT ROOF OR BUILDING ACCESS Multiplier is applied when labor production is effected by roof or building access. Situations that can cause roof access to be more difficult include, but are not limited to: no access for lifts or cranes, access is dependent upon road closure, access point requires the closure of a building entrance, roof level is not accessible from the ground, roof area is interior to adjacent roofs or roof materials and materials and equipment must be loaded to one roof area and carried to another roof area, roof materials and equipment must be carried to the roof through an interior building access point, no or limited staging areas on the ground, etc.	24	\$ 156,375	%	\$ 37,530
22.08	MULTIPLIER - ROOF HEIGHT IS GREATER THAN 20 FT, BUT LESS THAN OR EQUAL TO 50 FT STORIES Multiplier is applied when labor production is effected by the roof height. This multiplier applies to roof heights that exceed an estimated 2 stories, but are less than or equal to an estimated 5 stories. Additional roof height can require increased safety requirements, larger lift equipment, tie-offs, etc.	18	\$ 156,375	%	\$ 28,148
22.21	MULTIPLIER - ROOF SIZE IS GREATER THAN 10,000 SF, BUT LESS THAN 20,000 SF Multiplier is applied when Roof Size is greater than 10,000 SF, but less than 20,000 SF. Situation creates the fixed costs: equipment, mobilization, demobilization, disposal, & set-up labor to be allocated across more of an average roof area resulting in fixed costs being a slightly larger portion of the overall job costs	8	\$ 156,375	%	\$ 12,510
	<b>Total After Multipliers</b>				<b>\$ 234,563</b>

**Base Bid Total Maximum Price of Line Items under the MICPA: \$ 234,563**  
**Proposal Price Based Upon Market Experience: \$ 234,456**

**Garland/DBS Price Based Upon Local Market Competition:**

**State Roofing Systems, Inc. \$ 234,456**  
Clean Roofing \$ 253,674  
Premium Roofing and Waterproofing \$ 279,922

**Add Alt 1 - Base Flashing Repairs (Includes 2 drains sections on barrel roof corners facing Telegraph)**

1. Repair low base flashings near drains on south side of building. Remove edge metal and install 2 ply modified system in Green-Lock flashing adhesive. Match height of parapet wall all the way around to where the curved edge metal is. Install new surface mounted counterflashing.
2. The new membrane should be run over the existing base flashing and terminated 4" into the field. Apply 3 course of Silverflash and Gar-Mesh over seam.
3. Seal all penetrations in drainage area (any detail 5' from parapet wall) with a 3 course application of Silverflash and Gar-Mesh. Use Green-Lock Sealant XL where necessary.
4. Clean out all scuppers and downspouts.

**Garland/DBS Price Based Upon Local Market Competition:**

<b>State Roofing Systems, Inc.</b>	<b>\$</b>	<b>10,855</b>
Clean Roofing	\$	12,954
Premium Roofing and Waterproofing	\$	12,955

**Add Alt 2 - Roof Coating of Theatre Barrell Roof**

1. Power wash roof using a solution of TSP and water. Allow to fully dry.
2. Apply Pyramic Plus LO at a total of 3 gallons per square. Typical application is 1.5 gallons in 2 coats. However, due to the slope of this roof 3 coats of 1 gallon may be necessary.

**Garland/DBS Price Based Upon Local Market Competition:**

<b>State Roofing Systems, Inc.</b>	<b>\$</b>	<b>101,676</b>
Clean Roofing	\$	120,547
Premium Roofing and Waterproofing	\$	183,496

**Add Alt 3 - Duct Coating**

1. Wire Brush and clean all ducts so that they are free of all dirt, debris, and flaking rust.
2. Apply 4" Uni-Bond ST to all seams, joints, and potential leak areas.
2. Coat duct with White-Knight Plus WC at 2 gallons per square.

**Garland/DBS Price Based Upon Local Market Competition:**

<b>State Roofing Systems, Inc.</b>	<b>\$</b>	<b>54,294</b>
Clean Roofing	\$	45,339
Premium Roofing and Waterproofing	\$	43,452

**\*It is recommended that the same contractor awarded the base should be awarded alternates**

Potential issues that could arise during the construction phase of the project will be addressed via unit pricing for additional work beyond the scope of the specifications. This could range anywhere from wet insulation, to the replacement of deteriorated wood nailers. Proposal pricing valid to December 31, 2020.

**Clarifications/Exclusions:**

1. Sales and use taxes are included. Please issue a Tax Exempt Certificate.
2. Permits are excluded.
3. Bonds are included.
4. Plumbing, Mechanical, Electrical work is excluded.
5. Masonry work is excluded.
6. Interior Temporary protection is excluded.
7. Any work not exclusively described in the above proposal scope of work is excluded.
8. Replacement of any existing wet insulation with Polyiso fill and 1/2" asphalt coated wood fiberboard in insulation adhesive is not included. This will be addressed via change order.

If you have any questions regarding this proposal, please do not hesitate to call me at my number listed below.

