

**PERALTA COMMUNITY COLLEGE DISTRICT**  
**Board of Trustees Agenda Report**  
**For the Trustee Meeting Date of May 26, 2009**

ITEM # 4

**ITEM TITLE:**

Consider Ratification of Change Order No. 3, Modernization to Building A and Sidewalk Rehabilitation Project, College of Alameda, NBC General Contractors Corporation

**SPECIFIC BOARD ACTION REQUESTED:**

Ratification is requested for Change Order No. 3 to the contract with NBC General Contractors Corporation for the Modernization to Building A and Sidewalk Rehabilitation Project at College of Alameda, in the amount of \$207,501.50.

**ITEM SUMMARY:**

On March 11, 2008, this Board awarded a contract to NBC General Contractors Corporation for the College of Alameda Modernization to Building A and Sidewalk Rehabilitation Project in the amount on \$9,036,000.18. Including the previously Board approved change orders, the cumulative total is \$328,498.50, which is 3.6% of the original contract amount (\$9,036,000.18). This change order provides for added costs, increased schedule time and overhead resulting from:

- A failed pile test which required a redesign and two added experimental piles.
- Added schedule time and overhead caused by the addition of secondary waterproofing for the elevator pit because of water conditions.
- Added pile grout volume due to soil conditions.
- A different transformer.

It also includes a credit for pile materials and inflation, in the amount of (\$29,264) and a schedule extension of 71 calendar days. Further information on the change order items is included in Board members' materials.

**BACKGROUND/ANALYSIS:**

This project is 92% complete. The building will be substantially complete and handed over to the District in July 2009.

The changes have been reviewed and approved by the project architect, project manager and the District. 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, and Change Order No. 3 is now brought before the Board for ratification. The changes are further described in the attachment.

**ALTERNATIVES/OPTIONS:**

Not applicable.

**EVALUATION AND RECOMMENDED ACTION:**

Ratification is recommended for Change Order No. 3 to the contract with NBC General Contractors Corporation for the Modernization to Building A and Sidewalk Rehabilitation Project at College of Alameda, in the amount of \$207,501.50.

**SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):**

Measure E and Measure A (for sidewalk rehabilitation portion), as approved by the voters in Peralta's constituency and authorized under Resolution 05/06-45, Exhibit A-1, District-Wide Projects, "Walkways, parking lots, landscaping, and handicap accessibility 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 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. Ikhano Date: 5/20/09  
Dr. Sadiq B. Ikhano  
Vice Chancellor of General Services

**DOCUMENT PRESENTED BY:**

Sadiq B. Ikhano Date: 5/20/09  
Dr. Sadiq B. Ikhano  
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: 5/21/09  
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: 5/20/09  
Thuy T. Nguyen, General Counsel

**CHANCELLOR'S OFFICE APPROVAL**

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

Signature: Elihu Harris Date: 5/21/09  
Elihu Harris, Chancellor

# PERALTA COMMUNITY COLLEGE DISTRICT

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## CHANGE ORDER NO. 3

**PROJECT:** BUILDING A RENOVATION, COLLEGE OF ALAMEDA

**DATE:** MAY 4, 2009

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

**DSA FILE NO.:** 1-C1  
**DSA APP NO.:** 108332  
**PCCD PROJECT #:** 2946  
**PROJECT MANAGER:** Olive CM Inc.

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. Through acceptance of this change order, this Contractor acknowledges that it has reviewed the progress of the work related to this project and the potential impact of the added work on the progress of the project in the future. As a result, this change order includes compensation to the Contractor for any and all effects, delays, inefficiencies or similar demands associated with this project and the Contractor recognizes that there is no basis for any such claim in the future. Please note that all other terms and conditions of the contract remain unchanged and that all costs to maintain our original contract schedule with the inclusion of the adjusted scope of work as set forth by this change order are included within the lump sum change order amount stated herein.

Original Contract Sum.....\$ 9,036,000.18  
 Net Change by previously authorized Change Orders.....\$ 120,997.00  
 The Contract sum prior to this Change Order was.....\$ 9,156,997.18  
 The Contract sum will be increased/decreased by this Change Order.....\$ 207,501.50  
 The New Contract Sum including this Change Order will be.....\$ 9,364,498.68  
 Cumulative Change Order(s) as a percentage of contract including this Change Order 3.6%  
 The Contract is changed by (71) Calendar Days  
 Contract completion date as of this Change Order therefore is: June 22, 2009

Summary reference attached items: P.C.O. 10, 11, 12, 13, 14, 15, 16, 17, and Approval Letters listed in Item 9.

