

Board of Trustees Agenda Report

For the Trustee Meeting Date of September 16, 2008

ITEM TITLE:

Consider Approval of Resolution 08/09-8, Acceptance and Retention, Ratification of Change Order 1, Building "G" Plus Misc. Rooms Refurbishment at Laney College, Hung Construction

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 08/09-8, Acceptance and Retention, Building "G" Plus Misc. Rooms Refurbishment at Laney College, Hung Construction, and Ratification of Change Order 1, in the amount of \$95,774.

ITEM SUMMARY:

This resolution formally accepts the work of the contractor, Hung Construction, as complete. Ratification is also requested for Change Order 1 to the contract, in the amount of \$95,744, which is 7.2% of the original contract amount (\$1,330,000).

BACKGROUND/ANALYSIS:

On October 23, 2007, this Board awarded a contract to Hung Construction for the Building "G" Plus Misc. Rooms Refurbishment at Laney College. 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 (\$142,577.40). Ratification is also requested for Change Order 1 to the contract, in the amount of \$95,744, which is 7.2% of the original contract price (\$1,330,000). 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 08/09-8, Acceptance and Retention, Building "G" Plus Misc. Rooms Refurbishment at Laney College, Hung Construction, and Ratification of Change Order 1, in the amount of \$95,774, 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, Laney College "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. Ikhano Date: September 16, 2008
Dr. Sadiq B. Ikhano
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:
Sadiq B. Ikhano Date: September 16, 2008
Dr. Sadiq B. Ikhano
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: Thuy T. Nguyen Date: 9/9/08
Thuy T. Nguyen, General Counsel

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

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 08/09-8**

**ACCEPTANCE AND RETENTION
BUILDING "G" PLUS MISC. ROOMS REFURBISHMENT AT
LANEY COLLEGE
HUNG CONSTRUCTION**

WHEREAS, HUNG CONSTRUCTION, 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 Building "G" Plus Misc. Rooms Refurbishment at Laney 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 ONE HUNDRED FORTY-TWO THOUSAND FIVE HUNDRED SEVENTY-SEVEN AND 40/100 DOLLARS (\$142,577.40), which is ten percent (10%) of said contract price as modified by Change Order 1, 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



PERALTA COMMUNITY COLLEGE DISTRICT
Department of General Services

August 20, 2008

MEMORANDUM

To: Chancellor Elihu M. Harris

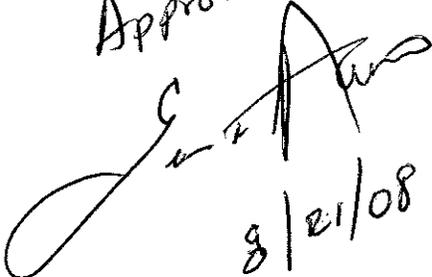
From: Dr. Sadiq B. Ikharo, Vice Chancellor for General Services 

Subject: **Approval for Project Acceptance and for Change Orders Prior to Board Ratification, Hung Construction, Building "G" Plus Misc. Rooms Refurbishment at Laney College**

Your approval is requested to accept this project as complete and for Change Order 1 (copy attached) to the contract with Hung Construction for the Building "G" Plus Misc. Rooms Refurbishment at Laney College. The contract was awarded at the Board meeting of October 23, 2007. The work is complete, and acceptance is recommended.

Change Order 1 totals \$95,774.00, which is 7.2 of the original contract amount (\$1,330,000). It was necessary to proceed with this work immediately because the changes were on the critical path of construction progress for the contractor. The changes have been reviewed and approved by the project manager and Department of General Services' staff. In accordance with Board Policy 6.83, your approval of this change order work is requested. The change order items will be brought to the September 16 Board meeting for ratification.

SBI:cr
Enclosures

Approved

8/21/08

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 NO. 1

PROJECT: Laney Campus: Building G Refurbishment

DATE: MAY 21, 2008

OWNER: Peralta Community College District

DSA FILE NO.: None

CONTRACTOR: HUNG BUILDERS

DSA APP NO.: None

PCCD PROJECT #: 07-08/13

PROJECT MANAGER: 1701 Associates

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.....	\$ 1,330,000.00
Net Change by previously authorized Change Orders.....	\$ 0
The Contract sum prior to this Change Order was.....	\$ 1,330,000.00
The Contract sum will be increased/decreased by this Change Order.....	\$ 95,774.00
The New Contract Sum including this Change Order will be.....	\$ 1,425,744.00
Cumulative Change Order(s) as a percentage of contract including this Change Order	7.2 %
The Contract is changed by (0) Days	
Contract completion date as of this Change Order therefore is: May 29, 2008	

