

PERALTA COMMUNITY COLLEGE DISTRICT  
**Board of Trustees Agenda Report**  
**For the Trustee Meeting Date of September 27, 2011**

ITEM # 38

**ITEM TITLE:**

Consider Approval of Change Order No. 4 to the Design-Build Agreement with Gilbane Building Company for the Laney College Athletic Complex

**SPECIFIC BOARD ACTION REQUESTED:**

Approval is requested for Change Order No. 4 to the design-build agreement with Gilbane Building Company for the Laney College Athletic Complex project, in the amount of \$165,000.

**ITEM SUMMARY:**

The Board of Trustees originally approved a negotiated design-build contract with Gilbane Building Company at the Board meeting of November 18, 2008, following a competitive Request for Proposal process. At previous meetings, the Board of Trustees approved Change Order Nos. 1, 2 and 3 to the design-build agreement.

Change Order Nos. 1 and 2 established a lump sum contract price of \$17,540,000, based on owner requested additional scope changes beyond the original design-bid services agreement amount of \$12,000,000. Change Order No. 1 included the addition of 3,000 sq. ft. and other changes to the Field House, and added a photovoltaic collection system (funded from the District-wide solar budget). Including these changes, the estimated design-build cost was \$17,650,000. Change Order No. 2 formally accepted the lump sum design-build project cost of \$17,540,000. This was a reduction of \$110,000 from the Change Order No. 1 estimate and was based on the actual bids Gilbane received for the three project phases. Change Order No. 3 was approved by the Board of Trustees at the meeting of July 19, 2011, in the amount of \$263,367. This change order included owner requested additional scope changes, including a turnkey audiovisual package and other minor changes.

Board *ratification* of Change Order 4, in the amount of \$165,000, is now requested. Change Order No. 4 is the result of unforeseen conditions and college/owner requested scope of work items. An extension of Gilbane's contract until October 15, 2011 has been negotiated based upon the additional scope items in Change Order Nos. 3 and 4, and the added time is non-compensable. The original proposal from Gilbane for the Change Order No. 4 scope of work was \$294,438. Through multiple negotiation meetings, District staff was able negotiate a global settlement of \$165,000, thus achieving a cost savings of \$129,438.

The cumulative total of Change Order Nos. 3 and 4 is \$428,367, which is 2.4% of the final lump sum price established by Change Order No. 2. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and Change Order No. 4 is now brought before the Board for ratification. It is in the best interests of the District and financially prudent to authorize this change order.

**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, "Athletic Fields, Gym and Facilities," and District-Wide Projects, "Solar energy system installation and the retrofitting of existing energy systems."

**BACKGROUND/ANALYSIS:**

Change Order No. 4 includes the following items:

PCO#	Change Request Description	Amount
13	Photovoltaic panel fasteners: Cost for providing tamper-proof fasteners in lieu of the standard nut fasteners for the photovoltaic panels at the parking lot only.	\$5,500.00
14	Irrigation system adjustment: Cost for providing connection of the new irrigation system with the existing one at the estuary. As-built drawings did not show the existing branches.	\$3,500.00
15	Baseball mobile batting cage storage area: Cost for providing decomposed granite and the related subgrade for the baseball mobile batting cage storage area.	\$33,750.00
16	Scorekeeper's booth enclosure: Cost for providing an enclosure at the scorekeeper's booth.	\$950.00
17	Additional circuit panel: Cost for providing an additional section 100A panel.	\$3,750.00
18	Extension of the baseball netting poles: Cost for providing increased height netting poles as following – all poles along the left field line to be thirty-two feet high, the poles in front of the Field House to be thirty-seven feet high, and the poles from the Field House to the batter's eye to be thirty-two feet high.	\$58,500.00
19	Field netting poles unforeseen conditions: Cost for providing the removal of unforeseen conditions related to the baseball field netting poles, per the Gilbane-PCCD Contract Specification Section 0700.13.D.1, "Concealed or Unknown Conditions".	\$42,731.00
20	Batter's eye footing modifications: Cost for providing the batter's eye footing modifications due to unforeseen conditions, per the Gilbane-PCCD Contract Specification Section 0700.13.D.1, "Concealed or Unknown Conditions".	\$17,350.00
21	AV package contract time extension: Contract time extension related to the AV package change order.	\$0.00
22	Printing Reimbursables: Cost of shipping and reprographic reimbursables for the procurement of the Laney College Athletic Fields and Field House project, per PCCD-Gilbane Contract Specification Section 00525.7.6.	\$7,500.00
23	Increment #3 DSA extended review time extension: Contract time extension request due to DSA extended review time for Increment #3, per PCCD-Gilbane CO #2.	\$0.00

