

**PERALTA COMMUNITY COLLEGE DISTRICT**  
**Board of Trustees Agenda Report**  
**For the Trustee Meeting Date of September 16, 2008**

ITEM #

**ITEM TITLE:**

Consider Approval of Resolution 08/09-9, Acceptance and Retention, College of Alameda Short-Term Projects, SEB Construction Inc.

**SPECIFIC BOARD ACTION REQUESTED:**

Approval of Resolution 08/09-9, Acceptance and Retention, College of Alameda Short-Term Projects, SEB Construction.

**ITEM SUMMARY:**

This resolution formally accepts the work of the contractor, SEB Construction Inc., as complete.

**BACKGROUND/ANALYSIS:**

On May 8, 2007, this Board awarded a contract to SEB Construction Inc. for College of Alameda Short-Term Projects. The work has now been completed, and the architect recommends acceptance. A previously Board-approved change order to the contract totals \$100,132, which is 5.9% of the original contract amount (\$1,689,900). This resolution formally accepts the work as complete and provides for a retention payment in the amount of \$179,003.20, which is 10% of the total contract price.

**ALTERNATIVES/OPTIONS:**

Not applicable.

**EVALUATION AND RECOMMENDED ACTION:**

Approval of Resolution 08/09-9, Acceptance and Retention, College of Alameda Short-Term Projects, SEB Construction, 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, College of Alameda "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: 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: 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 08/09-9**

**ACCEPTANCE AND RETENTION  
COLLEGE OF ALAMEDA SHORT-TERM PROJECTS  
SEB CONSTRUCTION INC.**

WHEREAS, SEB CONSTRUCTION INC., 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 Short-Term Projects, has made application for acceptance of the work; and

WHEREAS, the Architect 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 SEVENTY-NINE THOUSAND THREE AND 20/100 DOLLARS (\$179,003.20), 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:

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



**PROJECT FINAL ACCEPTANCE**

PROJECT NAME: COA 90 to 120 Day Project

PROJECT NUMBER: 06-07/49

PROJECT MANAGER: Olivia Rocha, OCM

CONTRACTOR: SEB Construction Inc.

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

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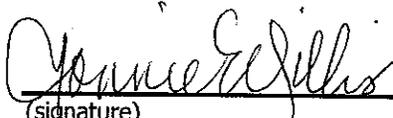
This project is accepted and complete and approved by the College/District:

**College President**

  
(signature)

8/27/08  
(date)

**College Business Manager**

  
(signature)

August 27, 2008  
(date)