

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of July 15, 2008

ITEM# 27

ITEM TITLE:

Approval of Resolution 08/09-01, Acceptance and Retention, Asbestos Abatement – Buildings A & Q Classrooms at Merritt College, Bayview Environmental Services, Inc.

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 08/09-01, Acceptance and Retention, Asbestos Abatement – Buildings A & Q Classrooms at Merritt College, Bayview Environmental Services, Inc.

ITEM SUMMARY:

This resolution formally accepts the work of the contractor, Bayview Environmental Services, Inc., as complete. This is one of the previously Board approved Merritt short-term projects.

BACKGROUND/ANALYSIS:

The work has now been completed, and acceptance is recommended. This is one of the previously Board approved Merritt short-term projects. This resolution accepts the work as complete and provides for a retention payment of \$4,800, which is ten percent (10%) of the total contract price (\$48,000), to be made thirty-five days after the resolution is approved by the Board. There have been no change orders to this contract.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval of Resolution 08/09-01, Acceptance and Retention, Asbestos Abatement – Buildings A & Q Classrooms at Merritt College, Bayview Environmental Services, Inc., is recommended.

SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):

Measure A, as approved by the voters in Peralta's constituency and authorized under Resolution 05/06-45, Exhibit A-1, Merritt College, project costs for "Classroom and facilities repairs and grounds improvements."

OTHER DEPARTMENTS IMPACTED BY THIS ACTION (E.G. INFORMATION TECHNOLOGY):

YES _____ No X

COMMENTS:

No additional comments.

WHO WILL BE PRESENTING THIS ITEM AT THE BOARD MEETING?

Vice Chancellor Ikharo

DID A BOARD STANDING COMMITTEE RECOMMEND THE ITEM? YES _____ No X

IF "YES", PLEASE INCLUDE THAT INFORMATION IN YOUR SUMMARY.

PLEASE ACQUIRE SIGNATURES IN THIS ORDER:

DOCUMENT PREPARED BY:

Prepared by: Sadiq B. Ikharo Date: July 15, 2008
Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:

Sadiq B. Ikharo Date: July 15, 2008
Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

FINANCE DEPARTMENT REVIEW

Finance review required Finance review *not* required

If Finance review is required, determination is: Approved Not Approved

If not approved, please give reason: _____

Signature: Thomas Smith Date: 7.09.08
Thomas Smith
Vice Chancellor for Finance and Administration

GENERAL COUNSEL (Legality and Format/adherence to Education Codes):

Legal review required Legal review *not* required

If Legal review is required, determination is: Approved Not Approved

Signature: Thuy T. Nguyen Date: 7/9/08
Thuy T. Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL

Approved, and Place on Agenda Not Approved, but Place on Agenda

Signature: Elihu Harris Date: 7/9/08
Elihu Harris, Chancellor

PERALTA COMMUNITY COLLEGE DISTRICT

**RESOLUTION 08/09-01
ACCEPTANCE AND RETENTION**

**ASBESTOS ABATEMENT -
BUILDINGS A & Q CLASSROOMS AT MERRITT COLLEGE
BAYVIEW ENVIRONMENTAL SERVICES, INC.**

WHEREAS, BAYVIEW ENVIRONMENTAL SERVICES, INC., 6925 San Leandro Street, Oakland, California 94621, a corporation existing under and by virtue of the laws of the State of California, the contractor under that certain contract with the Peralta Community College District, Alameda County, State of California, for all labor, materials, mechanical workmanship, transportation, equipment and services necessary for the Asbestos Abatement - Buildings A & Q Classrooms at Merritt College, has made application for acceptance of the work; and

WHEREAS, the Project Manager employed by the Board to prepare plans and specifications for and to supervise the completion of said work, has certified in writing to this Board that said contractor completed the work heretofore described and has recommended to this Board the final acceptance of the project; and

NOW, THEREFORE, BE IT RESOLVED that said work of said contract be and the same is hereby accepted; and

BE IT FURTHER RESOLVED that the retention payment in the amount of FOUR THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$4,800.00), which is ten percent (10%) of said contract price, shall be made thirty-five (35) calendar days from and after the passage of this resolution, provided no withhold notices requesting the withholding of any monies from said contractor have been filed with this Board of Trustees in accordance with the provisions of Title 15 of Part 4, Division 3, of the Civil Code of the State of California.

PASSED AND ADOPTED by the following called vote this 15th day of July, 2008:

AYES:
NOES:
ABSTAIN:
ABSENT:

Secretary of the Board of Trustees
Peralta Community College District
Alameda County
State of California