

**Board of Trustees Agenda Report
For the Trustee Meeting Date of September 13, 2011**

ITEM TITLE:

Consider Approval to Rescind Previous Bid Award and Re-Bid Project, District-Wide Security Surveillance Project, Increment 2 (Bid No. 10-11/31)

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested to rescind the previous bid award to ADT Security Services for the District-Wide Security Surveillance Project, Increment 2 (Bid No. 10-11/31) and to re-bid the project.

ITEM SUMMARY:

At the meeting of July 19, 2011, the Board of Trustees approved Resolution 11/12-2, which accepted the bid (in the amount of \$4,850,553.32) and authorized the Chancellor to enter into a contract with ADT Security Services for the District-Wide Security Surveillance Project, Increment 2 (Bid No. 10-11/31). ADT requested modifications to the contract language, which the District would not consider under a public bidding process. On August 25, 2011, ADT submitted a written request to withdraw their bid because they could not accept the District's contract terms. The District has agreed to allow ADT to withdraw their bid. Because the next lowest bid was over \$100,000 higher, staff recommends re-bidding this project. Board approval is requested to rescind the previous bid award to ADT Security Services and to re-bid the project.

SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):

Minor costs will be associated with re-bidding. This project is funded from Bond Measures E (35%) and Measure A (65%), as approved by the voters in Peralta's constituency and authorized under Resolution 05/06-45, Exhibit A-1, District-Wide Project, "District-wide safety systems including disaster preparedness, campus security and hazardous and toxic waste handling."

BACKGROUND/ANALYSIS:

The scope of work for this project includes:

- Installation of surveillance cameras at each campus and District Administrative Complex exterior locations
- Interior surveillance cameras in smart classrooms at each campus
- Associated cabling and electrical installation
- Integration of existing analog and digital cameras
- Installation and configuration of a new IT infrastructure including wireless access points
- Signage at designated areas
- Coordination and integration of Increment 2 with Increment 1 at the District Sheriff's Office Command Center

A formal bid was conducted for this project (Bid No. 10-11/31), and a bid opening was held on June 30, 2011. Three bids were received, as follows:

CONTRACTOR	LOCATION	TOTAL BID
ADT Security Services	Pleasanton, CA	\$4,850,553.32
Applus Technologies, Inc.	Chicago, IL	\$4,965,000.00
Central Sierra Electric	Jackson, CA	\$4,995,552.00

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval is recommended to rescind the previous contract award to ADT Security Services for the District-Wide Security Surveillance Project, Increment 2 (Bid No. 10-11/31) and to re-bid the project.

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. Ikhano Date: 9-3-11
Dr. Sadiq B. Ikhano
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:

Sadiq B. Ikhano Date: 9-3-11
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 Gerhard electronically by re 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 re 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



RECEIVED
PERALTA COMMUNITY COLLEGE DISTRICT

JUL 29 2011

DEPT. OF GENERAL SERVICES

Tony Peluso Sr.
Director of Sales / Education, State and Local
Government
ADT Security Services, Inc.
3011 S. 52nd Street
Tempe, AZ 85282
Telephone: 480-375-8856
Email: tpeluso@adt.com

August 25, 2011

By Air Courier Service - Delivery Confirmation Required
Phone: (510) 466-7200

Dr. Sadiq B. Ikhara
Vice Chancellor for General Services
Peralta Community College District
333 East Eight Street
Oakland, California 94606

**Subject: District-Wide Security Surveillance Project, Increment 2
Cameras, Services and Infrastructure (the "Project")**

Dear Dr. Ikhara:

Aaron Davidson forwarded your August 22, 2011 letter to me for review and response as I have ultimate business management responsibility for the above-referenced Project.

First and foremost, please know that ADT very much appreciates the time and effort that you and your team spent in evaluating ADT's response to the RFP and your willingness to consider ADT's proposed modifications to the Peralta Community College District Contract (the "Contract").

While we were disappointed to hear that the District is unable to consider ADT's requested amendments and will not negotiate or modify the Contract in any respect, we understand the District's position set forth in the letter. Our law department has advised that there are aspects of the Contract that are commercially unreasonable in light of the nature of the services/equipment to be provided.

For these reasons, ADT cannot reasonably accept the District's Contract terms "as is". Therefore, to the extent that the Project was awarded to ADT, ADT must respectfully decline the award.

Thank you again for giving us the opportunity to bid on the Project.

Respectfully,

A handwritten signature in black ink, appearing to be "Anthony Peluso, Sr.", written over a horizontal line.

Anthony Peluso, Sr.
Director of Sales / Education, State and Local Government