

**PERALTA COMMUNITY COLLEGE DISTRICT**  
**Board of Trustees Agenda Report**  
**For the Trustee Meeting Date of July 21, 2009**

ITEM #

**ITEM TITLE:**

Consider Ratification of Final Change Order No. 7, Beginner's Inn Culinary Kitchen at Laney College, NBC General Contractors Corporation

**SPECIFIC BOARD ACTION REQUESTED:**

Ratification is requested for Change Order No. 7 to the contract with NBC General Contractors Corporation for the Beginner's Inn Culinary Kitchen project at Laney College, in the amount of \$19,191. This is the final change order to the contract.

**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 the final Change Order No. 7 to the contract with NBC General Contractors Corporation, in the amount of \$19,191. Including previous Board approved change orders, the cumulative amount is \$1,407,011, which is 24.8% of the original contract amount (\$5,680,000).

Of this change order total, \$851,969 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 existing contract with NBC rather than starting a new, separate project would be beneficial to the District in terms of time savings of approximately two months and cost savings of about \$100,000 (costs related to 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 budget for the Dining Room to provide funding for the change order in the amount of \$798,577. 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. Subsequent change order items for the Dining Room total \$53,392, for a total cost of \$851,969. If the change order items for the Dining Room are subtracted from the project change order total, the remainder is \$555,042, which is 9.8% of the original contract price.

This final Change Order No. 7 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 final Change Order No. 7 to the contract with NBC General Contractors Corporation for the Beginner's Inn Culinary Kitchen project at Laney College, in the amount of \$19,191.

**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 RECOMMEND THE ITEM? YES \_\_\_\_\_ No \_\_\_\_\_  
IF "YES", PLEASE INCLUDE THAT INFORMATION IN YOUR SUMMARY.

This item will be reviewed at a Board Facilities and Land Use Planning Committee meeting.

**PLEASE ACQUIRE SIGNATURES IN THIS ORDER:**

**DOCUMENT PREPARED BY:**

Prepared by: Sadiq B. Ikharo Date: July 15, 09  
Dr. Sadiq B. Ikharo  
Vice Chancellor of General Services

**DOCUMENT PRESENTED BY:**

Sadiq B. Ikharo Date: July 15, 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: \_\_\_\_\_ Date: \_\_\_\_\_  
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: \_\_\_\_\_ Date: \_\_\_\_\_  
Thuy T. Nguyen, General Counsel

**CHANCELLOR'S OFFICE APPROVAL**

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

Signature: Elithu Harris Date: 7/15/09  
Elithu Harris, Chancellor

# PERALTA COMMUNITY COLLEGE DISTRICT

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## CHANGE ORDER NO. 7

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

**DATE: 05/27/09**

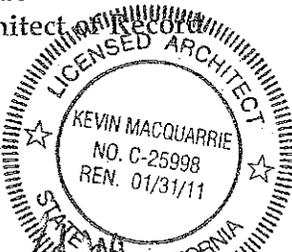
**OWNER: Peralta Community College District  
CONTRACTOR: NBC CONTRACTORS**

**DSA FILE NO.:  
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.....\$ 1,387,820  
 The Contract sum prior to this Change Order was..... \$ 7,067,820  
 The Contract sum will be increased/decreased by this Change Order..... \$ 19,191  
 The New Contract Sum including this Change Order will be..... \$ 7,087,011  
 Cumulative Change Order(s) as a percentage of contract including this Change Order 9.99% for Culinary kitchen or 24.92 % with Dining room plus changes to Dining Room.  
 The Contract is changed by (0) Days  
 Contract completion date as of this Change Order therefore was: March 25th, 2009 for Dining Room.

Summary reference attached items P.C.O's.123, 125, D127, D128, 129, 130, 131, D132, D133, 134, D135, D136, 137, 138, 139, 140, 141, 142, D143, D144, 145, 146, 147.

