

Board of Trustees Agenda Report

For the Trustee Meeting Date of September 16, 2008

ITEM TITLE:

Consider Approval of Resolution 08/09-7, Acceptance and Retention, Ratification of Change Order 001, College of Alameda Waterproofing Deck Project, Alpha Restoration & Waterproofing

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 08/09-7, Acceptance and Retention, College of Alameda Waterproofing Deck Project, Alpha Restoration & Waterproofing, and Ratification of Change Order 001, in the amount of \$8,567.07.

ITEM SUMMARY:

This resolution formally accepts the work of the contractor, Alpha Restoration & Waterproofing, as complete. Ratification is also requested for Change Order 001 to the contract, in the amount of \$8,567.07, which is 3.2% of the original contract amount (\$271,680).

BACKGROUND/ANALYSIS:

On May 20, 2008, this Board awarded a contract to Alpha Restoration & Waterproofing for the College of Alameda Waterproofing Deck Project. The work has now been completed, and acceptance is recommended. This resolution formally accepts the work as complete and provides for a retention payment of 10% of the total contract price (\$28,024.71). Ratification is also requested for Change Order 001 to the contract, in the amount of \$8,567.07, which is 3.2% of the original contract price (\$271,680). The changes have been reviewed and approved by the project manager and the General Services Department. It was necessary for the contractor to perform this work so that the schedule would not be delayed and the sequencing of the work would not be affected. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work. Change Order 001 is now brought before the Board for ratification. The changes are further described in the attachment.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval of Resolution 08/09-7, Acceptance and Retention, College of Alameda Waterproofing Deck Project, Alpha Restoration & Waterproofing, and Ratification of Change Order 001, in the amount of \$8,567.07, are 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, College of Alameda "Remodeling and equipping classrooms and campus facilities." The project will eliminate leaks causing water damage to instructional areas in Buildings C and D.

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: September 16, 2008
Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:
Sadiq B. Ikharo Date: September 16, 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: 9.9.08
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: Thay T. Nguyen Date: 9/9/08
Thay T. Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL
 Approved, and Place on Agenda Not Approved, but Place on Agenda
Signature: Elihu Harris Date: 9/8/08
Elihu Harris, Chancellor

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 08/09-7**

**ACCEPTANCE AND RETENTION
COLLEGE OF ALAMEDA WATERPROOFING DECK PROJECT
ALPHA RESTORATION & WATERPROOFING**

WHEREAS, ALPHA RESTORATION & WATERPROOFING, 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 College of Alameda Waterproofing Deck Project, 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 TWENTY-EIGHT THOUSAND TWENTY-FOUR AND 71/100 DOLLARS (\$28,024.71), which is ten percent (10%) of said contract price as modified by Change Order 001, 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 16th day of September, 2008:

AYES:
NOES:
ABSTAIN:
ABSENT:

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

PROJECT FINAL ACCEPTANCE

PROJECT NAME: COA WATERPROOFING DECK PROJECT

PROJECT NUMBER: 07-08/39

PROJECT MANAGER: OLIVIA ROCHA, OCM

CONTRACTOR: ALPHA RESTORATION & WATERPROOFING

For acceptance and approval at the Board of Trustees Meeting of: September 16, 2008

This project is accepted and complete and approved by the College/District:

College President

Antonio Cervantes
(signature)

8/27/08
(date)

College Business Manager

Donna E. Miller
(signature)

August 27, 2008
(date)

Recording Requested By:
Peralta Community College District

When Recorded, Mail To:
Office of General Services
333 East 8th Street
Oakland, CA 94606

For Recorder's Use

Government Code: 27383

Peralta Community College District
Office of General Services
333 East 8th Street, Oakland, California 94606
(510) 466-7200 (510) 466-7315

NOTICE OF COMPLETION

OWNER: PERALTA COMMUNITY COLLEGE DISTRICT

NATURE OF INTEREST OR ESTATE: FEE

PROJECT CONTRACT TITLE: COLLEGE OF ALAMEDA WATERPROOFING DECK PROJECT

PROJECT NUMBER: 07-08/39

PROJECT ADDRESS: 555 RALPH APPEZZATO MEMORIAL PARKWAY

CONTRACTOR: ALPHA RESTORATION & WATERPROOFING

CONTRACTOR'S ADDRESS: 454 SO. AIRPORT BLVD, SO SAN FRANCISCO

DSA APPLICATION NUMBER: NA

CONTRACT START DATE: JUNE 4, 2008

ORIGINAL CONTRACT TIME: SEVENTY-THREE CALENDAR DAYS

CONTRACT TIME EXTENSIONS: SIX CALENDAR DAYS

APPROVED VIA CHANGE ORDER: \$8,567.07

CONTRACT COMPLETION DATE: AUGUST 20, 2008

The above referenced Contract has been completed in accordance with the plans and specifications thereof, and to the satisfaction of the Peralta Community College District. The nature of the title of the stated owner is: in fee.