24	Inclement weather time extension: Contract time extension request due to inclement weather days in excess of the weather days defined in the PCCD-Gilbane Contract Specification Section 0700.15.B.5.	\$0.00
25	Cement mix decomposed granite at the portable batting cage area: Cost for providing cement mix decomposed granite at the portable batting cage area.	\$1,750.00
26	Temperature sensors wall plate units: Cost for providing BAPI sensors in lieu of Delta standard sensors.	\$574.00
27	1" conduit at room 109: Cost for providing 1" conduit from west wall of training room 109 to nearest second floor wall and up to the nearest accessible ceiling.	\$3,100.00
28	XLR output to F1 Panel: Cost for providing XLR output to F1 panel in the team room 209B per the Athletic Director's request at the 06/21/2011 AV meeting.	\$845.00
29	Fence relocation: Cost for providing relocation of the new fence at the football stadium restrooms. Fence shall be moved from the track side to the restroom side.	\$1,200.00
30	Credit to PCCD for ISI re-inspection costs	(\$16,000.00)
<b>TOTALS</b>		<b>\$165,000.00</b>

**ALTERNATIVES/OPTIONS:**

Not applicable.

**EVALUATION AND RECOMMENDED ACTION:**

Approval is recommended for Change Order No. 4 to the design-build agreement with Gilbane Building Company for the Laney College Athletic Complex project, in the amount of \$165,000.

**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. Ikharo Date: 9-16-11  
Dr. Sadiq B. Ikharo  
Vice Chancellor of General Services

**DOCUMENT PRESENTED BY:**  
Sadiq B. Ikharo Date: 9-16-11  
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 ve Date: 9/19/11  
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 ve Date: 9/20/11  
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: 9/19/11  
Wise E. Allen, Chancellor

# PERALTA COMMUNITY COLLEGE DISTRICT

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## CHANGE ORDER NO. 4

PROJECT: LANEY ATHLETIC COMPLEX

DATE: AUGUST 30, 2011

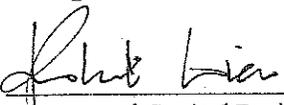
OWNER: Peralta Community College District  
 CONTRACTOR: GILBANE BUILDING CO., INC.

DSA FILE NO.: 1-C1  
 DSA APP NO.: 01-110972  
 PCCD PROJECT #: 02338  
 PROJECT MANAGER: Trent Tomabene

The Contractor is authorized to make the changes listed in **PRELIMINARY CHANGE ORDERS NO. 13 – NO. 30** and described in the Change Order Attachments when this Change Order has been approved.

Original Contract Sum.....\$ 12,000,000.00  
 Owner Initiated Scope Change.....\$ 5,540,000.00  
 Net Change by previously authorized Change Orders.....\$ 263,467.00  
 The Contract sum prior to this Change Order was.....\$ 17,803,467.00  
 The Contract sum will be increased/decreased by this Change Order.....\$ 165,000.00  
 The New Contract Sum including this Change Order will be.....\$ 17,968,467.00  
 Cumulative Change Order(s) as a percentage of contract including this Change Order 2.44 %  
 The Contract is changed by 137 Calendar Days  
 Contract completion date as of this Change Order therefore is: October 15, 2011

Attachment: **PRELIMINARY CHANGE ORDER NO. 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30**

Approved: Architect of Record          Date:	Approved: General Contractor          Date:	Approved: Peralta Community College District   Director of Capital Projects  Date: <u>09/16/11</u>   Vice Chancellor of General Services  Date:
Approved: Electrical or Structural Engineer	Approved: Mechanical Engineer	Approved: Div. of the State Architect



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## 4 Executed PCO #16

ADD/DEDUCT \$ 950.00  
ADD/DEDUCT 0

Description: Scorekeeper's booth enclosure: Cost for providing an enclosure at the scorekeeper's booth.

Requested by: A-2: Owner requested change

Reason: Improved security for equipment stored in the scorekeeper's booth.

DSA prelim. approval date: NA

## 5 Executed PCO #17

ADD/DEDUCT \$ 3,750.00  
ADD/DEDUCT 0

Description: Additional circuit panel: Cost for providing an additional section 100A panel.

Requested by: A-2: Owner requested change

Reason: Additional panel was needed to provide capacity for future needs.

DSA prelim. approval date: NA

## 6 Executed PCO #18

ADD/DEDUCT \$ 58,500.00  
ADD/DEDUCT 0

Description: Extension of the baseball netting poles: Cost for providing increased height netting poles as following – all poles along the left field line to be thirty two feet high, the poles in front of the Field House to be thirty seven feet high, and the poles from the Field House to the batter's eye to be thirty two feet high.

Requested by: A-2: Owner requested change

Reason: Increased safety of people in adjacent areas (football field, track and field house).

DSA prelim. approval date: NA

## 7 Executed PCO #19

ADD/DEDUCT \$ 42,731.00  
ADD/DEDUCT 0

Description: Field netting poles unforeseen conditions: Cost for providing the removal of unforeseen conditions related to the baseball field netting poles, per the Gilbane-PCCD Contract Specification Section 0700.13.D.1.

