

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

ITEM #

35

ITEM TITLE:

Consider Approval of Resolution 10/11-40, Acceptance and Retention, Ratification of Change Order No. 1, Site Improvements and Modular Replacement at the District Administrative Center, JUV, Inc.

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 10/11-40, Acceptance and Retention, and Ratification of Change Order No. 1, for the Site Improvements and Modular Replacement at the District Administrative Center, JUV, Inc.

ITEM SUMMARY:

On October 13, 2009, this Board awarded a contract to JUV, Inc. for the Site Improvements and Modular Replacement (for the International & Distance Education Center) at the District Administrative Center site. The work has now been completed, a Notice of Completion has been filed with the County of Alameda, and project acceptance is recommended. This resolution accepts the work as complete and provides for a retention payment of \$109,875.60, which is 10% of the contract price.

Ratification is also requested for Change Order No. 1 in the amount of \$99,055.98, which is 9.9% of the original contract amount (\$999,700.00). It was necessary for the contractor to perform the change order work so that the schedule would not be delayed and the sequencing of the work would not be affected. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and the items are now brought before the Board for ratification.

The change order work includes the following:

- The original scope of work for the project included spot patching at utilities to the new modular building. The patching accentuated the poor condition of the existing parking lot, and it was decided to resurface the entire parking lot instead of leaving it as a patchwork of repairs. This is an owner requested change to the existing parking lot, in the amount of \$80,353.98.
- The original scope of work provided landscaping for only the west side of the new modular building. It was decided to add landscaping to the bare east and north areas around the new modular building as an owner requested change so that the new project would not look unfinished. Additionally, an area of existing landscaping at the District Administrative Center was dying and unsightly. In concert with the Maintenance and Operations Department, it was decided to replace some of the existing landscaping around the District Administrative Center. It was cost effective to perform this work as a change order to the contract with JUV, Inc., in the amount of \$18,702.00.

It has been determined that it is in the best interests of the District and financially prudent to authorize this change order. Approval to accept the project as complete and ratification of Change Order No. 1 is recommended.

BACKGROUND/ANALYSIS:

The changes have been reviewed and approved by the project architect, the project manager, and the Department of General Services. It has been determined that it is in the best interests of the District and financially prudent to authorize this change order.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval of Resolution 10/11-40, Acceptance and Retention, and Ratification of Change Order No. 1, for the Site Improvements and Modular Replacement at the District Administrative Center, JUV, Inc., are 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, District-Wide Projects, "Walkways, parking lots, landscaping, and handicap accessibility improvements." The International Services modular building will house the state-funded Center for International Trade Development (CITD) and the Alameda County Small Business Development Center (SBDC). These and other services provided increase the community outreach capabilities of the District; thus funding is justified under Measure A, as approved by the voters in Peralta's constituency and authorized under Resolution 05/06-45, District-Wide Projects, "Classrooms and facilities to enhance the community outreach capabilities of the District among the numerous ethnic communities living in and served by the District."

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. Ikhano Date: 11-26-2010
— **Dr. Sadiq B. Ikhano**
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:

Sadiq B. Ikhano Date: 11-28-2010
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: RON Gerbard, 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 10/11-40
ACCEPTANCE AND RETENTION**

**SITE IMPROVEMENTS AND MODULAR REPLACEMENT
AT THE DISTRICT ADMINISTRATIVE CENTER
JUV, INC.**

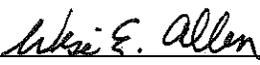
WHEREAS, JUV, Inc., a corporation existing under and by virtue of the laws of the State of California, the contractor under that certain contract with the Peralta Community College District, Alameda County, State of California, for all labor, materials, mechanical workmanship, transportation, equipment and services necessary for the Site Improvements and Modular Replacement at the District Administrative Center, 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 ONE HUNDRED NINE THOUSAND EIGHTY HUNDRED SEVENTY-FIVE AND 60/100 DOLLARS (\$109,875.60), which is ten percent (10%) of said 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

PERALTA COMMUNITY COLLEGE DISTRICT

Office of General Services • 333 East 8th Street Oakland, California 94606 • Phone 510/466-7200 • Fax 510/466-7315

CHANGE ORDER NO. |

PROJECT: District Site Improvements and IDEC
Modular Replacement

OWNER: Peralta Community College District

CONTRACTOR: JUV, INC.

PROJECT MANAGER: Johnnie Fudge

DATE: 8/4/10

DSA FILE NO.: 1-C1

DSA APP NO.: 01-110294

PCCD PROJECT #:

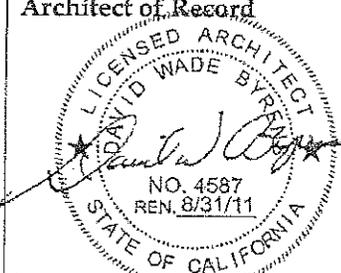
The Contractor is authorized to make the changes listed in the **Summary** and described in **Change Order Attachment** when this Change Order has been approved.

