

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of February 10, 2009

ITEM # 8

ITEM TITLE:

Ratification of Change Order No. 6, Beginner's Inn Culinary Kitchen at Laney College, NBC General Contractors Corporation

SPECIFIC BOARD ACTION REQUESTED:

Ratification is requested for Change Order No. 6 to the contract with NBC General Contractors Corporation for the Beginner's Inn Culinary Kitchen project at Laney College, in the amount of \$49,833.

ITEM SUMMARY:

On September 18, 2007, this Board awarded a contract to NBC General Contractors Corporation for the Beginner's Inn Culinary Kitchen at Laney College. The Beginner's Inn Culinary Kitchen is substantially complete. Ratification is now requested for Change Order No. 6 to the contract with NBC General Contractors Corporation, in the amount of \$49,833. Including previous Board approved change orders, the cumulative amount is \$1,387,820, which is 24.4% of the original contract amount (\$5,680,000).

Of this change order total, \$798,577 is the cost of the new Dining Room. The Board approved negotiation of a change order to the Beginner's Inn Culinary Kitchen contract with NBC for the new Dining Room at the Board meeting of July 15, 2008. At that meeting, the Board was informed that total change orders to the project would exceed 10%. It was explained that completing the dining room as a change order to the contract with NBC for the culinary kitchen would be beneficial to the District in terms of time savings of approximately two months and cost savings of about \$100,000 (costs associated with conducting a new bid, additional architectural fees, mobilization of a new contractor, two additional months of project management, and other ancillary costs.)

At the Board meeting of October 14, 2008, after the change order amount had been negotiated with NBC, the Board approved an augmentation of the Beginner's Inn Culinary Kitchen budget to provide funding in the amount of \$798,577 for the addition of the dining room. The change for the Dining Room, in the amount of \$798,577, is an owner requested change that was recommended so that the work can be completed more quickly, allowing the Culinary Kitchen and Dining Room facilities to be opened at the same time. The addition of this work as a change order to the NBC contract for the Culinary Kitchen also provided a cost savings. If the change order item for the Dining Room is subtracted from the project change order total, the remainder is \$589,243, which is 10.4% of the original contract price.

The current Change Order No. 6 includes the remaining changes to the Culinary Kitchen plus additional changes to the Dining Room (Laney Bistro) scope of work. Further description of the change order items is attached. It has been determined that it will be in the best interests of the District and financially prudent to authorize these change order items.

The change orders for the Culinary Kitchen are primarily due to two reasons:

- The complexity of the project, in the sense of the high mechanical and equipment needs of a culinary academy, which are different from a regular renovation project. The work complexity increases the potential for changes and for encountering unforeseen conditions.
- In a modernization project of this type, existing hidden conditions may be found behind a wall or above a ceiling, requiring a change in scope due to unforeseen conditions.

Regarding changes listed as Architect Initiated/Design Error, at the end of the project this will be addressed and negotiated between the District and the project architect.

BACKGROUND/ANALYSIS:

The changes have been reviewed and approved by the project architect, WLC Architects, the project manager, Bovis Lend Lease, 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. Approval was requested from the Chancellor for the change order work, and Change Order No. 6 is now brought before the Board for ratification. The change order items are further described in the attachment.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Ratification is recommended for Change Order No. 6 to the contract with NBC General Contractors Corporation for the Beginner's Inn Culinary Kitchen project at Laney College, in the amount of \$49,833.

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 Ikhara

DID A BOARD STANDING COMMITTEE APPROVE 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: 2-3-09
Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:

Sadiq B. Ikharo Date: 2-3-09
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: 2/4/09
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: 2/3/09
Thuy T. Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL

Approved, and Place on Agenda Not Approved, but Place on Agenda

Signature: Elihu Harris Date: 2/3/09
Elihu Harris, Chancellor

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. 6

**PROJECT: BEGINNERS INN CULINARY KITCHEN
& DINING ROOM.**

DATE: 1/26/09

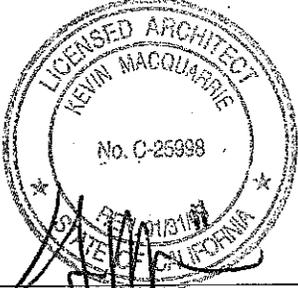
**OWNER: Peralta Community College District
CONTRACTOR: NBC CONTRACTORS**

**DSA FILE NO.: 1-C1
DSA APP. NO.: 01-108426
PCCD PROJECT #:
PROJECT MANAGER: Jacqueline Almonacid.**

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.....\$5,680,000
 Net Change by previously authorized Change Orders.....\$ 1,337,987
 The Contract sum prior to this Change Order was.....\$7,017,987
 The Contract sum will be increased/decreased by this Change Order.....\$ 49,833
 The New Contract Sum including this Change Order will be.....\$7,067,820
 Cumulative Change Order(s) as a percentage of contract including this Change Order 9.80% for Culinary kitchen or 24.43 % with Dining room plus changes to Dining Room.
 The Contract is changed by (0) Days
 Contract completion date as of this Change Order therefore is: March, 2009 for Dining Room.

