

**PERALTA COMMUNITY COLLEGE DISTRICT**  
**Board of Trustees Agenda Report**  
**For the Trustee Meeting Date of October 13, 2009**

ITEM # 17

**ITEM TITLE:**

Consider Approval of Resolution 09/10-19, Acceptance and Retention, Ratification of Change Order Nos. 1, 2 and 3, Refurbishment of Laney College Pools, Burkett's Pool Plastering, Inc.

**SPECIFIC BOARD ACTION REQUESTED:**

Approval of Resolution 09/10-19, Acceptance and Retention, and Ratification of Change Order Nos. 1, 2 and 3, in the total amount of \$3,216.62, to the contract with Burkett's Pool Plastering, Inc. for the Refurbishment of Laney College Pools.

**ITEM SUMMARY:**

This resolution formally accepts the work of the contractor, Burkett's Pool Plastering, Inc., as complete and provides for a retention payment of \$11,621.66, which is 10% of the contract price. Ratification is also requested for Change Order Nos. 1, 2 and 3 to the contract, in the total amount of \$3,216.62, which is 2.8% of the original contract amount (\$113,000).

**BACKGROUND/ANALYSIS:**

On July 21, 2009, this Board awarded a contract to Burkett's Pool Plastering, Inc. for the Refurbishment of Laney College Pools. The work has now been completed, and acceptance is recommended. This resolution accepts the work as complete and provides for a retention payment of \$11,621.66, which is 10% of the contract price.

Ratification is also requested for Change Order Nos. 1, 2 and 3 to the contract, in the amount of \$3,216.62. The change order items were owner requested work, and included:

- Beadblasting and regrouting of the deck water depth markers, as the present depth markers were unreadable.
- Removal of sixteen sonar devices and tile over holes. The sonar devices are old technology, not working and not required.
- Provide the means to chlorinate the water in both pools; i.e., a double jacket fire hose, fitting and calcium chloride. The fire hose will enable filling in much less time that the present method (garden hose). The contractor obtains these products at quantity pricing, much less than the District, and they were provided at no markup.

The work was completed in a tight three-week period when the pools were not in use by the college. 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 the change order 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 the items are now brought before the Board for ratification. It has been determined that it was in the best interests of the District and financially prudent to authorize this change order.

**ALTERNATIVES/OPTIONS:**

Not applicable.

**EVALUATION AND RECOMMENDED ACTION:**

Approval of Resolution 09/10-19, Acceptance and Retention, and Ratification of Change Order Nos. 1, 2 and 3, in the total amount of \$3,216.62, to the contract with Burkett's Pool Plastering, Inc. for the Refurbishment of Laney College Pools, are recommended.

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

Measure E and State Scheduled Maintenance.

**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. Ikharo Date: 10-9-09  
Dr. Sadiq B. Ikharo  
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:

Sadiq B. Ikharo Date: 10-9-09  
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: 10/6/09  
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: 10/6/09  
Thuy T. Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL

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

Signature: Elihu Harris Date: 10/9/09  
Elihu Harris, Chancellor

**PERALTA COMMUNITY COLLEGE DISTRICT  
RESOLUTION 09/10-19**

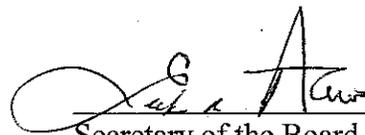
**ACCEPTANCE AND RETENTION  
REFURBISHMENT OF LANEY COLLEGE POOLS  
BURKETT'S POOL PLASTERING, INC.**

WHEREAS, BURKETT'S POOL PLASTERING, INC., 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 Refurbishment of Laney College Pools, 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.