<p>Approved: Architect</p>  <p><i>[Signature]</i></p> <p>Date: 6/2/09</p>	<p>Approved: General Contractor</p> <p><i>[Signature]</i></p> <p>Date: 5/29/09</p>	<p>Approved: Peralta Community College District</p> <p><i>[Signature]</i></p> <p>Director of Capital Projects</p> <p>Date: 16, June 2009</p> <p><i>[Signature]</i></p> <p>Vice Chancellor of General Services</p> <p>Date: 6-26-09</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>

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## SUMMARY OF CHANGE ORDER No. 7 Attachment

PROJECT:

DATE: 04-06-09

DSA FILE NO.:

OWNER: Peralta Community College District

DSA APP NO.: 01-108426

CONTRACTOR: NBC CONTRACTORS INC.

PCCD FILE NO.:

123 PCO 123

ADD/DEDUCT \$ 2,448.00

ADD/DEDUCT 0 Days

Description: Manpower to relocate furnish for Health Inspection from Culinary Kitchen to Room #103.

Requested by: 2-F: Owner Request Peralta District

Reason: To accommodate Health Department Inspection of Kitchen area. NBC manpower cost to relocate furnishings delivered to the Bakery in Room #103. Health Department would not inspection walk through with materials, furnishings and equipment in the way. (CPE #214R)

DSA prelim.  
approval date: Pending

125 PCO 125

ADD/DEDUCT VOID

ADD/DEDUCT 0 Days

Description: VOID

Requested by:

Reason:

DSA prelim. approval date:

127 PCO 127

ADD/DEDUCT \$ 3,516.00

ADD/DEDUCT 0 Days

Description: Buy new projector for room#105, install and calibrate, due to incorrect throw distance. The existing one will be move to the dining room.

Requested by: 4-F: Architect Initiate Request -

Reason: CREDIT original projector for mount material allowance (from CPE #174R). And remove existing projector from Room #105, and buy new projector, install and calibrate for this room.

(CPE #229D). (ASI 060D).

DSA prelim. approval date:

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PROJECT:

DATE: 04-06-09

DSA FILE NO.:

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

DSA APP NO.: 01-108426

PCCD FILE NO.:

128 PCO 128

ADD/DEDUCT \$ (1,591.00)

ADD/DEDUCT 0 Days

Description: Advance equipment door credit for wall panic hardware at passage door E106E.

Requested by: 4-F: Architect Initiate Request

Reason: Door E106E becomes a door without locking devices. CREDIT for dining Room operable wall panic hardware at passage door. ADD self choosing spring hinge. (CPE #236D). (RFI #D037).

DSA prelim.  
approval date:

129 PCO 129

ADD/DEDUCT \$ (196.00)

ADD/DEDUCT 0 Days

Description: Correct certified payroll for T & M Overtime Work.

Requested by: 2-F: Owner Request Change

Reason: Correction made for Waterproofing Associates certified payroll for T & M Overtime Work. (CPE #235).

DSA prelim.  
approval date:

130 PCO 130

ADD/DEDUCT \$ VOID

ADD/DEDUCT 0 Days

Description: VOID

Requested by:

Reason: Change out dishwasher water boosters.

DSA prelim.  
approval date:

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## SUMMARY OF CHANGE ORDER No. 7 Attachment

PROJECT:

DATE: 04-06-09

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

DSA FILE NO.:

DSA APP NO.: 01-108426

PCCD FILE NO.:

131 PCO 131	ADD/DEDUCT \$ 253.00
	ADD/DEDUCT 0 Days

Description: Cost to maintain kitchen floor sink and garbage disposal on behalf of Culinary Kitchen Department.

Requested by: 2-F: Owner Request Change-after several items were found at floor sink and disposal.

Reason: (CPE #246).

DSA prelim. approval date: Pending

132 PCO 132	ADD/DEDUCT 3,996.00
	ADD/DEDUCT 0 Days

Description: Additional cost to add exterior lit signage for Laney Bistro. Quote included 3 Form material negotiated by WLC direct with Manufacturer.

Requested by: 4-F: Architect Request

Reason: Add exterior building sign per DSA approved FCD 30 (CPE #245Dr). (RFI #47D). (ASI 056).

DSA prelim. approval date:

133 PCO 133	ADD/DEDUCT \$ 1,682.00
	ADD/DEDUCT 0 Days

Description: Cost to accommodate installation of interior signage. Work include cutting out framing and cement backer board that was already installed, providing new wall tracks & clips to receive 3 Form Chroma signage insert shelving.