Summary reference attached items P.C.O' 1-

COPY

<p>Approved: Architect of Record</p> <p style="text-align: center;">None</p> <hr/> <p>Date:</p>	<p>Approved: General Contractor</p> <p style="text-align: center;">Date: 05/21/08</p>	<p>Approved: Peralta Community College District</p> <p style="text-align: center;">Director of Capital Projects</p> <p style="text-align: center;">Date: 15, June 2008</p> <hr/> <p style="text-align: center;">Sadiq B. Ahmed</p> <p style="text-align: center;">Vice Chancellor of General Services</p> <p style="text-align: center;">Date: 6/25/08</p>
<p>Approved: Electrical or Structural Engineer</p> <p style="text-align: center;">None</p> <hr/> <p>Date:</p>	<p>Approved: Mechanical Engineer</p> <p style="text-align: center;">None</p> <hr/> <p>Date:</p>	<p>Approved: Div. of the State Architect</p> <p style="text-align: center;">N/A</p> <hr/> <p>Date:</p>

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SUMMARY OF CHANGE ORDER No. 1 Attachment

PROJECT: LANEY CAMPUS: BUILDING G
REFURBISHMENT

OWNER: Peralta Community College District
CONTRACTOR: HUNG BUILDERS.

DATE: MAY 21, 2008

DSA FILE NO.: None

DSA APP NO.: None

PCCD FILE NO.: 07-08/13

1	Preliminary Change Order #1	ADD	\$ 95,774.00
		ADD	Insert No. Days - 0

Description: Laney Campus Building G - Miscellaneous additions and deletions to the Contract including ceilings, flooring, electrical outlets, light fixtures, chalk and tack boards, and acoustic panels as further identified in PCO# 1.

Requested by: Owner

Reason: Following completion of initial Building G refurbishment, the responsible Deans and Department Heads identified additional classroom and vocational laboratory enhancements needed to further improve operational efficiency to the rooms. This CO #1 covers only completed work performed by the Contractor - the balance of Laney requested work will be included in a new DCA and bid out separately.

DSA prelim.
approval date: None

End of Items

Recording Requested By: <u>Peralta Community College District</u> When Recorded, Mail To: Office of General Services 333 East 8th Street Oakland, CA 94606	For Recorder's Use
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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, OAKLAND CA
NATURE OF INTEREST OR ESTATE: FEE
PROJECT CONTRACT TITLE: Laney College, Building G
PROJECT NUMBER: 07-08/28
PROJECT ADDRESS: 900 Fallon Street, Oakland, CA 94607
CONTRACTOR: Hung Construction
CONTRACTOR'S ADDRESS: 851 81st Avenue, Suite A, Oakland, CA 94621
DSA APPLICATION NUMBER: N/A
CONTRACT START DATE: 12/05/2007
ORIGINAL CONTRACT TIME: 120-365 DAYS
CONTRACT TIME EXTENSIONS: N/A
APPROVED VIA CHANGE ORDER: N/A
CONTRACT COMPLETION DATE: 05/15/2008

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. Ikharmo
(Signature of Affiant)
Dr. Sadiq Bello Ikharmo
Vice Chancellor, General Services

8/14/08
Date

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

Sadiq B. Ikharmo
(Signature of Affiant)
Dr. Sadiq Bello Ikharmo
Vice Chancellor, General Services

8/14/08
Date

PROJECT FINAL ACCEPTANCE

PROJECT NAME: Building G
PROJECT NUMBER: 07-08/13
PROJECT MANAGER: Consolidated CM
CONTRACTOR: Hung Construction

For acceptance and approval at the Board of Trustees Meeting of:

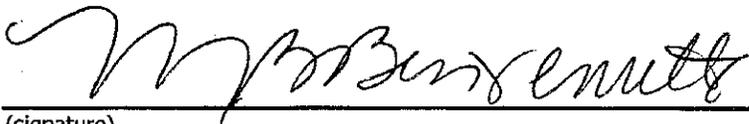
Sadya B. Phemmo 8/14/08

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

College President

 (signature) (date)

College Business Manager

 8/11/08 (signature) (date)