Requested by: A-1: Unforeseen Conditions

Reason: Concealed or unknown conditions that could not have been determined ahead of construction.

DSA prelim. approval date: NA

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<b>8 Executed PCO #20</b>	<b>ADD/DEDUCT \$ 17,350.00</b>
	<b>ADD/DEDUCT 0</b>

Description: Batter's eye footing modifications: Cost for providing the batter's eye footing modifications due to unforeseen conditions, per the Gilbane-PCCD Contract Specification Section 0700.13.D.1.

Requested by: A-1: Unforeseen Conditions

Reason: Concealed or unknown conditions that could not have been determined ahead of construction.

DSA prelim. approval date: NA

<b>9 Executed PCO #21</b>	<b>ADD/DEDUCT \$ 0.00</b>
	<b>ADD/DEDUCT 83 CD</b>

Description: Non-compensatory time extension for the addition of an audio visual package that was approved in change order #3.

Requested by: A-2: Owner requested change

Reason: Additional owner-requested scope that could not be completed within the previous contract duration.

DSA prelim. approval date: NA

<b>10 Executed PCO #22</b>	<b>ADD/DEDUCT \$ 7,500.00</b>
	<b>ADD/DEDUCT 0</b>

Description: Printing Reimbursables: Cost of shipping and reprographic reimbursables for the procurement of the Laney College Athletic Fields and Field House project, per PCCD-Gilbane Contract Specification Section 00525.7.6.

Requested by: F-5: Other

Reason: Per contract.

DSA prelim. approval date: NA

<b>11 Executed PCO #23</b>	<b>ADD/DEDUCT \$ 0.00</b>
	<b>ADD/DEDUCT 33 CD</b>

Description: Increment #3 DSA extended review time extension: Contract time extension request due to DSA extended review time for Increment #3, per PCCD-Gilbane CO #2.

Requested by: F-3: DSA

Reason: Delay caused by DSA.

DSA prelim. approval date: NA

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**12 Executed PCO #24**

**ADD/DEDUCT \$ 0.00**  
**ADD/DEDUCT 21 CD**

Description: Inclement weather time extension: Contract time extension request due to weather days in excess of the weather days defined in the PCCD-Gilbane Contract Specification Section 0700.15.B.5.

Requested by: F-1: Unforeseen Conditions

Reason: Weather delays beyond contract.

DSA prelim. approval date: NA

**13 Executed PCO #25**

**ADD/DEDUCT \$ 1,750.00**  
**ADD/DEDUCT 0**

Description: Cement mix decomposed granite at the portable batting cage area: Cost for providing cement mix decomposed granite at the portable batting cage area.

Requested by: F-2: College requested change

Reason: Decomposed granite base faced risk of erosion due to weather.

DSA prelim. approval date: NA

**14 Executed PCO #26**

**ADD/DEDUCT \$ 574.00**  
**ADD/DEDUCT 0**

Description: Temperature sensors wall plate units: Cost for providing BAPI sensors in lieu of Delta standard sensors.

Requested by: F-2: Owner requested change

Reason: PCCD design/M&O standard.

DSA prelim. approval date: NA

**15 Executed PCO #27**

**ADD/DEDUCT \$ 3,100.00**  
**ADD/DEDUCT 0**

Description: 1" conduit at room 109: Cost for providing 1" conduit from west wall of training room 109 to nearest second floor wall and up to the nearest accessible ceiling

Requested by: A-2: College requested change

Reason: Conduit was necessary for audio-visual needs on room 109.

DSA prelim. approval date: NA

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<b>16 Executed PCO #28</b>	<b>ADD/DEDUCT \$ 845.00</b>
	<b>ADD/DEDUCT 0</b>

Description: XLR output to F1 Panel: Cost for providing XLR output to F1 panel in the team room 209B per the Athletic Director's request at the 06/21/2011 AV meeting.

Requested by: A-2: College requested change

Reason: XLR output was necessary for audio-visual needs in the team room.

DSA prelim. approval date: NA

<b>17 Executed PCO #29</b>	<b>ADD/DEDUCT \$ 1,200.00</b>
	<b>ADD/DEDUCT 0</b>

Description: Fence relocation: Cost for providing relocation of the new fence at the football stadium restrooms. Fence shall be moved from the track side to the restroom side.

Requested by: A-2: College requested change

Reason: Safety and site security.

DSA prelim. approval date: NA

<b>18 Executed PCO #30</b>	<b>ADD/DEDUCT \$ (16,000.00)</b>
	<b>ADD/DEDUCT 0</b>

Description: Credit to PCCD for ISI re-inspection costs.

Requested by: F-5: Other

Reason: NA

DSA prelim. approval date: NA

**End of Items**