

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of April 7, 2009

ITEM # 16

ITEM TITLE:

Consider Approval of Extension of Contract for Program Support Services District-Wide with Bovis Lend Lease

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested for an extension of the contract with Bovis Lend Lease for capital projects support services District-wide, for a fee of \$47,065.

ITEM SUMMARY:

Approval is requested for an extension of the contract with Bovis Lend Lease for capital projects support services District-wide, for a fee of \$47,065. Bovis Lend Lease and their sub consultants have been engaged in a variety of support activities for the Capital Building Program, including the following:

- Development of programmatic protocols and procedures.
- Initiation of the Emergency Communication Plan.
- Stakeholders interest news letters.
- Master plan development assistance.
- Contract negotiation and language.
- Assistance with the development of District Standards and project budgets.

BACKGROUND/ANALYSIS:

The original contract with Bovis Lend Lease to provide program support services was approved by the Board at the meeting of November 13, 2007, in the amount of \$85,000. Under this contract, services were provided through June 2008. Additional efforts were required by sub consultants beyond the hours estimated in the original contract. More time was required in the master planning development assistance, contract development, and Emergency Communication Plan, and meeting attendance by sub consultants. In the period from January 2008 to June 2008, additional costs in the amount of \$47,065 were incurred. The District later decided to contract directly with Bovis' sub consultants, as a cost savings measure. Approval of this extension of services will compensate Bovis Lend Lease for services delivered.

ALTERNATIVES/OPTIONS:

Not applicable.

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, District-Wide, support services for the "acquisition, construction, repair, refurbishment, equipping, upgrading, and modernization of classrooms, campuses, buildings, facilities, and grounds throughout the District," *preparedness" and other allocated Measure A projects in which this contact supports.*

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 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: 3-31-09
Dr. Sadiq B. Ikharo
Vice Chancellor for General Services

DOCUMENT PRESENTED BY:
Sadiq B. Ikharo Date: 3-31-09
Dr. Sadiq B. Ikharo
Vice Chancellor for 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: 3/31/09
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: 3/31/09
Thuy T. Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL
 Approved, and Place on Agenda Not Approved, but Place on Agenda
Signature: Elihu Harris Date: 3/31/09
Elihu Harris, Chancellor



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RECEIVED
PERALTA COMMUNITY COLLEGE DISTRICT

MAR 06 2009

PHYSICAL PLANT OFFICE

March 3, 2009

Dr. Sadiq B. Ikharo
Vice Chancellor for General Services
Peralta Community College District
333 E. 8th Street
Oakland, California 94606

RE: EPA 2007-08 – OUTSTANDING PAYMENT.

Dear Dr. Ikharo,

Thank you for taking time to meet earlier this week to discuss the outstanding dollars owed to Bovis Lend Lease. As a follow up to our conversation the following will describe the scenario of the monies owed to BLL; at the inception of the work the Bovis Team was contracted to assist the District with Executive Program Assistance (EPA), for both time and a stipulated rate. Bovis Lend Lease in conjunction with our sub-consultants, (B-G Consulting and Kneal Resource Systems), were engaged in a variety of activities to create and further develop programmatic protocols and procedures for the adoption by the District for implementation program wide. A number of initiatives were undertaken including: Emergency Communications Plan, web-site development, newsletter, master plan development, contract language refinement for all professional services and procurement, reconciliation of architectural standards for each campus, assist in presentations to the Board of Trustees, as well as many other challenges facing the District. The service period in question covered the dates from January 2008 to June 2008, our Team was tasked to continue providing services beyond the contractual date identified in the original contract. Notification to District was provided by means of a proposal and request for amendment of base contract.

At this time BLL was told to wait for the new "Short Form" contract that was being developed as described above, we continued services with anticipation of the form being issued upon District legal review June 15, 2008. Upon issuance of the new addendum, we submitted the amendment for District's review, two weeks after submitting the amendment it was discovered in a tray marked "Amendments", unprocessed along with others. B-G Consulting and Kneal Resource Systems continued to provide services for the District during the negotiation of the Contract extension. As you can see by the activities provided by our consultants many of their activities were progressive and would have stalled the districts progress in many areas if their involvement would have stopped. Eventually in November 2008 B-G Consulting and Kneal Resource Systems were given direct contracts with the District.

As you know, the "08" proposal was submitted to the Board and was not approved for the amount of \$118,000. We are requesting that the District pay the \$47,064.90 that has already been paid out to our sub-consultants for their good faith work while the addendums and contracts were delayed.



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As a professional company in good standing and with the relationship between PCCD and BLL, we kept our Sub Consultants involved with the ongoing work groups, development and budget administration. As noted above, BLL was asked to draft a 2008 proposal and it is now 2009.

We are pleased that B-G Consulting and Kneal Resource Systems have contracted directly with the District providing a savings for this scope of work. However, during the transition time Bovis Lend Lease incurred the \$47,064.90 that reflects services both acknowledged and more importantly has served your interests well. Thank you in advance for your prompt attention to this matter.

Bovis Lend Lease, Inc.

Price Eres

Price Eres

Executive Project Manager - Bovis Lend Lease