

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of October 28, 2008

ITEM # 17

ITEM TITLE:

Consider Approval of Resolution 08/09-70, Acceptance and Retention, Ratification of Change Orders 001 and 002, Chemistry and Biology Department: Tenant Improvements at Laney College, Hung Construction

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 08/09-70, Acceptance and Retention, Chemistry and Biology Department: Tenant Improvements at Laney College, Hung Construction, and Ratification of Change Orders 001 and 002, totaling \$90,020.27.

ITEM SUMMARY:

This resolution formally accepts the work of the contractor, Hung Construction, as complete. Ratification is also requested for Change Orders 001 and 002 to the contract, in the amount of \$90,020.27, which is 9.1% of the original contract amount (\$986,000).

BACKGROUND/ANALYSIS:

On May 22, 2007, this Board awarded a contract to Hung Construction for the Chemistry and Biology Department: Tenant Improvements at Laney College. The work has now been completed, and acceptance is recommended. This resolution formally accepts the work as complete. Ratification is also requested for Change Orders 001 and 002 to the contract, in the amount of \$90,020.27, which is 9.1% of the original contract price (\$986,000). 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 Orders 001 and 002 are 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 08/09-70, Acceptance and Retention, Chemistry and Biology Department: Tenant Improvements at Laney College, Hung Construction, and Ratification of Change Orders 001 and 002, totaling \$90,020.27, 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, "Equipment, technology upgrades, and facility and classroom improvements for the college's following programs: Biology, Business, Chemistry, CIS, Culinary Arts, Dance, Environmental Control Technology, Foreign Languages, Geography, Math, Theater Arts, and Welding."

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: October 28, 2008
Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:
Sadiq B. Ikharo Date: October 28, 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: 10.21.08
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: 10/21/08
Thuy T. Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL
 Approved, and Place on Agenda Not Approved, but Place on Agenda
Signature: Elihu Harris Date: 10/21/08
Elihu Harris, Chancellor

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 08/09-70**

**ACCEPTANCE AND RETENTION
CHEMISTRY AND BIOLOGY DEPARTMENT:
TENANT IMPROVEMENTS 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 Chemistry and Biology Department: Tenant Improvement 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

PASSED AND ADOPTED by the following called vote this 28th day of October, 2008:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

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CHANGE ORDER NO. 001

PROJECT: Chemistry and Biology Department

DATE: March 25, 2008

OWNER: Peralta Community College District

DSA FILE NO.: N/A

CONTRACTOR: Hung Construction

DSA APP NO.: N/A

PROJECT MANAGER: 1701 Associates, Inc.

PCCD PROJECT #: 06-07/50

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.....\$ 986,000.00
 Net Change by previously authorized Change Orders.....\$ N/A
 The Contract sum prior to this Change Order was.....\$ 986,000.00
 The Contract sum will be increased/decreased by this Change Order.....\$ (3,921.87)
 The New Contract Sum including this Change Order will be.....\$ 982,078.13
 Cumulative Change Order(s) as a percentage of contract including this Change Order N/A %
 The Contract is changed by (0) Days
 Contract completion date as of this Change Order therefore is:

Summary reference attached items P.C.O. #012

<p>Approved: Architect of Record</p> <p style="text-align: center; font-size: 2em;">N/A</p> <hr/> <p>Date:</p>	<p>Approved: General Contractor</p> <p style="text-align: center; font-size: 2em;"><i>W. Boy</i></p> <hr/> <p>Date: 3/25/08</p>	<p>Approved: Peralta Community College District</p> <p style="text-align: center; font-size: 2em;"><i>[Signature]</i></p> <hr/> <p>Director of Capital Projects</p> <p>Date: 7, April 2008</p> <hr/> <p style="text-align: center; font-size: 1.5em;"><i>Sadiq B. Ahmed</i></p> <hr/> <p>Vice Chancellor of General Services</p> <p>Date: 4/8/08</p>
<p>Approved: Electrical or Structural Engineer</p> <p style="text-align: center; font-size: 2em;">N/A</p> <hr/> <p>Date:</p>	<p>Approved: Mechanical Engineer</p> <p style="text-align: center; font-size: 2em;">N/A</p> <hr/> <p>Date:</p>	<p>Approved: Div. of the State Architect</p> <p style="text-align: center; font-size: 2em;">N/A</p> <hr/> <p>Date:</p>

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SUMMARY OF CHANGE ORDER No. 001 Attachment

PROJECT: Chemistry and Biology Department

DATE: March 25, 2008

OWNER: Peralta Community College District

DSA FILE NO.: None

CONTRACTOR: Hung Construction

DSA APP NO.: None

PCCD FILE NO.: 06-07/50

1	Preliminary Change Order #012	DEDUCT	\$ 3,921.87
		ADD	Insert No. Days - 0

Description: Credit for flooring in Chemistry (Deduct)

Requested by: Owner

Reason: At the request of PCCD Risk Manager, the berm in room A279 was not needed

DSA prelim.
approval date: None

End of Items

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CHANGE ORDER NO. 002

PROJECT: Chemistry and Biology Department

DATE: March 25, 2008

OWNER: Peralta Community College District

DSA FILE NO.: N/A

CONTRACTOR: Hung Construction

DSA APP NO.: N/A

PROJECT MANAGER: 1701 Associates, Inc.