PASSED AND ADOPTED by the following called vote this 13th day of October, 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, 2 & 3

**PROJECT:** Laney Swimming Pool Improvements

**DATE:** JULY 31, 2009

**OWNER:** Peralta Community College District

**DSA FILE NO.:** N/A

**CONTRACTOR:** BURKETT'S POOL PLASTERING, INC.

**DSA APP NO.:** N/A

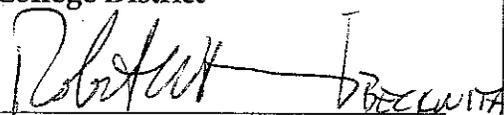
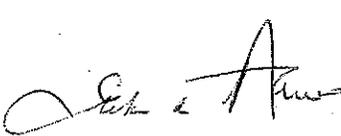
**PCCD PROJECT #:**

**PROJECT MANAGER:** R. Beckwith

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.....\$ 113,000.00  
 Net Change by previously authorized Change Orders.....\$ 0.00  
 The Contract sum prior to these Change Orders was.....\$ 113,000.00  
 The Contract sum will be increased/decreased by these Change Orders....\$ 3,216.62  
 The New Contract Sum including this Change Order will be.....\$ 116,216.62  
 Cumulative Change Order(s) as a percentage of contract including these Change Orders 2.85 %  
 The Contract is changed by (0) Days  
 Contract completion date as of this Change Order therefore is: remains as August 14, 2009

Summary reference attached items P.C.O's 1, 2 & 3

<p><b>Approved:</b> Architect of Record</p>    <p>N/A</p> <hr/> <p><b>Date:</b></p>	<p><b>Approved:</b> General Contractor</p>   <p>CO's are from the GC and thus approved by him.</p> <hr/> <p><b>Date:</b> 7/31/09</p>	<p><b>Approved:</b> Peralta Community College District</p> <p style="text-align: center;"></p> <p><b>Director of Facilities &amp; Operations</b></p> <p><b>Date:</b> 7-31-09</p> <hr/> <p style="text-align: center;"></p> <p><b>Vice Chancellor of General Services</b></p> <p><b>Date:</b> 7-31-09</p>
<p><b>Approved:</b> Electrical or Structural Engineer</p>    <p>N/A</p> <hr/> <p><b>Date:</b></p>	<p><b>Approved:</b> Mechanical Engineer</p>    <p>N/A</p> <hr/> <p><b>Date:</b></p>	<p><b>Approved:</b> Chancellor</p> <p style="text-align: center;"></p>   <p><b>Date:</b> 8/6/09</p>

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## SUMMARY OF CHANGE ORDER Numbers 1, 2 & 3 Attachment

**PROJECT:** LANEY SWIMMING POOL IMPROVEM'TS DATE: SEPTEMBER 28, 2009  
DSA FILE NO.: N/A (maintenance project)  
**OWNER:** Peralta Community College District DSA APP NO.: N/A  
**CONTRACTOR:** BURKETT'S POOL PLASTERING, INC.

<b>1</b>	<b>Change Order #1</b>	<b>ADD</b>	<b>\$ 1,520.00</b>
		<b>ADD</b>	<b>Zero Day Chg</b>

Description: Beadblast & regROUT deck water depth markers

Requested by: District

Reason: Deck water depth markers are unreadable

DSA prelim.  
approval date: N/A (maintenance)

<b>2</b>	<b>Change Order #2</b>	<b>ADD</b>	<b>\$ 960.00</b>
		<b>ADD</b>	<b>Zero Day Chg</b>

Description: Remove 16 Sonar Devices and tile over holes

Requested by: District

Reason: Sonar devices are not working, old technology, and not required

DSA prelim.  
approval date: N/A (maintenance)

<b>3</b>	<b>Change Order #3</b>	<b>ADD</b>	<b>\$ 736.62</b>
		<b>ADD</b>	<b>Zero Day Chg</b>

Description: Provide the means to chlorinate the new water in both pools;  
i.e., a double jacket fire hose, fitting, and calcium chloride

Requested by: District

Reason: The fire hose will enable filling in much less time that presently  
(garden hose); and, Burkett's gets these products at quantity  
pricing, much less than the District, and is providing at no  
markup

DSA prelim.  
approval date: N/A (maintenance)

End of Items