

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of February 15, 2011

ITEM # 22

ITEM TITLE:

Consider Approval of Resolution 10/11-52, Acceptance and Retention, Ratification of Deductive Change Order No. 1, Dental Area Modifications at College of Alameda, Howard S. Wright Constructors L.P.

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 10/11-52, Acceptance and Retention, and Ratification of Deductive Change Order No. 1, for the Dental Area Modifications at College of Alameda, Howard S. Wright Construction L.P.

ITEM SUMMARY:

On February 9, 2010, this Board awarded a contract to Howard S. Wright Constructors L.P. for the Dental Area Modifications at College of Alameda. The work has now been completed, a Notice of Completion has been filed with the County of Alameda, and the College of Alameda President and Business Manager have signed the Project College Acceptance Form. This resolution accepts the work as complete and provides for a retention payment of \$11,628.60, which is 10% of the contract price.

Ratification is also requested for Change Order No 1, a deduction in the amount of (\$9,015.00), which is a reduction of 7.2% to the original contract amount of \$125,301.00. This change order includes the following:

- A time extension of 196 days at no cost. The contract was kept open awaiting the design of the sound attenuation work requested by College of Alameda. This work was awarded to another contractor.
- A deduction to the contract for a mechanical/electrical coordination allowance and unit prices that were not required, at a credit of (\$9,015.00).

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 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," College of Alameda, "Remodeling and equipping classroom and campus facilities," and College of Alameda, "Equipment, technology upgrades, and facility and classroom improvements and expansions for the college's following programs and proposed programs: Automotive Technology, Aviation Mechanic Technology Program, Diesel Mechanic Technology, Online-Education, Teacher Education, Institute in Foreign Languages (including but not limited to ESL and Spanish for Police Officers), Pharmacy Technician, Bioinformatics, Student Services, **Dental Assisting**, Accounting, Library, Learning Resources Center, Art, Anthropology, Apprenticeship programs, Astronomy and Physics, Biology, Extended Opportunities and Programs, Programs and Services for Students with Disabilities (Offices and Adapted Computer Lab), Computer Information Systems, Diesel, Dance, Music, Heath Services, and CalWORKs/Workforce Development."

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 10/11-52, Acceptance and Retention, and Ratification of Deductive Change Order No. 1, for the Dental Area Modifications at College of Alameda, Howard S. Wright Construction L.P., are recommended.

OTHER DEPARTMENTS IMPACTED BY THIS ACTION (E.G. INFORMATION TECHNOLOGY):

YES _____ No X

COMMENTS:

All Board approved contracts are subject to final 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: 2-4-2011
Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:

Sadiq B. Ikharo Date: 2-4-2011
Dr. Sadiq B. Ikharo
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: _____
Ronald Gerhard, Chief Financial Officer

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, by Roxanne Epstein (re) electronically Date: 2/8/11
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: 2/7/11
Wise E. Allen, Chancellor

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. 1

PROJECT: COLLEGE OF ALAMEDA, ASIAN HEALTH SERVICES DENTAL CLINIC

DATE: 1/19/2011

OWNER: Peralta Community College District
CONTRACTOR: HOWARD S. WRIGHT

DSA FILE NO.: N/A
DSA APP NO.: N/A
PCCD PROJECT #: 2351
PROJECT MANAGER: Olive CM Inc.

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. Through acceptance of this change order, this Contractor acknowledges that it has reviewed the progress of the work related to this project and the potential impact of the added work on the progress of the project in the future. As a result, this change order includes compensation to the Contractor for any and all effects, delays, inefficiencies or similar demands associated with this project and the Contractor recognizes that there is no basis for any such claim in the future. Please note that all other terms and conditions of the contract remain unchanged and that all costs to maintain our original contract schedule with the inclusion of the adjusted scope of work as set forth by this change order are included within the lump sum change order amount stated herein.

Original Contract Sum.....\$ 125,301.00
 Net Change by previously authorized Change Orders.....\$ 0.00
 The Contract sum prior to this Change Order was.....\$ 125,301.00
 The Contract sum will be decreased by this Change Order.....\$ (9,015.00)
 The New Contract Sum including this Change Order will be.....\$ 116,289.00
 Cumulative Change Order(s) as a percentage of contract including this Change Order (7%)
 The Contract is changed by (196) Days
 Contract completion date as of this Change Order therefore is: January 30, 2011

