

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of June 28, 2011

ITEM # 24

ITEM TITLE:

Consider Approval of Resolution 10/11-85, Acceptance and Retention, Laney Tower Swing Space Package #2, JUV Inc.

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 10/11-85, which formally accepts the Laney Administrative Tower Swing Space Package #2 as complete and provides for a retention payment to the contractor, JUV Inc.

ITEM SUMMARY:

On September 28, 2010, this Board ratified a contract award to JUV Inc. for the Administrative Tower Swing Space Package #2 at Laney College. The work has now been completed, a Notice of Completion has been filed with the County of Alameda, and the Laney College President and Business Manager have signed the Project College Acceptance Form. This resolution formally accepts the work as complete and provides for a retention payment of \$25,745.08, which is 5% of the contract price.

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," "Plumbing, electrical, mechanical system upgrades and improvements," and "Classroom and facilities repairs and grounds improvements."

BACKGROUND/ANALYSIS:

The Board previously approved three change orders to this contract, totaling \$7,201.69, which is 1.4% of the base contract amount (\$507,700.00).

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval of Resolution 10/11-85, which formally accepts the Laney Administrative Tower Swing Space Package #2 as complete and provides for a retention payment to the contractor, JUV Inc., is 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: 6-20-11
Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:

Sadiq B. Ikharo Date: 6-20-11
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: _____
Ron 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: _____ Date: _____
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: 6/21/11
Wise E. Allen, Chancellor

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 10/11-85
ACCEPTANCE AND RETENTION**

**LANEY TOWER SWING SPACE PACKAGE #2
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 Laney Tower Swing Space Package #2, 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-FIVE THOUSAND SEVEN HUNDRED FORTY-FIVE AND 08/100 DOLLARS (\$25,745.08), which is five percent (5%) of said contract price, as modified by Change Order Nos. 1, 2 and 3, 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 28th day of June, 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

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: LANEY TOWER SWING SPACE PACKAGE #2

PROJECT NUMBER: 2314

PROJECT ADDRESS: 900 Fallon Street, Oakland, CA 94607

CONTRACTOR: JUV, Inc.

CONTRACTOR'S ADDRESS: 1616 Franklin St. #203, Oakland, CA 94612

DSA APPLICATION NUMBER: 01-111423

CONTRACT START DATE: 10/11/2010

ORIGINAL CONTRACT TIME: 60 CD

CONTRACT TIME EXTENSIONS: 155 CD

APPROVED VIA CHANGE ORDER: 33 CD

CONTRACT COMPLETION DATE: 04/30/2011

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

6-14-2011

(Signature of Affiant)

Date

Dr. Sadiq Bello Ikharmo
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. Ikharmo

6-14-2011

(Signature of Affiant)

Date

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

PROJECT FINAL ACCEPTANCE

PROJECT NAME: Laney Tower Swing Space Package #2

PROJECT NUMBER: 2314

PROJECT MANAGER: Trent Tornabene

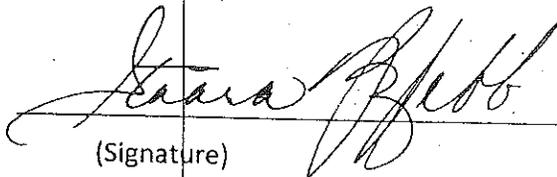
CONTRACTOR: JUV, Inc.

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

June 28, 2011

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

College President *(Approved per Tuesday, June 21, 2011 8:47am e-message from District General Service's Trent Tornabene confirmation that the approved scope of work has been completed.)*

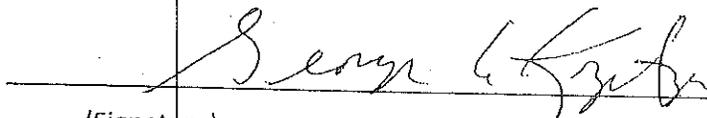


(Signature)

6.23.11

(Date)

College Business Manager



(Signature)

06/23/11

(Date)