

**PERALTA COMMUNITY COLLEGE DISTRICT**  
**Board of Trustees Agenda Report**  
**For the Trustee Meeting Date of September 13, 2011**

ITEM # 34

**ITEM TITLE:**

Consider Approval of Resolution 11/12-15, Acceptance and Retention, College of Alameda Landscape Entry Renovations, ValleyCrest Landscape Development, Inc.

**SPECIFIC BOARD ACTION REQUESTED:**

Approval of Resolution 11/12-15, which formally accepts the College of Alameda Landscape Entry Renovations project as complete and provides for a retention payment to the contractor, ValleyCrest Landscape Development, Inc.

**ITEM SUMMARY:**

On September 28, 2010, this Board awarded a contract to ValleyCrest Landscape Development, Inc. for the College of Alameda Landscape Entry Renovations. 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. Board approval is requested of Resolution 11/12-15, which formally accepts the work as complete and provides for a retention payment of \$28,699.85, 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, Berkeley City College, "Handicap accessibility."

**BACKGROUND/ANALYSIS:**

The Board previously approved one change order to this contract in the amount of \$8,797.00, which is 1.6% of the base contract amount (\$565,200.00).

**ALTERNATIVES/OPTIONS:**

Not applicable.

**EVALUATION AND RECOMMENDED ACTION:**

Approval of Resolution 11/12-15, which formally accepts the College of Alameda Landscape Entry Renovations project as complete and provides for a retention payment to the contractor, ValleyCrest Landscape Development, 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: 9-3-11

Dr. Sadiq B. Ikharo  
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:

Sadiq B. Ikharo Date: 9-3-11

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: Ron Gerhard electronically by vr Date: 9/8/11  
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, electronically by vr Date: 9/7/11  
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: 9/8/11  
Wise E. Allen, Chancellor

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: LANDSCAPE ENTRY RENOVATIONS  
PROJECT NUMBER: 2347  
PROJECT ADDRESS: 555 RALPH APPEZZATO MEMORIAL PARKWAY, ALAMEDA, CA 94606  
CONTRACTOR: VALLEY CREST LANDSCAPE DEVELOPMENT INC  
CONTRACTOR'S ADDRESS: 7039 COMMERCE CIRCLE, SUITE A, PLEASANTON, CA 94588  
DSA APPLICATION NUMBER: NA  
CONTRACT START DATE: DECEMBER 8, 2011  
ORIGINAL CONTRACT TIME: 112 CALENDAR DAYS  
CONTRACT TIME EXTENSIONS: 120 CALENDAR DAYS TO JULY 27, 2011  
APPROVED VIA CHANGE ORDER: 2  
CONTRACT COMPLETION DATE: JULY 27, 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

(Signature of Affiant)

Dr. Sadiq Bello Ikharmo  
Vice Chancellor, General Services

8/24/2011

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

8/24/2011

Date

**PROJECT FINAL ACCEPTANCE**

**PROJECT NAME:** LANDSCAPE ENTRY RENOVATIONS  
**PROJECT NUMBER:** 2347  
**PROJECT MANAGER:** OCM INC.  
**CONTRACTOR:** VALLEY CREST LANDSCAPE DEVELOPEMENT INC.

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

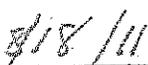
SEPTEMBER 13, 2011

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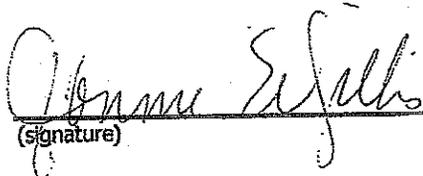
This project is accepted and complete and approved by the College/District:

**College President**

  
(signature)

  
(date)

**College Business Manager**

  
(signature)

  
(date)

**PERALTA COMMUNITY COLLEGE DISTRICT  
RESOLUTION 11/12-15  
ACCEPTANCE AND RETENTION**

**COLLEGE OF ALAMEDA LANDSCAPE ENTRY RENOVATIONS  
VALLEYCREST LANDSCAPE DEVELOPMENT, INC.**

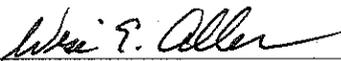
WHEREAS, ValleyCrest Landscape Development, Inc., a corporation existing under and by virtue of the laws of the State of California, the contractor under that certain contract with the Peralta Community College District, Alameda County, State of California, for all labor, materials, mechanical workmanship, transportation, equipment and services necessary for the College of Alameda Landscape Entry Renovations, 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-EIGHT THOUSAND SIX HUNDRED NINETY-NINE AND 85/100 DOLLARS (\$28,699.85), which is five percent (5%) 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 13th day of September, 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