PERALTA COMMUNITY COLLEGE DISTRICT ITEM # 29

Board of Trustees Agenda Report

For the Trustee Meeting Date of June 22, 2010

ITEM TITLE:

Consider Approval to Enter into an Independent Contract with Olive Construction Management, Inc. for Project/Construction Management Services for the District-Wide Smart Classroom Project

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested to enter into an independent contract with Olive Construction Management, Inc. to provide project/construction management services for the District-Wide Smart Classroom Project, in the not-to-exceed amount of $62,480.

ITEM SUMMARY:

The services, beginning June 1, 2010, will not exceed $31,240 per month, and will continue under the independent contract until the entire scope of the project and manpower requirements have been identified. A full-service proposal will be submitted for review and approval at the July 20, 2010 Board meeting.

In March 2010 the District contracted with Rosen, Goldberg, Der and Lewitz for design services in relationship to the installation of the District's Smart Classroom project. District staff has now identified each level of system technology and prioritized classrooms at each campus for the first phase of construction. Further bid packages will consist of electrical, data and hazmat. In order to oversee this work from design to construction completion, Olive Construction Management, Inc. (OCM Inc.) has been selected to oversee all work at all four campuses to provide cohesiveness and continuity to the project.

BACKGROUND/ANALYSIS:

The Interactive Learning Environment Technology Standards Performance Matrix drafted by WLC Architects (part of the District-Wide Facilities Master Plan) dated 12/11/2008 contains seven categories of implementation. These categories are:

1. Projected Media – to provide ceiling mounted projectors, DVD/DVR player devices, projection screens, flat screen monitors
2. Image Capture Technology – Interactive Digital Pad with Documented Camera, Smart Board, Video and Audio Conferencing, Video Streaming, Video Cameras with Smart Tracking
3. Lighting /Daylighting Control
4. Media Control
5. Sound Systems – Four speaker audio system
6. Technology Infrastructure – Local Area Network/Wireless LAN network with internet connection, cable television with VOIP, data outlets for eight students, proximity security devices, power receptacles for fifteen students

7. Furniture & Equipment – Modular furniture with casters for flexibility, specialized furniture with power and data, locking cabinetry with power supply for laptops, remotes, etc., laptops for classroom use with carts

Items 1, 4, 5 and 6 are included in the current project to various degrees depending upon construction funding and bid amounts. Each bid will carry multiple alternates. At a minimum it is hoped that all item 1 equipment and all electrical and data pathways can be installed to support future implementation.

District staff has met with all college campuses and identified the various levels of system technology, location and priority. Further meetings with College Presidents shall be scheduled to ensure that all locations are understood and agreed upon.

It is hoped that construction can begin as early as August on the Merritt and Alameda campuses, as they have been surveyed by the electrical team, with Laney and Berkeley City College following.

Since this is an extremely fast tracked project, it is imperative the OCM Inc. be contracted immediately to push the project forward. OCM Inc. was selected from the Board approved short list of project management firms. Board approval is required because the cumulative open purchase orders for OCM Inc. exceed the threshold amount.

The District-Wide Smart Classroom Project was discussed at the Board Facilities and Land Use Planning Committee meeting of May 20, 2010. Allocation of Measure A funding for the project, in the amount of $4,006,901, was approved at the Board meeting of May 25, 2010.

ALTERNATIVES/OPTIONS:
Not applicable.

EVALUATION AND RECOMMENDED ACTION:
Approval is recommended to enter into an independent contract with Olive Construction Management, Inc. to provide project/construction management services for the District-Wide Smart Classroom Project, in the not-to-exceed amount of $62,480.

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, District-Wide Projects, "Technology infrastructure for distance learning."
Budget code: 1-61-391-6206-1-710000-2368-00.

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_X__ NO _____
IF "YES", PLEASE INCLUDE THAT INFORMATION IN YOUR SUMMARY.

PLEASE ACQUIRE SIGNATURES IN THIS ORDER:

DOCUMENT PREPARED BY:

Prepared by: Sadiq B. Ikharo Date: 6-15-10
Dr. Sadiq B. Ikharo
Vice Chancellor for General Services

DOCUMENT PRESENTED BY:

Sadiq B. Ikharo Date: 6-15-10
Dr. Sadiq B. Ikharo
Vice Chancellor for General Services

FINANCE DEPARTMENT REVIEW

__X__ Finance review required _____ Finance review *not* required

If Finance review is required, determination is: _____ Approved _____ Not Approved

If not approved, please give reason: _____

_____

Signature: _____ Date: _____
For Finance and Administration

GENERAL COUNSEL (Legality and Format/adherence to Education Codes):

__X__ Legal review required _____ Legal review *not* required

If Legal review is required, determination is: _____ Approved _____ Not Approved

Signature: _____ Date: 6/16/10
Thuy T. Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL

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

Signature: _____ Date: 6/15/10
Elihu Harris, Chancellor

May 24, 2010

Dr. Sadiq B. Ikharo
Vice Chancellor of General Services
333 E 8th Street
Oakland, CA 94606

Re: PCCD AV Project at Four Campuses
Subj.: Project Management/Construction Management Services

Dr. Ikharo:

Thank you for this opportunity to submit a proposal for Project Management and Construction Management Services for the District's "Smart Classroom" project targeted at the District's four campuses.