Requested by: 4-F: Architect Request

Reason: Including CREDIT for base bid lettering. ADD for changing the lettering to read 'Laney Bistro'. (CPE #247DR). (ASI 054).

DSA prelim. approval date:

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## SUMMARY OF CHANGE ORDER No. 7 Attachment

PROJECT:

DATE: 04-06-09

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

DSA FILE NO.:

DSA APP NO.: 01-108426

PCCD FILE NO.:

134 PCO 134

ADD/DEDUCT \$ (1,257.00)

ADD/DEDUCT 0 Days

Description: Correction to premium for T&M from JC Metals for work performed 1/21/08 & 2/2/08

Requested by: 2-F: Owner Requested Change- For Credits.

Reason: CREDIT included for over-billed premium time and labor costs not actually performed. (CPE #250).

DSA prelim.  
approval date:

135 PCO 135

ADD/DEDUCT \$ 2,760.00

ADD/DEDUCT 0 Days

Description: Added cost to replace existing 5" thick asphalt paving at building E exterior courtyard. Add 2" (e) asphalt demo and repaving at unforeseen 5" section outside Bldg E. Plans called for 3" asphalt.

Requested by: 1-F: Unforeseen Condition

Reason: As described above (CPE #241Dr).

DSA prelim.  
approval date:

136 PCO 136

ADD/DEDUCT \$ 946.00

ADD/DEDUCT 0 Days

Description: Add 8" ceiling perimeter trim at the metal-wood curved ceiling assemblies at 2 edges of the ceiling.

Requested by: 4- F: Architect Generated Change

Reason: Due to ductwork installation the designed ceiling height has to be lowered. This made the ductwork above much visible. The ceiling perimeter trim is added to block view of the ductwork above. (CPE #243Dr).

DSA prelim.  
approval date:

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## SUMMARY OF CHANGE ORDER No. 7 Attachment

PROJECT:

DATE: 04-06-09

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

DSA FILE NO.:

DSA APP NO.: 01-108426

PCCD FILE NO.:

137 PCO 137

ADD/DEDUCT \$ 6,175.00

ADD/DEDUCT 0 Days

Description: T&M labor to remove owner furnishing from storage to Building E.

Requested by: 2-F: Owner Request.

Reason: Instead of accurate prevailing wage quotations, EBRS agreed to a 50% reduction of the original quotation of \$11,646.25. (CPE #244).

DSA prelim. approval date: Pending

138 PCO 138

ADD/DEDUCT (353.00)

ADD/DEDUCT 0 Days

Description: CREDIT for installation labor of missing Owner Kitchen equipment.

Requested by: 2-F: Owner Request.

Reason: The equipment for the Kitchen by the Owner is: #160, 177, 178, 179 and 186. (CPE #253).

DSA prelim. approval date:

139 PCO 139

ADD/DEDUCT \$ (8,247.00)

ADD/DEDUCT 0 Days

Description: CREDIT to reverse duplicate funding.

Requested by: 2-F : Owner Requested : Bovis Lend Lease.

Reason: the reversal of funding is generated from PCO's 25 & 85 from Change Order #4. And both originated from CPE #061A in the identical amount of \$8247.00 for similar electrical scopes of work. (CPE #257).

DSA prelim. approval date:

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## SUMMARY OF CHANGE ORDER No. 7 Attachment

PROJECT:

DATE: 04-06-09

DSA FILE NO.:

OWNER: Peralta Community College District

DSA APP NO.: 01-108426

CONTRACTOR: NBC CONTRACTORS INC.

PCCD FILE NO.:

140 PCO 140

ADD/DEDUCT \$ 3,181.00

ADD/DEDUCT 0 Days

Description: Repair wall and ceiling gyp.board, lockers removal and re-install after water damage caused by pressurizing existing fire sprinkler system at Building E.

Requested by: 2-F: Owner Request Scope-Due to due to water damage

Reason: There were 2 existing sprinkler heads in the original building storage room within the reconstruction area. The two heads were served from a line that goes through the project area to the second floor of the building that is not part of the project. Per a site visit and per as-build documents, the spaces on the second floor with sprinkler heads were what was originally designed as storage rooms in 1960s and are now used as offices.