Summary reference attached items P.C.O's. 68, D110, 116, 117, D118, D119, D120, D121, D122, D124.

<p>Approved: Architect of Record</p> <div style="text-align: center;">  </div> <p style="text-align: center;"><i>[Signature]</i></p> <p>Date: 1/28/09</p>	<p>Approved: General Contractor</p> <p style="text-align: center;"><i>[Signature]</i></p> <p>Date: 1/27/09</p>	<p>Approved: Peralta Community College District</p> <p style="text-align: center;"><i>[Signature]</i></p> <p>Director of Capital Projects</p> <p>Date: 26, JANUARY 2009</p> <p style="text-align: center;"><i>[Signature]</i></p> <p>Vice Chancellor of General Services</p> <p>Date: 1/26/09</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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SUMMARY OF CHANGE ORDER No. 6 Attachment

PROJECT:

DATE: 12-21-08

OWNER: Peralta Community College District
CONTRACTOR: NBC CONTRACTORS INC.

DSA FILE NO.:

DSA APP NO.: 01-108426

PCCD FILE NO.:

68 PCO 68

ADD/DEDUCT \$ 9,897.00
ADD/DEDUCT 0 Days

Description: Per DSA approved FCD #7, construct new 2-hour enclosure in the Mechanical Penthouse in place of the existing one that was demolished; cut openings in existing concrete walls and floors on 2nd floor and Penthouse walls. Rough cut and torch exterior louvers.

Requested by: 4- F: Architect Initiated Change

Reason: Existing 2-hour enclosure was demolished. The existing duct, domestic supply, conduit, framing and ceiling assemblies won't allow the originally designed routing of the duct to connect to the roof. The duct routing and access to the roof is hence changed per DSA approved FCD #7. (CPE #51R). (RFI's #98, 98.1, 177, 179). (ASI 014).

DSA prelim. approval date: Pending

92 PCO 92

ADD/DEDUCT VOID
ADD/DEDUCT 0 Days

Description: VOID

Requested by:

Reason: Add stainless steel hood covers to conceal insulated ducted exhausts in DishWash, Bakery and Pastry Rooms. (CPE #171).

DSA prelim. approval date:

93 PCO 93

ADD/DEDUCT \$ VOID
ADD/DEDUCT 0 Days

Description: VOID

Requested by:

Reason: At Culinary Kitchen hoods, the 12" stainless hood top skirt not designed or coordinated at all of the stepped ceiling conditions. (CPE #176R).

DSA prelim. approval date:

SUMMARY OF CHANGE ORDER No. 6

PERALTA COMMUNITY COLLEGE DISTRICT

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Attachment

PROJECT:

DATE: 12-21-08

DSA FILE NO.:

OWNER: Peralta Community College District
CONTRACTOR: NBC CONTRACTORS INC.

DSA APP NO.: 01-108426

PCCD FILE NO.:

95 PCO 95

ADD/DEDUCT \$ PENDING
ADD/DEDUCT 0 Days

Description: To be included in Change Order #7

Requested by:

Reason: Cost to repair existing Proofer in Pastry/Bakery Rooms, and to replace missing humidity tank not stored during Owner's original dismantling of Kitchen. (CPE #177R).

DSA prelim.
approval date:

108 PCO 108

ADD/DEDUCT \$ VOID
ADD/DEDUCT 0 Days

Description: VOID

Requested by:

Reason: Credit from approved CPE #174R2 (for Dining Room Change Order) for simplification of exterior storefront, structural steel and Lotus Glas-Stax. (CPE #199).

DSA prelim.
approval date:

110 PCO 110

ADD/DEDUCT \$ 21,660.00
ADD/DEDUCT 0 Days

Description: Regarding PCO 100 (Dining Room Change Order) in DSA approved Change Order 5, the actual purchase price of the tile exceeds the tile cost estimated in PCO 100.

Requested by: 4- F: Architect Initiated Change

Reason: Price change - DAL-TILE specified on original base bid replaced with Concrete tile from Spain specification. The tile manufacturer and material was not available for bid at the time (Specification Section 09313). (CPE #204).

DSA prelim.
approval date: Pending

SUMMARY OF CHANGE ORDER No. 6 Attachment

PROJECT: _____ **DATE:** 12-21-08
OWNER: Peralta Community College District **DSA FILE NO.:** _____
CONTRACTOR: NBC CONTRACTORS INC. **DSA APP NO.:** 01-108426
PCCD FILE NO.: _____

116	PCO 116	ADD/DEDUCT \$	4,194.00
		ADD/DEDUCT	0 Days

Description: Purchase and install corner guards in Kitchen area.
Requested by: 2- F: Owner Requested Change
Reason: Purchase and install plastic and stainless steel corner guards in Culinary Kitchen, as recommended by Jeff Cook and conceded by WLC Architects.
 (CPE #209). (ASI 048)

DSA prelim. approval date: Pending

117	PCO 117	ADD/DEDUCT	6,028.00
		ADD/DEDUCT	0 Days

Description: Additional push buttons for Exhaust Fans added at three locations and at Room #105, at both dishwash locations.
Requested by: 2- F: Owner Requested Change
Reason: Pushbutton start/stop switches to control Exhaust Fan added. Three locations, and in Room #105 at both dishwash locations, there were no rough-ins or pushbutton locations indicated. No design and location furnished to bid or install switches, conduit and conductor. (CPE #213). (RFI #D018, # D019).