After discussing the status of the project with District Capital Project's staff the current status of the project is as follows:

1. All four campuses have developed a list of classrooms that are to receive the smart classroom equipment and all four campuses have a prioritized the list.
2. The time for construction has not been established or accepted by all campuses. In some instances the College has not given consent to perform work during the evening hours.
3. The Audio Visual drawings/specifications have been completed. However no constructability review has been undertaken and the Consultant has not been paid
4. The Electrical Engineer chosen for the project does not currently have a contract to begin design documents
5. There hasn't been any on-site evaluation of electrical components or services that may be required.
6. The lead time for audio visual equipment has not been identified.

Given the District's requirement of approximately two months for bidding, if the project were bid today construction, following the normal timelines, would not begin until the end of July 2010. In addition all design contracts need to be prioritized and executed.

Furthermore, an alternate delivery method such as CM at Risk may be appropriate for the following reasons:

1. All construction coordination is performed by the CM's Superintendent thereby ensuring that nothing is missed to ensure a complete installation
2. All construction oversight regarding quality of work and installation is performed by the CM's Superintendent – since this is not a DSA project a DSA Project Inspector would not be needed
3. All trade packages are developed and bid by the CM through the District's Purchasing Department using the District's Division 0 documents – thereby ensuring that the District's construction concerns are reflected in the bid.
4. All contracts are transferred to the CM at Risk which reduces any liability to the District

5. All the District's outreach to small local businesses is met through the bid method
6. Trade contracts are retroactively approved by the Board so that mobilization could occur faster
7. The general conditions and general requirement are handled by the CM at Risk entity so that the District is not double billed for general conditions
8. All expenditures are recorded and presented and are transparent since the CM at Risk's books are open to the District unlike a general contractor's lump sum contract.
9. Any change orders are still handled through the District's general conditions.

However, since the District has not officially approved a CM at Risk delivery method, a Multi-Prime delivery method should be utilized with the following requirements:

1. Design does not have to be 100% in order to begin bidding – unit pricing methodology can be utilized. This package can be determined after review of the completed audio visual documents. Advertising should begin early next week without the bid documents available until the second week.
2. Trade packages are bid separately in order to get the various trades working as early as possible – this lends transparency to the District since trade packages can be reviewed without the general contractor's markups.
3. Trade packages are bid through the District using the existing procedure – however, **timelines need to be shortened.** This can be accomplished and still comply with the Public Contract Code. Bids can be opened within ten days after the first advertisement.
4. Packages, if comprised of two bidders should be executed and retroactively approved by the Board.
5. A District Inspector should immediately be acquired in order to acquaint themselves with the work and commit to off-hours reviews
6. The CM coordinates all trade contractors so that work progresses.

Since, the entire scope of work and delivery methodology hasn't been developed nor completely determined, I suggest that a month to month contract be utilized until the exact scope of work is identified, at which time the month to month contract will be replaced. The substantial completion date of August will be difficult to achieve, however,

I have attached a task/hour description with a monthly requested amount of $31,240 per month not-to-exceed to begin the work. Of course OCM Inc. will provide a detailed description of hours expended at the end of each month to ensure complete transparency.

Please let me know if you would like to discuss this further or need additional information.

Sincerely,

Olivia Rocha
President, Olive CM Inc.

Attachment: Task/hour Descriptions

Cc: Mark Sennette, Director of Capital Projects
Johnnie Fudge,

OLIVE CONSTRUCTION MANAGEMENT
TASK/HOUR DESCRIPTIONS

		May-10	Jun-10	Jul-10
	Working Days in Month	21	22	22
AV at Four Campuses				
$4,000,000				
Principal Project Manager		0.5	0.5	0.5
Olivia Rocha	**Hrs per Mo**	**84**	**88**	**88**
$ 125.00	$ 76,000.00	$ 10,500.00	$ 11,000.00	$ 11,000.00
Construction Manager		0.5	0.5	0.5
Eric Walker	**Hrs per Mo**	**84**	**88**	**88**
$ 120.00	$ 72,960.00	$ 10,080.00	$ 10,560.00	$ 10,560.00
Admin Support		1	1	1
Myla Divingracia	**Hrs per Mo**	**168**	**176**	**176**
$ [illegible]	$ 38,280.00	$ 9,240.00	$ 9,680.00	$ 9,680.00
5%	$ 187,240.00			

$ 29,820.00 $ 31,240.00 $ 31,240.00

Independent Contract Term