

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of November 10, 2009

ITEM# 9

ITEM TITLE:

Consider Approval of Resolution 09/10-27, Acceptance and Retention, Tennis Courts Renovations at Merritt College, Interstate Grading & Paving, Inc.

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 09/10-27, Acceptance and Retention, Tennis Courts Renovations at Merritt College, Interstate Grading & Paving, Inc., which will accept the project as complete and authorize release of the retention payment.

ITEM SUMMARY:

On March 24, 2009, this Board awarded a contract to Interstate Grading & Paving, Inc. for Tennis Courts Renovations at Merritt College. The work has now been completed, and acceptance is recommended. This is one of the previously Board approved Merritt Modernization and Short-Term Projects. This resolution accepts the work as complete and provides for a retention payment of \$28,371.40, which is 10% of the contract price, as modified by change orders.

BACKGROUND/ANALYSIS:

The Board previously approved change orders to this contract totaling \$21,814, which is 8.3% of the original contract amount (\$261,900).

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval of Resolution 09/10-27, Acceptance and Retention, Tennis Courts Renovations at Merritt College, Interstate Grading & Paving, Inc., is 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} Laney College, project costs for "Classroom and facilities repairs and grounds improvements." and "Equipment, technology upgrades, and facility ^{and classroom} improvements for the college's following programs: ... Physical Education, Athletics..."

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 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: 11-4-09
Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:

Sadiq B. Ikharo Date: 11-4-09
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: 11.5.09
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: 11/5/09
Thuy T. Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL

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

Signature: Elihu Harris Date: 11/4/09
Elihu Harris, Chancellor

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 09/10-27**

**ACCEPTANCE AND RETENTION
TENNIS COURTS RENOVATIONS AT MERRITT COLLEGE
INTERSTATE GRADING & PAVING, INC.**

WHEREAS, INTERSTATE GRADING & PAVING, 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 Tennis Courts Renovations 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.

BE IT FURTHER RESOLVED that the retention payment in the amount of TWENTY-EIGHT THOUSAND THREE HUNDRED SEVENTY-ONE AND 40/100 DOLLARS (\$28,371.40), shall be made thirty-five (35) calendar days from and after the filing of the Notice of Completion at the Alameda County Recorder's Office, provided no withhold notices requesting the withholding of any monies from said contractor have been filed with this Board of Trustees in accordance with the provisions of Title 15 of Part 4, Division 3, of the Civil Code of the State of California.

PASSED AND ADOPTED by the following called vote this 10th day of November, 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

PROJECT FINAL ACCEPTANCE

PROJECT NAME: Tennis Court Renovation

PROJECT NUMBER: 08-09/19

PROJECT MANAGER: Miller & Associates

CONTRACTOR: Interstate Grading & Paving Company

For acceptance and approval at the Board of Trustees Meeting of:

November 10, 2009

This project is accepted and complete and approved by the College/District:

College President

Robert A. Adam
(signature)

11/3/09
(date)

College Business Manager

J Bell
(signature)

11/3/09
(date)

Recording Requested By:
Peralta Community College District

When Recorded, Mail To:
Office of General Services
333 East 8th Street
Oakland, CA 94606

For Recorder's Use

Government Code: 27383

Peralta Community College District
Office of General Services
333 East 8th Street, Oakland, California 94606
(510) 466-7200 (510) 466-7315

NOTICE OF COMPLETION

OWNER: Peralta Community College District
NATURE OF INTEREST OR ESTATE: Fee
PROJECT CONTRACT TITLE: Tennis Court Renovation
PROJECT NUMBER: 08-09/19
PROJECT ADDRESS: 12500 Campus Drive, Oakland, California 94619
CONTRACTOR: Interstate Grading & Paving Company
CONTRACTOR'S ADDRESS: 128 South Maple Avenue, South San Francisco, CA 94080
DSA APPLICATION NUMBER: n/a
CONTRACT START DATE: April 20, 2009
ORIGINAL CONTRACT TIME: 90 Days
CONTRACT TIME EXTENSIONS: 10 Days
APPROVED VIA CHANGE ORDER: \$21,814.42
CONTRACT COMPLETION DATE: July 24, 2009

The above referenced Contract has been completed in accordance with the plans and specifications thereof, and to the satisfaction of the Peralta Community College District. The nature of the title of the stated owner is: in fee.

State of California
County of Alameda

That he/she/they is/are the person(s) signing the above document; that He/she/they has/have read the same, and know(s) the content thereof and that the acts stated therein are true.

Sadiq B. Ikhano

(Signature of Affiant)

Dr. Sadiq Bello Ikhano
Vice Chancellor, General Services
Peralta Community College District

11-4-09

Date

I declare under penalty of perjury that the foregoing is true to the best of my knowledge.

Sadiq B. Ikhano

(Signature of Affiant)

Dr. Sadiq Bello Ikhano
Vice Chancellor, General Services
Peralta Community College District

11-4-09

Date