

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of September 15, 2009

ITEM # 29

ITEM TITLE:

Consider Approval of Resolution 09/10-10, Acceptance and Retention Ratification of Change Order No. 1, Child Care Building Finish Replacement at Merritt College, Gold Spring Construction Company

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 09/10-10, Acceptance and Retention, and Ratification of Change Order No. 1, in the amount of \$4,698, to the contract with Gold Spring Construction Company for the Child Care Building Finish Replacement at Merritt College.

ITEM SUMMARY:

This resolution formally accepts the work of the contractor, Gold Spring Construction Company, as complete and provides for a retention payment. Ratification is also requested for Change Order No. 1 to the contract, in the amount of \$4,698, which is 8.5% of the original contract amount (\$55,494).

BACKGROUND/ANALYSIS:

On June 9, 2009, this Board awarded a contract to Gold Spring Construction Company for the Child Care Building Finish Replacement at Merritt College. The work has now been completed, and acceptance is recommended. This resolution accepts the work as complete and provides for a retention payment of \$6,019.20, which is 10% of the contract price.

Ratification is also requested for Change Order No. 1 to the contract, in the amount of \$4,698. The change order consists of:

- Owner requested change in scope of work, whereby carpet was upgraded from roll carpet to carpet tiles.
- Replacement of trim that was unavoidably dislodged due to unforeseen conditions during the demolition of base panels.
- An unforeseen condition required the placement of a plastic covering at the fence to deter insects.

The changes have been reviewed and approved by the project architect, the project manager 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. It has been determined that it was in the best interests of the District and financially prudent to authorize this change order. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work. Change Order No. 1 is now brought before the Board for ratification. The changes are further described in the attachment

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval of Resolution 09/10-10, Acceptance and Retention, and Ratification of Change Order No. 1, in the amount of \$4,698, to the contract with Gold Spring Construction Company for the Child Care Building Finish Replacement at Merritt College, are recommended.

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, Merritt College, "Classroom and facilities repairs and grounds improvements."

OTHER DEPARTMENTS IMPACTED BY THIS ACTION (E.G. INFORMATION TECHNOLOGY):

YES _____ NO X

COMMENTS:

All Board recommended contracts are subject to negotiation and execution by the Chancellor.

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. Ikhano Date: 9-09-09
Dr. Sadiq B. Ikhano
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:

Sadiq B. Ikhano Date: 9-9-09
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: 9.8.09
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: 9/9/09
Thuy T. Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL

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

Signature: Elihu Harris Date: 9/8/09
Elihu Harris, Chancellor

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 09/10-10**

**ACCEPTANCE AND RETENTION
CHILD CARE BUILDING FINISH REPLACEMENT AT MERRITT COLLEGE
GOLD SPRING CONSTRUCTION COMPANY**

WHEREAS, GOLD SPRING CONSTRUCTION COMPANY, a corporation existing under and by virtue of the laws of the State of California, the contractor under that certain contract with the Peralta Community College District, Alameda County, State of California, for all labor, materials, mechanical workmanship, transportation, equipment and services necessary for the Child Care Building Finish Replacement at Merritt College, has made application for acceptance of the work; and

WHEREAS, the Architect employed by the Board to prepare plans and specifications for and to supervise the completion of said work, has certified in writing to this Board that said contractor completed the work heretofore described and has recommended to this Board the final acceptance of the project; and

NOW, THEREFORE, BE IT RESOLVED that said work of said contract be and the same is hereby accepted; and

PASSED AND ADOPTED by the following called vote this 15th day of September, 2009. The full Board has voted in support of this resolution, unless the Board meeting minutes reflect otherwise.

Secretary of the Board of Trustees
Peralta Community College District
Alameda County
State of California

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. 1

PROJECT: Child Care Finishes Upgrade

DATE: AUGUST 18, 2009

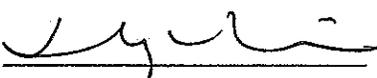
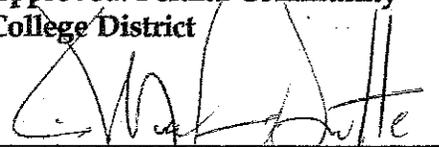
OWNER: Peralta Community College District
CONTRACTOR: GOLD SPRING CONSTRUCTION

