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**PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of November 18, 2008**

ITEM # 33

ITEM TITLE:

Consider Approval to Negotiate a Design-Build Contract with Gilbane Building Company for the Laney College Athletic Fields Complex Project

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested for the Chancellor to negotiate a design-build contract with Gilbane Building Company for the Laney College Athletic Fields Complex project.

ITEM SUMMARY:

Approval is requested for the Chancellor to negotiate a design-build contract with Gilbane Building Company for the Laney College Athletic Fields Complex Project. A formal Request for Proposals (RFP No. 07-08/47) was conducted for this project. Sixteen companies expressed interest and were sent questionnaires, which they were required to complete for evaluation prior to receiving authorization to submit their RFP response. Five responses were received, and all five firms were approved to proceed with their RFP submittals. Three firms submitted RFPs. The submittals were reviewed, and the firms were interviewed by a committee consisting of three representatives from the District and one from Laney College. Following is a summary of the three firms and their total scores (the complete breakdown is attached):

FIRM	TOTAL SCORE
Robert A. Bothman, Inc	356
Gilbane Building Company	324
West Bay Builders	239

On September 16, 2008, the Board of Trustees granted approval for the Chancellor to negotiate a design-build contract with Robert A. Bothman. Subsequently, the District received a bid protest against awarding the project to Robert A. Bothman, Inc., citing a violation of California Education Code Section 81703(C)(2)(A). After careful examination with the guidance of the District General Counsel, the District has found the protest to have merit and therefore, the District recommends that the project be awarded to the next responsive and responsible bidder, Gilbane Building Company. Board approval is now requested to authorize the Chancellor to negotiate contract terms and price with Gilbane Building Company, with the intent of coming back for Board approval of the award, to be supported with the final documentation detailing the process of selection and the contract amount.

BACKGROUND/ANALYSIS:

At the meeting of July 17, 2007, the Board approved proceeding with the Laney College Athletic Fields Complex project to be funded from Measure A. It was decided that to reduce costs and expedite the project, the design/build method of project delivery would be utilized.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Ratification is recommended for negotiation of a design-build contract with Robert A. Bothman, Inc. for the Laney College Athletic Fields Complex project.

SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):

Funding Source: Measure A, as approved by the voters in Peralta's constituency and authorized under Resolution 05/06-45, Exhibit A-1, Laney College "Athletic Fields, Gym and Facilities."

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: 11-07-08
Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:
Sadiq B. Ikharo Date: 11-07-08
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: 11.7.08
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: 11/13/08
Thuy T. Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL
 Approved, and Place on Agenda Not Approved, but Place on Agenda
Signature: Elihu Harris Date: 11/13/08
Elihu Harris, Chancellor

**EVALUATION SCORES FOR
RFP No. 07-08/41 - LANEY COLLEGE ATHLETIC FIELD
COMPLEX DESIGN-BUILD CONSTRUCTION PROJECT**

OVERAL SCORE						
Firm Name	EVALUATORS					Total Score
	SBI	MS	JB	CBG	AES	
Robert A. Bothman	88	0	95	90	83	356
Gilbane	84	0	86	78	76	324
West Bay Builders	71	0	55	63	50	239

Robert A. Bothman (detail breakdown)						
Evaluators:	SBI	MS	JB	CBG	AES	TOTAL
Presentation	9	0	8	9	9	35
Q1	13	0	13	14	12	52
Q2	9	0	10	8	8	35
Q3	10	0	10	10	8	38
Q4	8	0	10	10	9	37
Q5	13	0	14	13	12	52
Q6	8	0	10	9	10	37
Q7	9	0	10	9	8	36
Q8	9	0	10	8	7	34
	88	0	95	90	83	356

Gilbane (detail breakdown)						
Evaluators:	SBI	MS	JB	CBG	AES	TOTALS
Presentation	9	0	8	8	10	35
Q1	14	0	12	10	12	48
Q2	8	0	8	9	7	32
Q3	9	0	9	7	7	32
Q4	7	0	8	9	7	31
Q5	12	0	14	10	10	46
Q6	7	0	10	8	7	32
Q7	9	0	9	9	7	34
Q8	9	0	8	8	9	34
	84	0	86	78	76	324

West Bay Builders (detail breakdown)						
Evaluators:	SBI	MS	JB	CBG	AES	TOTAL
Presentation	7	0	7	6	5	25
Q1	12	0	6	6	6	30
Q2	6	0	6	6	6	24
Q3	7	0	5	7	5	24
Q4	7	0	5	4	5	21
Q5	12	0	8	8	6	34
Q6	7	0	6	5	7	25
Q7	6	0	7	6	5	24
Q8	7	0	5	5	5	22
	71	0	55	63	50	239