State of California
County of Alameda

That he/she/they is/are the person(s) signing the above document; that He/she/they has/have read the same, and know(s) the content thereof and that the acts stated therein are true.

Sadiq B. Ikharo

(Signature of Affiant)

Dr. Sadiq Bello Ikharo

Vice Chancellor, General Services

8/4/08

Date

I declare under penalty of perjury that the foregoing is true to the best of my knowledge.

Sadiq B. Ikharo

(Signature of Affiant)

Dr. Sadiq Bello Ikharo

Vice Chancellor, General Services

8/4/08

Date

PERALTA COMMUNITY COLLEGE DISTRICT

Office of General Services • 333 East 8th Street Oakland, California 94606 • Phone 510/466-7200 • Fax 510/466-7315

CHANGE ORDER #001

PROJECT: COA WATERPROOFING DECK PROJECT

DATE: 8/28/08

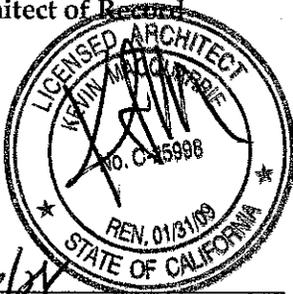
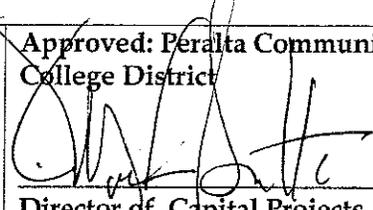
OWNER: Peralta Community College District
CONTRACTOR: ALPHA RESTORATION & WATERPROOFING

DSA FILE NO.: NA
DSA APP NO.: NA
PCCD PROJECT #: 07-08/39
PROJECT MANAGER: Olivia Rocha

The Contractor is authorized to make the changes listed in the Summary and described in Change Order Attachment when this Change Order has been approved.

Original Contract Sum.....\$ 271,680.00
 Net Change by previously authorized Change Orders.....\$ 0.00
 The Contract sum prior to this Change Order was.....\$ 271,680.00
 The Contract sum will be increased by this Change Order.....\$ 8,567.07
 The New Contract Sum including this Change Order will be.....\$ 280,247.07
 Cumulative Change Order(s) as a percentage of contract including this Change Order 3.1 %
 The Contract is changed by 84 Days
 Contract completion date as of this Change Order therefore is: August 28, 2008

Summary reference attached items P.C.O'. 001-005

<p>Approved: Architect of Record</p> <div style="text-align: center;">  </div> <p><i>9/4/08</i></p> <p>Date: _____</p>	<p>Approved: General Contractor</p> <div style="text-align: center;">  </div> <p>EMILE KISHEK</p> <p>Date: <i>9/2/08</i></p>	<p>Approved: Peralta Community College District</p> <div style="text-align: center;">  </div> <p>Director of Capital Projects</p> <p>Date: <i>4, SEPT. 2008</i></p> <p>Sadia B. Pham</p> <p>Vice Chancellor of General Services</p> <p>Date: <i>9/4/08</i></p>
<p>Approved: Electrical or Structural Engineer</p> <p>Date: _____</p>	<p>Approved: Mechanical Engineer</p> <p>Date: _____</p>	<p>Approved: Div. of the State Architect</p> <p>Date: _____</p>

PERALTA COMMUNITY COLLEGE DISTRICT

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DSA prelim.
approval date: NA

4	Credit for UP-01	DEDUCT (\$2,000.00)
		ADD/DEDUCT NA

Description: Credit for non use of unit pricing
Requested by: 2 - Owner Requested Change - Owner Initiated
Reason: Unit pricing was placed under the contract to video deck drain lines that may have been clogged. During the power washing the deck drains all flowed without disruption. This will credit back the unit pricing to the District

DSA prelim.
approval date: NA

5	Credit for non use of Allowance	DEDUCT (\$171.63)
		ADD/DEDUCT NA

Description: Remaining credit for non use of Allowance
Requested by: 2 - Owner Requested Change - Owner Initiated
Reason: An allowance was provided under the contract to deal with the existing deck area. Work was negotiated and completed with this remaining in the original amount. This will credit back the remaining allowance to the District.

DSA prelim.
approval date: NA

End of Items