P.C.O.'s 11, 12, 13, 14, 15, 17 are full and final settlement for any and all micro-pile and associated issues for dollars, time extension and additional overhead

<p>Approved: Architect of Record</p>  <p>Date: _____</p>	<p>Approved: General Contractor</p> <p style="text-align: center;"><i>[Signature]</i></p> <p>Date: 8/8/09</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: 11 May 2009</p> <hr/> <p style="text-align: center;"><i>[Signature]</i></p> <p>Vice Chancellor of General Services</p> <p>Date: 5/12/09</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>

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## SUMMARY OF CHANGE ORDER No. 3 Attachment

**PROJECT:** BUILDING A RENOVATION, COLLEGE  
OF ALAMEDA

**DATE:** MAY 4, 2009  
**DSA FILE NO.:** 1-C1  
**DSA APP NO.:** 108332

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

**PCCD FILE NO.:** 2946

<b>1</b>	<b>PCO No. 10</b>	<b>ADD</b>	<b>\$ 50,000</b>
		<b>ADD</b>	<b>12 WorkingDays</b>

**Description:** 1-A Critical path work delay caused by the addition of a secondary waterproofing material at the elevator pit

**Requested by:** District-Contractor resolution agreement

**Reason:** Below grade water conditions

**DSA prelim.  
approval date:** N/A

<b>2</b>	<b>PCO No. 11</b>	<b>ADD</b>	<b>\$ 38,000</b>
		<b>ADD</b>	<b>16 Working Days</b>

**Description:** 1-A Time extension for the new design, test and installation of two experimental piles

**Requested by:** Sacramento Drilling Inc./NBC -- District-Contractor resolution agreement

**Reason:** Failure of test pile

**DSA prelim.  
approval date:** N/A

<b>3.</b>	<b>PCO No. 12</b>	<b>ADD</b>	<b>\$25,000</b>
		<b>ADD/DEDUCT</b>	<b>0 Days</b>

**Description:** 1-F Install two additional experimental piles

**Requested by:** Owner -- District-Contractor resolution agreement

**Reason:** Failure of test pile

**DSA prelim.  
approval date:** June 18, 2008

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4. PCO No. 13	ADD	\$58,175
	ADD/DEDUCT	0 Days

Description: 1-F Larger grout volume  
Requested by: Sacramento Drilling Inc./NBC -- District-Contractor resolution agreement  
Reason: Unforeseen soil conditions  
DSA prelim. approval date: June 18, 2008

5. PCO No. 14	ADD	\$8040.50
	ADD/DEDUCT	0 Days

Description: 1-F Pile drill equipment and crew stand by time on 08/04/08 and 08/05/08  
Requested by: Sacramento Drilling Inc./NBC - District-Contractor resolution agreement  
Reason: Awaiting direction on location of additional experimental piles  
DSA prelim. approval date: N/A

6. PCO No. 15	ADD	\$34,687
	ADD/DEDUCT	0 Days

Description: 1-F Sacramento Drilling delay costs  
Requested by: Sacramento Drilling Inc./NBC - District-Contractor resolution agreement  
Reason: Failure of the test pile and installation of the two experimental micropiles  
DSA prelim. approval date: N/A

7. PCO No. 16	ADD	\$22,863
	ADD	4 Calendar Weeks

Description: 2-F Change the transformer manufacturer to Harmonics  
Requested by: District- Contractor resolution agreement  
Reason: District-Contractor resolution agreement  
DSA prelim. approval date: Pending

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8. PCO No. 17	DEDUCT	\$(29,264)
	ADD/DEDUCT	0 Days

Description: 1-F Credit for material and inflation cost of micro-pile casing

Requested by: Owner – District-Contractor resolution agreement

Reason: Actual material and inflation cost less than estimated

DSA prelim.

approval date: June 18, 2008

## 9. Approval Letters (No Change to Contract Amount)

Approval Letter 93

Approval Letter 94

Approval Letter 95

Approval Letter 96

Approval Letter 97

Approval Letter 98

Approval Letter 99

Approval Letter 100

Approval Letter 101

End of Items