

PERALTA COMMUNITY COLLEGE DISTRICT  
**Board of Trustees Agenda Report**  
**For the Trustee Meeting Date of October 26, 2010**

ITEM # 16

**ITEM TITLE:**

Consider Approval of Resolution 10/11-29, Award of Contract for Emergency Construction, Repair of Gas Leak at Laney College

**SPECIFIC BOARD ACTION REQUESTED:**

Approval is requested for Resolution 10/11-29, to award a contract for emergency construction for the repair of a gas leak at Laney College, at an estimated not-to-exceed cost of \$75,000.

**ITEM SUMMARY:**

A gas leak was recently detected at the entrance to the Laney College campus between the "E" and "F" buildings. After examination by PG&E, they advised that the section of the gas line must be replaced no later than November 15, 2010. In order to address the gas leak, the engineering firm of GTS, Inc. was engaged under an Independent Contractor/Consultant Services Contract (ICC) for design of a partial replacement of the gas distribution system at Laney. Using the design generated by GTS, Inc., three (3) qualified contractors will submit informal bids for the construction scope of work. It is anticipated that the bids will be received on October 21, 2010. The estimated not-to-exceed cost for the work is \$75,000. The recommended contractor and the bid amount will be presented to the Board at this meeting.

**BACKGROUND/ANALYSIS:**

Under Section 20654 (a) of the California Public Contract Code, *"In an emergency when any repairs, alterations, work, or improvement is necessary to any facility of the college, or to permit the continuance of existing college classes, or to avoid danger to life or property, the board may by unanimous vote, with the approval of the county superintendent of schools, do either of the following: (1) Make a contract in writing or otherwise on behalf of the district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bids. (2) Notwithstanding Section 20655, authorize the use of day labor or force account for the purpose."*

This qualifies as an emergency situation because the gas leak repairs must be undertaken immediately, and the work is necessary to avoid danger to life or property. In accordance with this code, approval of the Superintendent of the Alameda County Office of Education to award a construction contract for the necessary replacement work has been requested and was received on October 11, 2010. As further required by the Public Contract Code, unanimous approval of this resolution by the Board of Trustees is requested.

**ALTERNATIVES/OPTIONS:**

Not applicable.

**EVALUATION AND RECOMMENDED ACTION:**

Approval is recommended for approval of Resolution 10/11-29, to award a contract for emergency construction for the repair of a gas leak at Laney College, at an estimated not-to-exceed cost of \$75,000.

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

State Scheduled Maintenance Funds

**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: 10-14-10  
Dr. Sadiq B. Ikharmo  
Vice Chancellor for General Services

**DOCUMENT PRESENTED BY:**

Sadiq B. Ikharmo Date: 10-14-10  
Dr. Sadiq B. Ikharmo  
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: 10/24/10  
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: \_\_\_\_\_ Date: \_\_\_\_\_  
Thuy T. Nguyen, General Counsel

**CHANCELLOR'S OFFICE APPROVAL**

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

Signature: Wise E. Allen Date: 10/18/10  
Wise E. Allen, Chancellor

**PERALTA COMMUNITY COLLEGE DISTRICT  
RESOLUTION 10/11-29**

**AWARD OF CONTRACT FOR EMERGENCY CONSTRUCTION  
REPAIR OF GAS LEAK AT LANEY COLLEGE**

WHEREAS, Section 20654 of the California Public Contract Code authorizes the Governing Board, with the approval of the County Superintendent of Schools, to make emergency repairs, alterations, work, or improvement without advertising for bids if, in the unanimous opinion of the Board, such work is necessary to permit the continuance of existing college classes or to avoid danger to life or property; and

WHEREAS, a gas leak has been detected on the Laney College campus necessitating immediate repairs; and

WHEREAS, it has been determined that this qualifies as an emergency situation because the repairs to the gas distribution system must be undertaken immediately to permit the continuance of existing college classes and to avoid danger to life or property; and

WHEREAS, approval has been received from the Alameda County Superintendent of Schools on October 11, 2010, to proceed with the required work on an emergency basis under Section 20654 of the Public Contract Code; and

NOW, THEREFORE, BE IT UNANIMOUSLY RESOLVED by this Board that an emergency exists wherein certain repairs, alternations, work or improvements are necessary to permit the continuance of existing college classes, and to avoid danger to life or property;

BE IT FURTHER RESOLVED that the Board authorizes entering into a contract, without advertising or formal bidding, on behalf of the District for the performance of labor and the furnishing of materials or supplies for the purpose of remedying the emergency situation.

PASSED AND ADOPTED by the unanimous vote of the Board present and voting this 26<sup>th</sup> day of October, 2010.

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\_\_\_\_\_  
Secretary of the Board of Trustees  
Peralta Community College District  
Alameda County  
State of California



# Peralta Community College District

333 East Eighth Street • Oakland, California 94606 • (510) 466-7200

Office of the Chancellor

September 28, 2010

Shella Jordan, Superintendent  
Alameda County Office of Education  
313 W. Winton Avenue  
Hayward, CA 94544-1136

Dear Superintendent Jordan:

**Subject: Approval to Award Construction Contract for Replacement of Gas Line at Laney College**

In accordance with Section 20654 of the California Public Contract Code, your approval is requested to award an emergency construction contract for the replacement of a section of the main campus gas line at Laney College, without advertising.

The gas line is located at the entrance to the Laney College campus from the parking lot on East 7<sup>th</sup> Street, Oakland. A natural gas odor has recently been reported, and the District Maintenance Department investigated and notified PG&E. After examination, PG&E advised that this section of the gas line should be replaced no later than November 15, 2010.

Under Section 20654 (a) of the Public Contract Code, *"In an emergency when any repairs, alterations, work, or improvement is necessary to any facility of the college, or to permit the continuance of existing college classes, or to avoid danger to life or property, the board may by unanimous vote, with the approval of the county superintendent of schools, do either of the following: (1) Make a contract in writing or otherwise on behalf of the district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bids. (2) Notwithstanding Section 20655, authorize the use of day labor or force account for the purpose."* This qualifies as an emergency situation because the gas pipe replacement must be undertaken immediately and the work is necessary to avoid danger to life or property.

The District has contacted a design engineer, and it is anticipated that the plans will be complete within two weeks. Upon completion of the plans, the District intends to immediately hire a contractor through an informal price quote to commence the required repairs. Unanimous approval of the Peralta Board of

Sheila Jordan, Superintendent  
Page 2  
September 28, 2010

Trustees will be requested at the Board meeting of October 12, 2010, and the District expects to start construction immediately after a contract is signed.

Please contact the Vice Chancellor for General Services, Dr. Sadiq B. Ikharo, if you have any questions regarding this request (at 510-466-7336 or [sikharo@peralta.edu](mailto:sikharo@peralta.edu)).

Sincerely,



Wise E. Allen, Ph.D.

WEA:SBI:cr

cc: Dr. Sadiq B. Ikharo, Vice Chancellor for General Services

**APPROVED BY:**



Sheila Jordan, Superintendent  
ALAMEDA COUNTY OFFICE OF EDUCATION

10/11 / 10  
Date /