Respectfully Submitted,

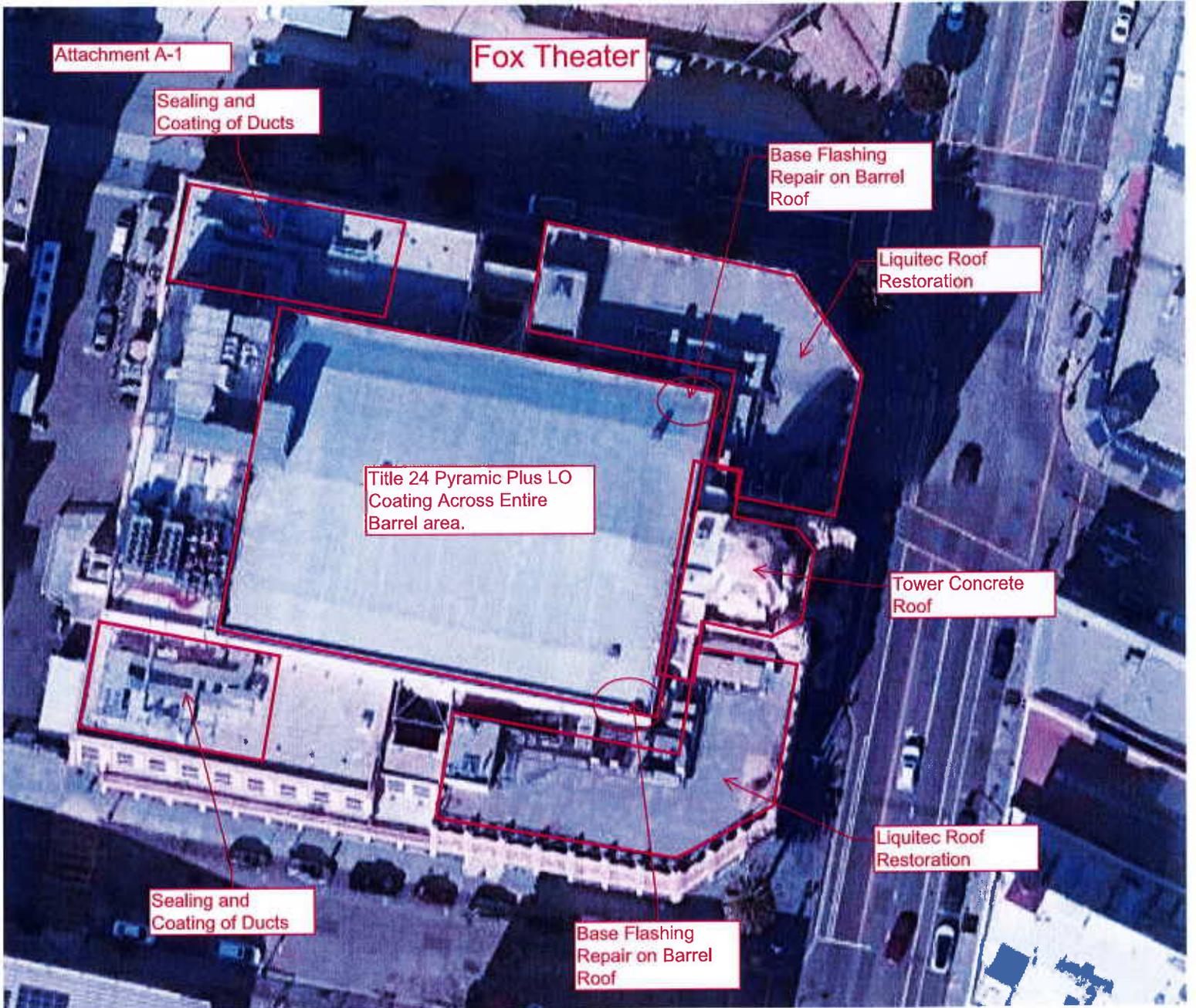
*Steve Rojek*

Steve Rojek  
Garland/DBS, Inc.  
(216) 430-3613

<b>GARLAND/DBS INC. Proposal</b>	
<b>Date: December 2, 2020</b>	
<b>Attachment A : Roofing Scope and Summary of Costs</b>	
Liquitec Roof Restoration (20 yr warranty)	234,456
Base Flashing Repairs on Theater Barrel Toof	10,855
Pyramic Plus Coating across Theater Barrel Area	101,676
Sealing and Coating of Ducts	54,294
Tower Concrete Roof	75,000
<b>Total Roof Costs</b>	<b>476,281</b>
<b>15% Contingency</b>	<b>71,442</b>
<b>Total Costs</b>	<b>547,723</b>

\*\*\*Scope items keyed to: Aerial Complete Scope Fox Theater\*\*\*

**DURATION OF CONSTRUCTION IS 10 WEEKS (CALENDAR DAYS)  
POST NOTICE TO PROCEED**



Attachment A-1

# Fox Theater

Sealing and Coating of Ducts

Base Flashing Repair on Barrel Roof

Liquittec Roof Restoration

Title 24 Pyramic Plus LO Coating Across Entire Barrel area.

Tower Concrete Roof

Sealing and Coating of Ducts

Base Flashing Repair on Barrel Roof

Liquittec Roof Restoration