DSA prelim. approval date: Pending

118	PCO 118	ADD/DEDUCT \$	1,627.00
		ADD/DEDUCT	0 Days

Description: Cost to bush, sack and patch existing concrete columns.
Requested by: 4- F: Architect Initiated Change
Reason: Cost to bush, sack and patch existing concrete columns, where the relocated storefront was anchored.
 (CPE #D219). (RFI #D026).

DSA prelim. approval date: Pending

**SUMMARY OF CHANGE ORDER No. 6
Attachment**

PROJECT:

DATE: 12-21-08

OWNER: Peralta Community College District
CONTRACTOR: NBC CONTRACTORS INC.

DSA FILE NO.:

DSA APP NO.: 01-108426

PCCD FILE NO.:

119 PCO 119

ADD/DEDUCT \$ 2,579.00
ADD/DEDUCT 0 Days

Description: Cost to upgrade the APA sound/ voice System.

Requested by: 2- F: Owner Change

Reason: The Dining Room APA speakers connecting to the Kitchen PA System will be unable to get clear signals without equipment upgrades. Additional APA sound system is added to the Dining Room. (CPE #228D). (RFI #D012).

DSA prelim. approval date: Pending

120 PCO 120

ADD/DEDUCT 1,984.00
ADD/DEDUCT 0 Days

Description: Cost to change the type of anchor for the ceiling hanger wire per DSA approved FCD 28.

Requested by: 3-F: DSA Requested Change (due to unforeseen conditions)

Reason: Originally specified anchors installed in existing concrete ceiling did not pass pull test (due to old concrete conditions). Cost includes purchasing and drilling new screwed anchors and to re-test replacement anchors. (CPE #D231). (RFI #D035).

DSA prelim. approval date: Pending

121 PCO 121

ADD/DEDUCT \$ (2,421.00)
ADD/DEDUCT 0 Days

Description: Laminate and metal cladding finish changes made. CREDIT.

Requested by: 4- F: Architect Initiated Change

Reason: All metal cladding finish eliminated at Door type B and C and changed to laminate finish. (CPE #198R). (ASI 046)

DSA prelim. approval date: Pending

SUMMARY OF CHANGE ORDER No. 6 Attachment

PROJECT: DATE: 12-21-08
OWNER: Peralta Community College District DSA FILE NO.:
CONTRACTOR: NBC CONTRACTORS INC. DSA APP NO.: 01-108426
PCCD FILE NO.:

122 PCO 122	ADD/DEDUCT \$	4,285.00
	ADD/DEDUCT	0 Days

Description: Installation of filler at the exterior folding door and the exterior storefront.
Requested by: 4- F: Architect Initiated Change
Reason: Add redwood door jamb and header fillers to complete gap between the new storefront and existing concrete columns due to the surface mounted new structural steel base plate installed at existing concrete column and beam. (CPE #232). (RFI #D009.4).
DSA prelim. approval date: Pending

123 PCO 123	ADD/DEDUCT	PENDING
	ADD/DEDUCT	0 Days

Description: To be part of Change Order #7
Requested by:
Reason: To accommodate Health Department Inspection of Kitchen areas, NBC man power costs to relocate Owner furnishings delivered to Bakery. (CPE #214).
DSA prelim. approval date: Pending

124 PCO 124	ADD/DEDUCT \$	00.00
	ADD/DEDUCT	63 Days

Description: Schedule extension to accommodate PG&E gas service for project.
Requested by: 2- F: Owner Requested Change
Reason: Non-compensable schedule extension from 8-22-08 to 10-24-08 which prevented the start up of testing of Domestic Water Heater and final gas connections to kitchen equipment. Baseline called for pre-pressurized gas service late start on 5-2-08. Actual gas service agreement allowed for gas service on 9-23-08. (CPE #187).
approval date: DSA prelim. Pending

**SUMMARY OF CHANGE ORDER No. 6
Attachment**

PROJECT:

DATE: 12-21-08

DSA FILE NO.:

OWNER: Peralta Community College District
CONTRACTOR: NBC CONTRACTORS INC.

DSA APP NO.: 01-108426

PCCD FILE NO.:

125 PCO 125

ADD/DEDUCT \$

PENDING

ADD/DEDUCT

0 Days

Description: To be part of Change Order #7

Requested by:

Reason: Change costs to perform WLC Architect's punchlist items #438, #439, and #440 not in contract. (CPE #218).

DSA prelim.
approval date: Pending

126 PCO 126

ADD/DEDUCT

VOID

ADD/DEDUCT

0 Days

Description: VOID

Requested by:

Reason: Cost to add stainless table legs to cantilevered work benches in Culinary Kitchen, not designed to take commercial kitchen traffic/load. (CPE #237).

DSA prelim.
approval date: Pending