

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

ITEM # 29

ITEM TITLE:

Consider Ratification of Contract Award to Performance Mechanical, Inc. for Emergency Construction at Laney College for Repair of a Gas Leak

SPECIFIC BOARD ACTION REQUESTED:

Ratification of a contract award to Performance Mechanical, Inc. for emergency construction for the repair of a gas leak at Laney College, in the amount of \$92,331.

ITEM SUMMARY:

At the Board of Trustees meeting of October 26, 2010, the Board unanimously approved Resolution 10/11-29, which recognized the Laney gas leak as an emergency situation that requires immediate remediation in order to permit the continuance of existing college classes and to avoid danger to life or property. Approval of the resolution authorized entering into a construction contract without advertising or formal bidding.

The two bids obtained on October 25, 2010, resulting from an informal bid solicitation process, were also presented to the Board at the meeting of October 26, 2010. At that time the lowest responsible informal bid was in the amount of \$147,345, submitted by ARB, Inc. The Administration announced the intention to enter into a contract not to exceed \$147,345. Subsequent to the Board meeting, a third competitive and responsible quote in the amount of \$92,331 was received from Performance Mechanical, Inc. Because this informal bid was significantly lower than the previous bids, the Chancellor approved entering into a contract with Performance Mechanical, Inc., in the amount of \$92,331.

Following is the bid tabulation of the three informal bids:

CONTRACTOR	BID AMOUNT
Performance Mechanical, Inc.	\$ 92,331
ARB, Inc.	\$147,345
American Air Conditioning, Plumbing and Heating	\$149,350

The bid from Performance Mechanical, Inc. is the closest responsible informal bid to the original engineering estimate of \$75,000. After receiving the bids and conducting post-bid interviews with the three companies, they indicated that the price of the work was largely the result of the aggressive project timelines as well as the requirement for minimal disruption to campus operations.

Based on the need to expedite completion of the work with minimal disruption to campus operations, it was decided to award the contract to Performance Mechanical, Inc, in the amount of \$92,331. Ratification of the contract award by the Board of Trustees is now requested.

BACKGROUND/ANALYSIS:

On August 6, 2010, a gas leak between Buildings "E" and "F" at Laney College was identified. PG&E was contacted, and after investigation, recommended that a section of the gas line should be replaced by November 15, 2010. In compliance with Section 20654 (a) of the California Public Contract Code, approval of the Superintendent of the Alameda County Office of Education was requested to enter into a contract without advertising for the repair work. On October 11, 2010 this request was approved by Superintendent Sheila Jordan.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Ratification of a contract award to Performance Mechanical, Inc. for emergency construction for the repair of a gas leak at Laney College, in the amount of \$92,331, is recommended.

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. Ikharo Date: NOV. 1, 2010
Dr. Sadiq B. Ikharo
Vice Chancellor for General Services

DOCUMENT PRESENTED BY:
Sadiq B. Ikharo Date: NOV. 1, 2010
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: _____ 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