DSA FILE NO.:
DSA APP NO.:
PCCD PROJECT #: 08-09/32
PROJECT MANAGER:
 Miller & Associates

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.....	\$ 55,494.00
Net Change by previously authorized Change Orders.....	\$ 0
The Contract sum prior to this Change Order was.....	\$ 55,494.00
The Contract sum will be increased/decreased by this Change Order.....	\$ 4,698.00
The New Contract Sum including this Change Order will be.....	\$ 60,192.00
Cumulative Change Order(s) as a percentage of contract including this Change Order	<u>8.46%</u>
The Contract is changed by (0) Days	
Contract completion date as of this Change Order therefore is: July 6, 2009	

Summary reference attached items P.C.O. 1-4

<p>Approved: Architect of Record</p> <div style="text-align: center; margin-top: 20px;">  _____ Date: 8/25/09 </div>	<p>Approved: General Contractor</p> <div style="text-align: center; margin-top: 20px;">  _____ Date: 8/18/09 </div>	<p>Approved: Peralta Community College District</p> <div style="text-align: center; margin-top: 20px;">  _____ Director of Capital Projects Date: 8/18/09 </div> <div style="text-align: center; margin-top: 20px;">  _____ Vice Chancellor of General Services Date: 9/8/09 </div>
<p>Approved: Electrical or Structural Engineer</p> <div style="text-align: center; margin-top: 20px;">  _____ Date: </div>	<p>Approved: Mechanical Engineer</p> <div style="text-align: center; margin-top: 20px;">  _____ Date: </div>	<p>Approved: Div. of the State Architect</p> <div style="text-align: center; margin-top: 20px;"> _____ Date: </div>

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CHANGE ORDER NO. 1

PROJECT: 08-09/32 Childcare Finishes Upgrade

DATE: AUGUST 27, 2009

OWNER: Peralta Community College District

DSA FILE NO.:

DSA APP NO.:

PCCD PROJECT #: 2303-30

PROJECT MANAGER: Miller & Assoc

CONTRACTOR: GOLD SPRING CONSTRUCTION CO.

1 PCO #1

ADD \$1,200.00

Description: The contract documents specified a rolled carpet and padding that would have replaced the existing carpet and padding in kind. At the District's request, the carpet design was upgraded to carpet tiles. Carpet tiles do not have a separate padding resulting in lower carpet height and the need for height transition products between different floors. The carpet transitions are an added cost which will be purchased with this PCO.

Requested by: Owner

Reason: 2F - Owner Initiated

**DSA prelim.
approval date:** n/a

2 PCO #2

ADD \$1507.00

Description: The documents called for replacement of vinyl base as a scope item. During demolition of the existing base, existing trim at the base of offset wall panels were unavoidably dislodged due to its construction placement so close to the base. Given the difficulty with removal of the base without disrupting the trim and a different trim likely to replace that which was disturbed, complete replacement of the trim was required to allow base replacement and ensure uniform style and finish of trim to be replaced.

Requested by: Owner

Reason: 1F- Unforeseen condition

**DSA prelim.
approval date:** n/a

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CHANGE ORDER NO. 1

PROJECT: 08-09/32 Childcare Finishes Upgrade

DATE: AUGUST 27, 2009

OWNER: Peralta Community College District

DSA FILE NO.:

DSA APP NO.:

PCCD PROJECT #: 2303-30

PROJECT MANAGER: Miller & Assoc

CONTRACTOR: GOLD SPRING CONSTRUCTION CO.

PCO 3

ADD \$ 629.00

Description: Plastic covering was existed on the fence at rear of the center as a deterrent to invasion of insects from the outside. It was not foreseen that the plastic would have to be removed in order to place the new drainage trench. Several revisions occurred to make the drainage trench work with other in place drainage systems. This PCO will replace the plastic as a continued deterrent to insects until a permanent solution is resolve.

Requested by: Owner

Reason: 1F- Unforeseen condition

**DSA prelim.
approval date:** n/a

PCO 4

ADD \$ 1,362.00

Description: The original contract drawings called for roll carpeting and carpet padding to be installed. At the request of the client, carpet tile with an intricate pattern was specified and issued as an addendum. The carpet subcontractor did not update his bid for the additional labor required to place carpet tiles. This PCO brings the carpet pricing current to the labor required.

Requested by: Owner

Reason: 2F- Owner Initiated

**DSA prelim.
approval date:** n/a

