

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of December 7, 2010

ITEM # 32

ITEM TITLE:

Consider Approval of Resolution 10/11-37, Acceptance and Retention, Cosmetology Refurbishment and Building G & Theater Door Project at Laney College, A & E Emaar

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 10/11-37, Acceptance and Retention, Cosmetology Refurbishment and Building G & Theater Door Project at Laney College, A & E Emaar.

ITEM SUMMARY:

On April 21, 2009, this Board awarded a contract to A & E Emaar for the Cosmetology Refurbishment and Building G & Theater Door Project at Laney College. The work has now been completed, a Notice of Completion has been filed with the County of Alameda, and the Laney President and Business Manager have signed the Project College Acceptance Form. Board of Trustees' acceptance is recommended. This resolution accepts the work as complete and provides for a retention payment of \$20,280.44, which is 10% of the contract price. The Board previously approved a change order to this contract in the amount of \$15,804.43, which is 8.5% of the original contract amount (\$187,000.00).

BACKGROUND/ANALYSIS:

This project is one of the previously Board approved Laney College Modernization and Short-Term Projects, funded by Measure A. The modernization and short term project allocations were discussed by the Board Facilities and Land Use Committee and approved by the Board of Trustees at the meetings of March 13, 2007 and October 9, 2007.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval of Resolution 10/11-37, Acceptance and Retention, Cosmetology Refurbishment and Building G & Theater Door Project at Laney College, A & E Emaar, is recommended.

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, Laney College, swing space for "Administration - Tower building repairs, upgrades, and renovations."

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 Ikhara

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. Ikharmo Date: 11-26-2010
Dr. Sadiq B. Ikharmo
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:

Sadiq B. Ikharmo Date: 11-26-2010
Dr. Sadiq B. Ikharmo
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: Ron Gerhard, electronically Date: 12/3/10
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: Thuy T. Nguyen, electronic signature Date: 12/2/10
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: 12/1/10
Wise E. Allen, Chancellor

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 10/11-37**

**ACCEPTANCE AND RETENTION
COSMETOLOGY REFURBISHMENT AND BUILDING G &
THEATER DOOR PROJECT AT LANEY COLLEGE
A & E EMAAR**

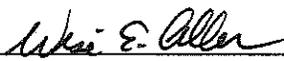
WHEREAS, A & E Emaar, a partnership existing under and by virtue of the laws of the State of California, the contractor under that certain contract with the Peralta Community College District, Alameda County, State of California, for all labor, materials, mechanical workmanship, transportation, equipment and services necessary for the Upgrades of 4 New Portables and Modernization of 2 Counseling Portables at Laney Tower Swing Space Project at Laney College, has made application for acceptance of the work; and

WHEREAS, the Project Manager employed by the Board to supervise the completion of said work has certified in writing to this Board that said contractor completed the work heretofore described and has recommended to this Board the final acceptance of the project; and

NOW, THEREFORE, BE IT RESOLVED that said work of said contract be and the same is hereby accepted; and

BE IT FURTHER RESOLVED that the retention payment in the amount of TWENTY THOUSAND TWO HUNDRED EIGHTY AND 44/100 (\$20,280.44), which is ten percent (10%) of the original contract price, as modified by Change Order No. 1, shall be made thirty-five (35) calendar days calendar days from and after the filing of the Notice of Completion at the Alameda County Recorder's Office, provided no withhold notices requesting the withholding of any monies from said contractor have been filed with this Board of Trustees in accordance with the provisions of Title 15 of Part 4, Division 3, of the Civil Code of the State of California.

PASSED AND ADOPTED by the following called vote this 7th day of December, 2010. The full Board has voted in support of this resolution, unless the Board meeting minutes reflect otherwise.


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

2010235610

08/16/2010 01:33 PM



OFFICIAL RECORDS OF ALAMEDA COUNTY
PATRICK O'CONNELL
RECORDING FEE: 0.00

Recording Requested By:
Peralta Community College District

When Recorded, Mail To:
Office of General Services
333 East 8th Street
Oakland, CA 94606



1 PG

For Recorder's Use

Government Code: 27383

Peralta Community College District
Office of General Services
333 East 8th Street, Oakland, California 94606
(510) 466-7200 (510) 466-7315

NOTICE OF COMPLETION

OWNER: Peralta Community College District

NATURE OF INTEREST OR ESTATE: Fee

PROJECT CONTRACT TITLE: Cosmetology Refurbishment and Bldg. G & Theater Door Project at Laney College (Bid No.: 08-09/25)

PROJECT NUMBER: 2314

PROJECT ADDRESS: 900 Fallon Street, Oakland, CA 94607

CONTRACTOR: A & E Emaar

CONTRACTOR'S ADDRESS: 727 San Pablo Avenue #220, Albany, CA 94706

DSA APPLICATION NUMBER: NA

CONTRACT START DATE: 5/12/09

ORIGINAL CONTRACT TIME: 50 CD

CONTRACT TIME EXTENSIONS: 45 CD

APPROVED VIA CHANGE ORDER: 45 CD

CONTRACT COMPLETION DATE: April 16th 2010

The above referenced Contract has been completed in accordance with the plans and specifications thereof, and to the satisfaction of the Peralta Community College District. The nature of the title of the stated owner is: in fee.

State of California
County of Alameda

That he/she/they is/are the person(s) signing the above document; that He/she/they has/have read the same, and know(s) the content thereof and that the acts stated therein are true.

Sadiq B. Ikharo

(Signature of Affiant)

Dr. Sadiq Bello Ikharo
Vice Chancellor, General Services
Peralta Community College District

8/9/10
Date

I declare under penalty of perjury that the foregoing is true to the best of my knowledge.

Sadiq B. Ikharo

(Signature of Affiant)

Dr. Sadiq Bello Ikharo
Vice Chancellor, General Services
Peralta Community College District

8/9/10
Date

PERALTA COMMUNITY COLLEGE DISTRICT

PROJECT FINAL ACCEPTANCE

PROJECT NAME: Cosmetology Refurbishment and Building "G" Theatre Door Project (2314) ✓

LOCATION: Laney College

CONTRACTOR: A&E Emaar

For

This Project is accepted as complete and approved by the college and signed by Contractor, Inspector and Director of Capital Projects.

Contractor:

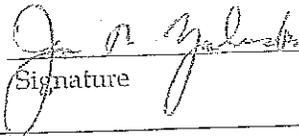
Viana El-Saied
Print Name


Signature

10/28/10
Date

Inspector:

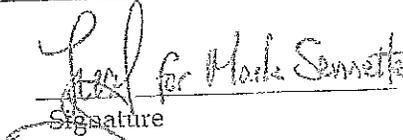
Jason R Zalinski
Print Name


Signature

10.28.10
Date

Director of Capital Project:

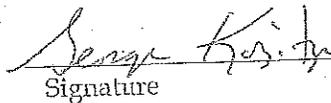
Mark Sennette
Print Name


Signature

11/01/10
Date

College Business Manager:

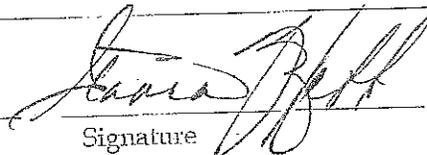
George Kozitz
Print Name


Signature

11/16/10
Date

College President:

THORA T. WEBB
Print Name


Signature

11.16.10
Date