

**Board of Trustees Agenda Report**

**For the Trustee Meeting Date of January 26, 2010**

**ITEM TITLE:**

Consider Approval of Resolution 10/11-6, Acceptance and Retention, Ratification of Deductive Change Order No. 1, College of Alameda Access Road and Pedestrian Pathway, Grade Tech, Inc.

**SPECIFIC BOARD ACTION REQUESTED:**

Approval of Resolution 10/11-6, Acceptance and Retention, and Ratification of Deductive Change Order No. 1, in the amount of (\$42,166.41), to the contract with Grade Tech, Inc. for the College of Alameda Access Road and Pedestrian Pathway.

**ITEM SUMMARY:**

This resolution formally accepts the work of the contractor, Grade Tech, Inc., as complete and provides for a retention payment. Ratification is also requested for Change Order No. 1, a deduction to the contract in the amount of (\$42,166.41), which reduces the original construct amount of \$458,550.00 by (9.2%).

**BACKGROUND/ANALYSIS:**

On April 7, 2009, this Board awarded a contract to Grade Tech, Inc. for the College of Alameda Access Road and Pedestrian Pathway. The access road and pedestrian pathway go from the existing Tinker Road into the campus. The work was necessary due to the ongoing construction by the City of Alameda of the new Willie Stargell Avenue that is designed to run through the northeast side of the College of Alameda campus. The work has now been completed, the Notice of Completion filed with the County of Alameda, and the Laney College President and Business Manager have signed the Project Acceptance form. Board of Trustees acceptance is recommended. This resolution accepts the work as complete and provides for a retention payment of \$41,638.36, which is 10% of the contract price, as modified by deductive Change Order No. 1.

Ratification is also requested for Change Order No. 1 to the contract, a deduction in the amount of (\$42,166.41). This change order reduces the original contract amount of \$458,550.00 by (9.2%). Under the contract a bid allowance was provided for unforeseen soft soil conditions based on unit prices. The soil conditions were not as bad as anticipated, and only a small amount of the allowance was required. This change order deducts the remaining allowance from the original contract amount.

The changes have been reviewed and approved by the project architect, the project manager and the General Services Department. 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 10/11-6, Acceptance and Retention, and Ratification of Deductive Change Order No. 1, in the amount of (\$42,166.41), to the contract with Grade Tech, Inc. for the College of Alameda Access Road and Pedestrian Pathway, 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, College of Alameda, "Remodeling and equipping classrooms and campus facilities."

**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: 1-19-10  
Dr. Sadiq B. Ikharo  
Vice Chancellor of General Services

**DOCUMENT PRESENTED BY:**

Sadiq B. Ikharo Date: 1-19-10  
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: [Signature] Date: 1/19/10  
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: [Signature] Date: 1/19/10  
Thuy T. Nguyen, General Counsel

**CHANCELLOR'S OFFICE APPROVAL**

Approved, and Place on Agenda  Not Approved, but Place on Agenda  
Signature: [Signature] Date: 1/20/10  
Elihu Harris, Chancellor

**PERALTA COMMUNITY COLLEGE DISTRICT  
RESOLUTION 10/11-6**

**ACCEPTANCE AND RETENTION  
COLLEGE OF ALAMEDA ACCESS ROAD AND PEDESTRIAN PATHWAY  
GRADE TECH, INC.**

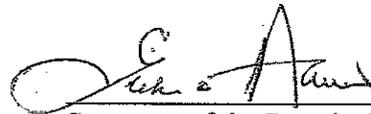
WHEREAS, GRADE TECH, INC., a corporation existing under and by virtue of the laws of the State of California, the contractor under that certain contract with the Peralta Community College District, Alameda County, State of California, for all labor, materials, mechanical workmanship, transportation, equipment and services necessary for the College of Alameda Access Road and Pedestrian Pathway, 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