In the subject project the two existing sprinkler heads are no longer needed. The sprinkler for the building was locally shut off from outside of the building to enable demolition on the ground floor under separate demolition contract. At the end of reconstruction under the subject project, the Owner pressurized the lines with water and caused the two existing sprinkler heads to burst since these were not properly capped. (CPE #255).

DSA prelim.  
approval date:

141 PCO 141

ADD/DEDUCT \$ (3,995.00)

ADD/DEDUCT 0 Days

Description: Correction to premium time T&M by JC Metals for work performed 2/9/08, 2/16/08 & 2/18/08.

Requested by: 2-F: Owner Request

Reason: CREDIT for over-billed premium time labor costs which were not actually performed. (CPE #251).

DSA prelim.  
approval date:

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## SUMMARY OF CHANGE ORDER No. 7 Attachment

142 PCO 142

ADD/DEDUCT \$ (496.00)  
ADD/DEDUCT 0 Days

Description: Correction for premium time T&M by JC Metals for work performed 3/22/08.

Requested by: 2-F: Owner Request

Reason: CREDIT for over-billed premium time labor costs which were not actually performed. (CPE #252).

DSA prelim.  
approval date: Pending

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## SUMMARY OF CHANGE ORDER No. 7 Attachment

PROJECT:

DATE: 04-06-09

OWNER: Peralta Community College District

DSA FILE NO.:

CONTRACTOR: NBC CONTRACTORS INC.

DSA APP NO.: 01-108426

PCCD FILE NO.:

143	PCO 143	ADD/DEDUCT \$	(1,711.00)
		ADD/DEDUCT	0 Days

Description: CREDIT for 3 Form signage materials not purchased.  
Requested by: 2- F: Owner Requested Change  
Reason: Casework subcontractor has left-over materials to be utilized.  
(CPE #258D).

DSA prelim.  
approval date: Pending

144	PCO 144	ADD/DEDUCT	313.00
		ADD/DEDUCT	0 Days

Description: Cost to add plastic laminate double-swing access door and locks  
at Waiter Station casework.  
Requested by: 4- F: Architect Initiated Change  
Reason: Access door is added to conceal the exposed pipes and brackets below the  
waiter station sink. The casework contractor also installed locks that should  
have been installed by the kitchen sub-contractor.  
(CPE #260Dr2). (ASI 059)

DSA prelim. approval date:

145	PCO 145	ADD/DEDUCT \$	VOID
		ADD/DEDUCT	0 Days

Description: VOID  
Requested by:  
Reason: Re-glue trim at plastic laminate curved wall in Dining Room  
due to bulging. (CPE #259D). (ASI 058).

DSA prelim. approval date:

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## SUMMARY OF CHANGE ORDER No. 7 Attachment

PROJECT:

DATE: 04-06-09

DSA FILE NO.:

OWNER: Peralta Community College District

DSA APP NO.: 01-108426

CONTRACTOR: NBC CONTRACTORS INC.

PCCD FILE NO.:

146 PCO 146

ADD/DEDUCT \$ 0.00

ADD/DEDUCT 0 Days

Description: Correction of certified payroll versus Owner Change Order due to late submittal. No cost to Owner.

Requested by: 2- F: Owner Requested Change

Reason: Correction for demolition subcontractor, Alarcon-Bohm, for T & M overtime work. (CPE #233).

DSA prelim.  
approval date:

147 PCO 147

ADD/DEDUCT \$ 1,416.00

ADD/DEDUCT 0 Days

Description: Continuation of wall repair at Kitchen Lobby due to water damage as outlined in PCO 140.

Requested by: 2- F: Owner Requested Change

Reason: In addition to locker removal and replacement costs previously approved in CPE #255, this cost includes scope to repair work behind locker wall. (CPE #241D).

DSA prelim.  
approval date:

148 PCO 148

ADD/DEDUCT \$ 10,351.00

ADD/DEDUCT 0 Days

Description: Accounting adjustment for PCO #89. No overpayment was made to the District since these two PCOs cancel each other out.

Requested by: 2- F: Owner Requested Change (per NBC's request)

Reason: PCO #089 (CPE #265).

DSA prelim.  
approval date: