

PERALTA COMMUNITY COLLEGE DISTRICT  
**Board of Trustees Agenda Report**  
**For the Trustee Meeting Date of October 11, 2011**

ITEM # 15

**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. The District had planned to undertake audiovisual deployment as a separate bid, but due to delays in the main project (field house), this turnkey project was incorporated as part of Gilbane's contract in an effort to save time.

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 to 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

**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:**

The changes have been reviewed and approved by the project manager and the General Services Department. It was necessary for the contractor to perform this work so that the project schedule would not be delayed and the sequencing of the work would not be adversely affected. 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.

**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. Ikhano Date: 9-30-11  
Dr. Sadiq B. Ikhano  
Vice Chancellor of General Services

**DOCUMENT PRESENTED BY:**  
Sadiq B. Ikhano Date: 9-30-11  
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: Ronald Gerhard, electronically by ve Date: 10/6/11  
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: 10/6/11  
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: 10/3/11  
Wise E. Allen, Chancellor

# PERALTA COMMUNITY COLLEGE DISTRICT

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## CHANGE ORDER NO. 4

**PROJECT:** LANEY ATHLETIC COMPLEX

**DATE:** AUGUST 30, 2011

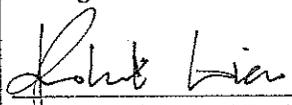
**OWNER:** Peralta Community College District  
**CONTRACTOR:** GILBANE BUILDING CO., INC.

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

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>08/16/11</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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<b>4 Executed PCO #16</b>	<b>ADD/DEDUCT \$ 950.00</b>
	<b>ADD/DEDUCT 0</b>

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

Requested by: A-2: Owner requested change

Reason: A fully enclosed and fully secure scorekeeper's booth was not accounted for in the original design. In order to protect equipment that would be stored in the scorekeeper's booth an enclosure was requested by the owner.

DSA prelim. approval date: NA

<b>5 Executed PCO #17</b>	<b>ADD/DEDUCT \$ 3,750.00</b>
	<b>ADD/DEDUCT 0</b>

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

Requested by: A-2: Owner requested change

Reason: Electrical capacity for future needs was not factored into the original design. In order to ensure sufficient capacity for future expansion an additional panel was requested by the owner.

DSA prelim. approval date: NA

<b>6 Executed PCO #18</b>	<b>ADD/DEDUCT \$ 58,500.00</b>
	<b>ADD/DEDUCT 0</b>

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: In order to enhance the safety of people in adjacent areas (i.e. football field, track and field house) the college requested an increase in the height of the baseball field netting poles.

DSA prelim. approval date: NA

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<b>7 Executed PCO #19</b>	<b>ADD/DEDUCT \$ 42,731.00</b>
	<b>ADD/DEDUCT 0</b>

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: Per the terms of the design-build contract concealed or unknown conditions that could not have been determined ahead of construction shall be removed at the owner's expense. Many of the unforeseen conditions consisted of large pieces of concrete and remnants of civil/residential items more than four (4) feet below grade that were abandoned prior to the construction of Laney College.

DSA prelim. approval date: NA

<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: Per the terms of the design-build contract concealed or unknown conditions that could not have been determined ahead of construction shall be removed at the owner's expense. Many of the unforeseen conditions consisted of large pieces of concrete and remnants of civil/residential items more than four (4) feet below grade that were abandoned prior to the construction of Laney College.

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: Due to the timing of the owner's request to add the audio-visual package the date of substantial completion had to be adjusted by 83 calendar days in order to provide time for the design-build entity to complete the work.

DSA prelim. approval date: NA

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<b>10 Executed PCO #22</b>	<b>ADD/DEDUCT \$</b>	<b>7,500.00</b>
	<b>ADD/DEDUCT</b>	<b>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: Reimbursable expenses for printing are part of the design-build contract with Gilbane and are being processed as part of change order #4.

DSA prelim. approval date: NA

<b>11 Executed PCO #23</b>	<b>ADD/DEDUCT \$</b>	<b>0.00</b>
	<b>ADD/DEDUCT</b>	<b>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: Due to delays caused by extended DSA review that were out of the control of the design-build entity 33 calendar days were added to the contract duration.

DSA prelim. approval date: NA

<b>12 Executed PCO #24</b>	<b>ADD/DEDUCT \$</b>	<b>0.00</b>
	<b>ADD/DEDUCT</b>	<b>21 CD</b>

Description: Increment 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: Due to verified weather delays that went beyond those accounted for in the design-build contract, 21 days were added to the contract duration.

DSA prelim. approval date: NA

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<b>13 Executed PCO #25</b>	<b>ADD/DEDUCT \$</b>	<b>1,750.00</b>
	<b>ADD/DEDUCT</b>	<b>0</b>

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: The addition of cement mix to the decomposed granite in the portable batting cage storage area was requested by the owner to mitigate risk of erosion caused by weather.

DSA prelim. approval date: NA

<b>14 Executed PCO #26</b>	<b>ADD/DEDUCT \$</b>	<b>574.00</b>
	<b>ADD/DEDUCT</b>	<b>0</b>

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: The substitution of BAPI sensors for Delta standard sensors was requested by the owner to maintain consistent design and operating standards.

DSA prelim. approval date: NA

<b>15 Executed PCO #27</b>	<b>ADD/DEDUCT \$</b>	<b>3,100.00</b>
	<b>ADD/DEDUCT</b>	<b>0</b>

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: The provision of 1" conduit at room 109 was requested by the college in order to provide infrastructure for programmatic audio-visual needs.

DSA prelim. approval date: NA

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<b>16 Executed PCO #28</b>	<b>ADD/DEDUCT \$</b>	<b>845.00</b>
	<b>ADD/DEDUCT</b>	<b>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: The provision of the XLR output in the team room was requested by the college in order to provide infrastructure for programmatic audio-visual needs.

DSA prelim. approval date: NA

<b>17 Executed PCO #29</b>	<b>ADD/DEDUCT \$</b>	<b>1,200.00</b>
	<b>ADD/DEDUCT</b>	<b>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: The relocation of the fence between the new baseball field and the existing football field was requested by the college in order to enhance site security.

DSA prelim. approval date: NA

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

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

Requested by: F-5: Other

Reason: Addition costs for special testing and inspection were incurred by the owner due to unanticipated re-inspections by ISI. Gilbane provided the owner with a credit of \$16,000 to compensate for the cost of reinspection.

DSA prelim. approval date: NA

**End of Items**