Summary reference attached items P.C.O.s #1, #2,

<p>Approved: Architect of Record</p> <div style="text-align: center; margin-top: 20px;"> </div> <hr/> <p>Date: 1-25-11</p>	<p>Approved: General Contractor</p> <div style="text-align: center; margin-top: 20px;"> </div> <hr/> <p>Date: 1-25-11</p>	<p>Approved: Peralta Community College District</p> <div style="text-align: center; margin-top: 20px;"> </div> <hr/> <p>Director of Capital Projects</p> <p>Date:</p> <hr/> <p>Vice Chancellor of General Services</p> <p>Date:</p>
<p>Approved: Electrical or Structural Engineer</p> <div style="text-align: center; margin-top: 20px;"> </div> <hr/> <p>Date:</p>	<p>Approved: Mechanical Engineer</p> <div style="text-align: center; margin-top: 20px;"> </div> <hr/> <p>Date:</p>	<p>Approved: Div. of the State Architect</p> <div style="text-align: center; margin-top: 20px;"> </div> <hr/> <p>Date:</p>

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SUMMARY OF CHANGE ORDER No. 1 Attachment

PROJECT: COLLEGE OF ALAMEDA, ASIAN HEALTH
SERVICES DENTAL CLINIC
OWNER: Peralta Community College District
CONTRACTOR: HOWARD S WRIGHT

DATE: JANUARY 19, 2010
DSA FILE NO.: N/A
DSA APP NO.: N/A
PCCD FILE NO.: 2351

1	Insert Content Here	ADD/DEDUCT \$ 0000.00 ADD/DEDUCT 196 days
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Description: Contract extension for payment
Requested by: Olive Construction Management
Reason: Contract kept open awaiting design of sound attenuation work requested by COA. Work awarded to another contractor
DSA prelim. approval date: N/A

2	Insert Content Here	ADD/DEDUCT \$ 9,015.00 ADD/DEDUCT 000 days
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Description: Deduct to contract for unspent Mechanical/Electrical coordination allowance and unit prices.
Requested by: Olive Construction Management
Reason: To close contract for final payment
DSA prelim. approval date: N/A

Insert Content Here	ADD/DEDUCT \$	Insert Amount
	ADD/DEDUCT	Insert No. Days

Description: Insert Content Here
Requested by: Insert Content Here
Reason: Insert Content Here
DSA prelim. approval date: Insert Date

End of Items

PROJECT FINAL ACCEPTANCE

PROJECT NAME: AHS - DENTAL AREA MODIFICATIONS

PROJECT NUMBER: 2351

PROJECT MANAGER: JOHNNIE FUDGE

CONTRACTOR: HOWARD S. WRIGHT

For acceptance and approval at the Board of Trustees Meeting of:

January 2011

This project is accepted and complete and approved by the College/District:

College President

(signature)

Timothy W. Nelson

12/16/10

(date)

College Business Manager

(signature)

Annie Gillis

12/20/10

(date)

Recording Requested By:
Peralta Community College District

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

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: AHS - DENTAL AREA MODIFICATIONS
PROJECT NUMBER: 2351
PROJECT ADDRESS: 555 RALPH APPEZZATO MEMORIAL PARKWAY ALAMEDA, CA 94501
CONTRACTOR: HOWARD S WRIGHT
CONTRACTOR'S ADDRESS: 5858 HORTON STREET, SUITE 170-A EMERYVILLE, CA 94608
DSA APPLICATION NUMBER: NOT A DSA PROJECT
CONTRACT START DATE: 3/24/2010
ORIGINAL CONTRACT TIME: 5/31/2010
CONTRACT TIME EXTENSIONS: 196 work days
APPROVED VIA CHANGE ORDER: PCO No. 1
CONTRACT COMPLETION DATE: 1/31/2010

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. Ikharmo

(Signature of Affiant)

Dr. Sadiq Bello Ikharmo
Vice Chancellor, General Services

1/28/11

Date

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

Sadiq B. Ikharmo

(Signature of Affiant)

Dr. Sadiq Bello Ikharmo
Vice Chancellor, General Services

1/28/2011

Date

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 10/11-52
ACCEPTANCE AND RETENTION**

**DENTAL AREA MODIFICATIONS AT COLLEGE OF ALAMEDA
HOWARD S. WRIGHT CONSTRUCTORS L.P.**

WHEREAS, Howard S. Wright Constructors L. P., a limited 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 Dental Area Modifications at College of Alameda, 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 ELEVEN THOUSAND SIX HUNDRED TWENTY-EIGHT AND 60/100 DOLLARS (\$11,628.60), which is ten percent (10%) of said contract price, as modified by Deductive 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 15th day of February, 2011. 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