Original Contract Sum.....	\$ 999,700.00
Net Change by previously authorized Change Orders.....	\$ 0.00
The Contract sum prior to this Change Order was.....	\$ 999,700.00
The Contract sum will be increased/decreased by this Change Order.....	\$ 99,055.98
The New Contract Sum including this Change Order will be.....	\$ 1,098,755.98
Cumulative Change Order(s) as a percentage of contract including this Change Order	9.9%

The Contract is changed by (60) Days
Contract completion date as of this Change Order therefore is: 7/15/10

Summary reference attached items P.C.O. No. 1

SEP 21 2010

<p>Approved: Architect of Record</p> <div style="text-align: center;">  </div> <p style="text-align: center;">Date: 8/18/10</p>	<p>Approved: General Contractor</p> <p style="text-align: center;">Date: 8/18/10</p>	<p>Approved: Peralta Community College District</p> <p style="text-align: center;">Date: 19, SEPT. 2010</p> <p style="text-align: center;">Date: 9-27-10</p>
<p>Approved: Electrical or Structural Engineer</p> <p style="text-align: center;">Date:</p>	<p>Approved: Mechanical Engineer</p> <p style="text-align: center;">Date:</p>	<p>Approved: Div. of the State Architect</p> <p style="text-align: center;">APPROVED DIV. OF THE STATE ARCHITECT</p> <p>AC _____ F/LS _____ SS _____</p> <p>APPL NO. <u>01-110294</u> ATE <u>10/20/10</u></p> <p style="text-align: center;">Date:</p>

PERALTA COMMUNITY COLLEGE DISTRICT

Office of General Services • 333 East 8th Street Oakland, California 94606 • Phone 510/466-7200 • Fax 510/466-7315

SUMMARY OF CHANGE ORDER No. 1 Attachment

PROJECT: District Site Improvements and IDEC **DATE:** August 8, 2010
Modular Replacement **DSA FILE NO.:** 1-C1
OWNER: Peralta Community College District **DSA APP NO.:** 01-110294
CONTRACTOR: J.U.V. Inc. **PCCD FILE NO.:** 2343

1	PCO # 1a	ADD/DEDUCT \$	80,353.98
		ADD/DEDUCT	10 Days

Description: Refinish existing parking lot, including re-striping and wheel stops. Include chip seal to hide existing cracks and damaged areas. Re-stripe all parking stalls and pavement logos. Install 52 new wheel stops.

Requested by: District requested change

Reason: The original scope of work for the project included spot patching to the new modular building. The patching accentuated the poor condition of the existing parking lot, and it was decided to resurface the entire parking lot instead of leaving it as a patchwork of repairs.

**DSA prelim.
approval date:** N/A

2	PCO # 1b	ADD/DEDUCT \$	\$18,702.00
		ADD/DEDUCT	10 Days

Description: Revise landscaping layout and provide additional landscaping around new modular building and District Administrative Center.

Requested by: District requested change

Reason: The original scope of work provided landscaping for only the west side of the new modular building. It was decided to add landscaping to the bare east and north areas around the new modular building as an owner requested change so that the new project would not look unfinished. Additionally, an area of existing landscaping at the District Administrative Center was dying and unsightly. In concert with the Maintenance and Operations Department, it was decided to replace some of the existing landscaping around the District Administrative Center. It was cost effective to perform this work as a change order to the contract with JUV, Inc.

**DSA prelim.
approval date:** N/A

End of Items

Recording Requested By:
Peralta Community College District



2010300273

10/14/2010 10:03 AM

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

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, OAKLAND CA

NATURE OF INTEREST OR ESTATE: FEE

PROJECT CONTRACT TITLE: District Site Improvements and International and Distance Education Center
Modular Office Replacement

PROJECT NUMBER: 2343

PROJECT ADDRESS: 333 East 8th Street, Oakland, CA 94606

CONTRACTOR: J.U.V. Inc.

CONTRACTOR'S ADDRESS: 1616 Franklin, Suite 203, Oakland, CA 94612

DSA APPLICATION NUMBER: 01-110294

CONTRACT START DATE: 11/9/2009

ORIGINAL CONTRACT TIME: 120 Calendar days

CONTRACT TIME EXTENSIONS: 79 Calendar days

APPROVED VIA CHANGE ORDER: 11 Calendar days

CONTRACT COMPLETION DATE: 7/15/10

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

10-8-10

(Signature of Affiant)

Date

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

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

Sadiq B. Ikharo

10-8-10

(Signature of Affiant)

Date

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