

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

ITEM # 28

ITEM TITLE:

Consider Approval for Peralta Community College District to Engage in a Contract with Wulfsberg Reese Colvig & Firstman for Legal Services to Assist with the Development of the Design-Build Contract Agreement for the Merritt College Allied Health Center

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested for Peralta Community College District to engage in a contract with Wulfsberg Reese Colvig & Firstman for legal services to assist with the development of the Design-Build Contract Agreement for the Merritt College Allied Health Center, at a not-to-exceed fee of \$25,000.

ITEM SUMMARY:

The terms of this contract will begin November 10, 2010, and continue until the completion of the bid process and the design-build contract is awarded. The scope of work will include, but is not limited to, prequalifying design/build teams, establishing the state process for the selection of the design/build teams, developing the contract agreement for the awarded team, and assisting with bid protest, if required.

Because this firm is currently engaged with Office of the General Counsel, this request for \$25,000 requires Board approval. The Measure A funds will be allocated from the existing Merritt College Allied Health Center project budget.

BACKGROUND/ANALYSIS:

The District originally selected Wulfsberg Reese Colvig & Firstman to assist the Department of General Services with the design-build process used for the Laney College Athletic Field Complex.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval is recommended for Peralta Community College District to engage in a contract with Wulfsberg Reese Colvig & Firstman for legal services to assist with the development the of the Design-Build Contract Agreement for the Merritt College Allied Health Center, at a not-to-exceed fee of \$25,000.

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, "Nurse training program classrooms and facilities," Merritt College, "Science Lab upgrades," "Nursing Skills Labs," "Dedicated Nursing Program conference room and classrooms," "Allied Health Labs," "Providing for and equipping sufficient office space nursing instructors and science instructors,"

instructors," "Science faculty meeting areas," and "Equipment, technology upgrades and facility and classroom improvements for the college's following programs: **Science**, Child Development, Communications, English as a Second Language at the Fruitvale Education Center, Art, Ceramics, Landscape Horticulture/Design, Learning Center, Liberal Arts, Music, Physical Education/Athletics, and **Radiologic Science**."

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. Ikhano Date: OCT. 29. 10
Dr. Sadiq B. Ikhano
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:

Sadiq B. Ikhano Date: OCT. 29. 10
Dr. Sadiq B. Ikhano
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: _____ Date: _____

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 Nguyen by Roxanne Epstein Date: 11/3/10
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: 11/3/10
Wise E. Allen, Chancellor