PCCD PROJECT #: 06-07/50

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.....	\$ 986,000.00
Net Change by previously authorized Change Orders.....	\$ (3,921.87)
The Contract sum prior to this Change Order was.....	\$ 982,078.13
The Contract sum will be increased/decreased by this Change Order.....	\$ 93,942.14
The New Contract Sum including this Change Order will be.....	\$ 1,076,020.20
Cumulative Change Order(s) as a percentage of contract including this Change Order	9.5 %
The Contract is changed by (0) Days	
Contract completion date as of this Change Order therefore is:	

Summary reference attached items P.C.O. 1- 011

<p>Approved: Architect of Record</p> <p style="text-align: center; font-size: 2em;">N/A</p> <hr/> <p>Date:</p>	<p>Approved: General Contractor</p> <p style="text-align: center; font-size: 2em;">Waye</p> <hr/> <p>Date: 3/25/08</p>	<p>Approved: Peralta Community College District</p> <p style="text-align: center; font-size: 1.5em;">7 April 2008</p> <p style="text-align: center;">Director of Capital Projects</p> <p>Date: </p> <hr/> <p style="text-align: center; font-size: 1.5em;">Sadiq B. Phemmo</p> <p style="text-align: center;">Vice Chancellor of General Services</p> <p>Date: 4/8/08</p>
<p>Approved: Electrical or Structural Engineer</p> <p style="text-align: center; font-size: 2em;">N/A</p> <hr/> <p>Date:</p>	<p>Approved: Mechanical Engineer</p> <p style="text-align: center; font-size: 2em;">N/A</p> <hr/> <p>Date:</p>	<p>Approved: Div. of the State Architect</p> <p style="text-align: center; font-size: 2em;">N/A</p> <hr/> <p>Date:</p>

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SUMMARY OF CHANGE ORDER No. 002 Attachment

PROJECT: Chemistry and Biology Department

DATE: March 25, 2008

OWNER: Peralta Community College District

DSA FILE NO.: None

CONTRACTOR: Hung Construction

DSA APP NO.: None

PCCD FILE NO.: 06-07/50

1	Preliminary Change Order #001	ADD	\$ 8,121.21
		ADD	Insert No. Days - 0

Description: After the layout of the chemistry storage room was finalized, it was requested that 2 additional flammable refrigerators would be necessary to "house" the chemicals for safety reasons

Requested by: Owner

Reason: Improved operations and correct deferred maintenance items.

**DSA prelim.
approval date:** None

2	Preliminary Change Order #003	ADD	\$ 46,331.69
		ADD	Insert No. Days - 0

Description: Additional cabinets were requested in both the Biology & Chemistry Departments to make the best use of space in the storage rooms. Additional eye washer were added to meet safety requirements

Requested by: Owner

Reason: Improved operations and correct deferred maintenance items.

**DSA prelim.
approval date:** None

3	Preliminary Change Order #004	ADD	\$ 993.49
		ADD	Insert No. Days - 0

Description: In room A235, the conduit on the floor needed to be re-routed to accommodate the new layout of the storage cabinets.

Requested by: Owner

Reason: Unforeseen condition.

**DSA prelim.
approval date:** None

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4	Preliminary Change Order #005	ADD	\$ 13,097.31
		ADD	Insert No. Days - 0

Description: Additional cabinets were requested in both the Biology & Chemistry Departments to make the best use of space in the storage rooms

Requested by: Owner

Reason: Improved operations and correct deferred maintenance items.

DSA prelim.
approval date: None

5	Preliminary Change Order #006	ADD	\$ 1,767.08
		ADD	Insert No. Days - 0

Description: Additional cabinets were requested in Biology Department to make the best use of space in the storage rooms

Requested by: Owner

Reason: Improved operations and correct deferred maintenance items.

DSA prelim.
approval date: None

6	Preliminary Change Order #007	ADD	\$ 7,694.71
		ADD	Insert No. Days - 0

Description: After the final layout of the corrosive and flammable cabinets in both Biology and Chemistry, it was discovered that the cabinets ordered could not be vented properly and would not work in the space allocated

Requested by: Owner

Reason: Unforeseen condition, health and safety.

DSA prelim.
approval date: None

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7	Preliminary Change Order #008	ADD	\$ 10,803.03
		ADD	Insert No. Days - 0

Description: At the request of Peralta Director of Risk Management, the outside storage container was upgraded

Requested by: Owner

Reason: Original outside storage container proposed was not sufficient in size.

DSA prelim.
approval date: None

8	Preliminary Change Order #009	ADD	\$ 744.65
		ADD	Insert No. Days - 0

Description: In office B200, there was an existing eye washer that was not working and not needed. It was removed to make better use of the space

Requested by: Owner

Reason: Improved operations and correct deferred maintenance items.

DSA prelim.
approval date: None

9	Preliminary Change Order #010	ADD	\$ 1,108.88
		ADD	Insert No. Days - 0

Description: Contractor needed to install an *add-a-valve* to eliminate shutdowns in the Chemistry Department

Requested by: Owner

Reason: Unforeseen condition

DSA prelim.
approval date: None

10	Preliminary Change Order #013	ADD	\$1,158.98
		ADD	Insert No. Days - 0

Description: Extra shelves for flammable and corrosive cabinets

Requested by: Owner

Reason: Improved operations and correct deferred maintenance items.

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DSA prelim.
approval date: None

11	Preliminary Change Order #014	ADD	\$ 2,121.11
		ADD	Insert No. Days - 0

Description: Replace new faucets in chemistry, the water pressure was too harsh for the glassware

Requested by: Owner

Reason: Improved operations and correct deferred maintenance items, unforeseen condition.

DSA prelim.
approval date: None

End of Items

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, OAKLAND CA
NATURE OF INTEREST OR ESTATE: FEE
PROJECT CONTRACT TITLE: Laney College, Chemistry and Biology Science Labs
PROJECT NUMBER: 06-07/50
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: 6/13/07
ORIGINAL CONTRACT TIME: 120-365 Days
CONTRACT TIME EXTENSIONS: N/A
APPROVED VIA CHANGE ORDER: N/A
CONTRACT COMPLETION DATE: 6/23/07

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

10-3-08

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

10-3-08

Date