BE IT FURTHER RESOLVED that the retention payment in the amount of FORTY-ONE THOUSAND SIX HUNDRED THIRTY-EIGHT AND 36/100 DOLLARS (\$41,638.36), which is ten percent (10%) of said contract price, as modified by deductive Change Order No. 1, shall be made thirty-five (35) calendar days from and after the passage of this resolution, 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 26th day of January, 2010. 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:** COLLEGE OF ALAMEDA ACCESS ROAD  
AND PEDESTRIAN PATHWAY

**DATE:** DECEMBER 14, 2009

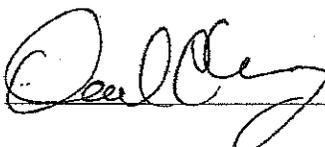
**OWNER:** Peralta Community College District  
**CONTRACTOR:** GRADETECH INC.

**DSA FILE NO.:** NA  
**DSA APP NO.:** NA  
**PCCD PROJECT #:** 2347  
**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.....\$ 458,550.00  
 Net Change by previously authorized Change Orders.....\$ 0.00  
 The Contract sum prior to this Change Order was.....\$ 458,550.00  
 The Contract sum will be decreased by this Change Order.....\$ (42,166.41)  
 The New Contract Sum including this Change Order will be.....\$ 416,383.59  
 Cumulative Change Order(s) as a percentage of contract including this Change Order 0%  
 The Contract is changed by (0) Days  
 Contract completion date as of this Change Order therefore is: September 1, 2009

Summary reference attached items: P.C.O. 1 and Approval Letters listed in Item 2

<p><b>Approved:</b> Architect of Record</p>    Date: <u>12-18-09</u>	<p><b>Approved:</b> General Contractor</p>    Date: <u>12-18-09</u>	<p><b>Approved:</b> Peralta Community College District</p>   _____ Director of Capital Projects Date:  Vice Chancellor of General Services Date: <u>1-12-10</u>
<p><b>Approved:</b> Electrical or Structural Engineer</p> <p>N/A</p>  _____ Date:	<p><b>Approved:</b> Mechanical Engineer</p> <p>N/A</p>  _____ Date:	<p><b>Approved:</b> Div. of the State Architect</p> <p>N/A</p>  _____ Date:

# PERALTA COMMUNITY COLLEGE DISTRICT

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## SUMMARY OF CHANGE ORDER No. 1 Attachment

PROJECT: COLLEGE OF ALAMEDA ACCESS ROAD  
AND PEDESTRIAN PATHWAY  
OWNER: Peralta Community College District  
CONTRACTOR: GRADETECH INC.

DATE: DECEMBER 14, 2009  
DSA FILE NO.: NA  
DSA APP NO.: NA  
PCCD FILE NO.: #2347

1	PCO NO. 1	DEDUCT	\$(42,166.41)
		ADD/DEDUCT	0 days

Description: Credit to contract for unspent Allowances for soft soil, irrigation and import fill.

Requested by: Olive Construction Management

Reason: Contract closeout

DSA prelim.  
approval date: NA

2	Approval Letters (No Change to Contract Amount)
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Approval Letter 01	Approval Letter 12
Approval Letter 02	Approval Letter 13
Approval Letter 03	Approval Letter 14
Approval Letter 04	Approval Letter 15
Approval Letter 05	Approval Letter 16
Approval Letter 06	Approval Letter 17
Approval Letter 07	Approval Letter 18
Approval Letter 09	Approval Letter 19
Approval Letter 10	Approval Letter 20
Approval Letter 11	Approval Letter 21

End of Item

**PROJECT FINAL ACCEPTANCE**

PROJECT NAME: College of Alameda Access Road and Pedestrian Pathway

PROJECT NUMBER: Project 2347

PROJECT MANAGER: OCM Inc.

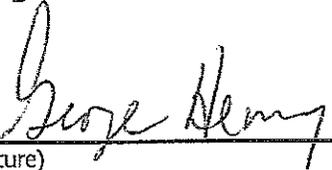
CONTRACTOR: Gradetech Inc.

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

January 28, 2010

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

**College President**

  
\_\_\_\_\_  
(signature)

1/8/10  
(date)

**College Business Manager**

  
\_\_\_\_\_  
(signature)

1/11/10  
(date)

