

**PERALTA COMMUNITY COLLEGE DISTRICT**  
**Board of Trustees Agenda Report**  
**For the Trustee Meeting Date of March 9, 2010**

ITEM # 22

**ITEM TITLE:**

Consider Approval of Amendment No. 5 to Agreement for Renovations to Building A and Sidewalk Rehabilitation Project with Olive Construction Management Inc.

**SPECIFIC BOARD ACTION REQUESTED:**

Approval is requested for Amendment No. 5 to the agreement with Olive Construction Management Inc., for project/construction management services for the Renovation to Building A and Sidewalk Rehabilitation Project at College of Alameda, in the amount of \$36,821.00.

**ITEM SUMMARY:**

Construction management services need to be extended for this project due to non-performance on the part of the contractor. The District's agreement with Olive Construction Management Inc., per Article 2.3, states that the Project Manager shall not exceed the duration of the schedule, unless the delay is caused by an excusable event such as delays by the construction contractor. The excusable event in this case is the financial trouble of the general contractor, NBC General Contractor Corporation, which has resulted in delay to completion of the project. Olive Construction Management's involvement to facilitate the closeout of the project has been necessary for the period beginning October 2009 and is anticipated to continue through the end of March 2010.

The scope of services includes:

- Assist in review of the punchlist items – tracking and evaluation
- Assist in responding to any District legal counsel information requests
- Assist in summarizing the final change order
- Additional services as required by the District

**BACKGROUND/ANALYSIS:**

The original contract with Olive Construction Management Inc. was approved at the Board meeting of April 25, 2006, in the amount of \$196,560.

- At the meeting of May 8, 2007, the Board approved Amendment No. 1, in the amount of \$243,760 to oversee additional projects and extended services from April 1, 2007 to March 31, 2008.
- At the meeting of January 29, 2008, the Board approved Amendment No. 2, in the amount of \$14,400 for additional construction management services for the Sidewalk Rehabilitation Project.
- At the meeting of October 28, 2008, the Board approved Amendment No. 3, in the amount of \$418,826, extending services through August 2009.

- At the meeting of February 10, 2009, the Board approved Amendment No. 4, in the amount of \$102,500, to oversee the Access Road and Awning Projects and extending services through September 2009.
- This Amendment No. 5, in the amount of \$36,821, extends services through March 2010 and will increase the total not-to-exceed contract amount to \$1,012,867.

**ALTERNATIVES/OPTIONS:**

Not applicable.

**EVALUATION AND RECOMMENDED ACTION:**

Approval is recommended for Amendment No. 5 to the agreement with Olive Construction Management Inc., for project/construction management services for the Renovation to Building A and Sidewalk Rehabilitation Project at College of Alameda, in the amount of \$36,821.00.

**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 classroom 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. Ikharmo Date: 3-2-10  
Dr. Sadiq B. Ikharo  
Vice Chancellor for General Services

**DOCUMENT PRESENTED BY:**

Sadiq B. Ikharmo Date: 3-2-10  
Dr. Sadiq B. Ikharo  
Vice Chancellor for 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: 3/4/2010  
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: 3/4/10  
Thuy T. Nguyen, General Counsel

**CHANCELLOR'S OFFICE APPROVAL**

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

Signature: [Signature] Date: 3/3/10  
Elihu Harris, Chancellor