

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of February 28, 2012

ITEM #31

ITEM TITLE:

Consider Approval of Resolution 11/12-34, Acceptance and Retention, and Ratification of Deductive Change Order No. 1, PCCD Smart Classroom Electrical & Low Voltage Project, Ray's Electric

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 11/12-34, which formally accepts the PCCD Smart Classroom Electrical & Low Voltage project as complete and provides for a retention payment to the contractor, Ray's Electric. Ratification is also requested for Deductive Change Order No. 1 to the contract, in the amount of (\$293,263.00).

ITEM SUMMARY:

On September 28, 2010, this Board awarded a contract to Ray's Electric for the PCCD Smart Classroom Electrical & Low Voltage Project at all four campuses—College of Alameda, Laney College, Merritt College and Berkeley City College. This project provided for the installation of electrical and low voltage infrastructure that was required for the PCCD Smart Classroom Systems throughout the District. The work has now been completed and a Notice of Completion has been filed with the County of Alameda. This resolution accepts the work as complete and provides for a retention payment of \$183,550.65, which is 5% of the contract price as adjusted by the deductive change order.

Ratification is also requested for Change Order No. 1, a deduction in the amount of (\$293,263.00), which is a **reduction of 13.4%** to the original contract amount of \$2,194,247.00. Because of the nature of the project, it was decided to include unit pricing and alternatives so that the colleges could participate in the final design of the audiovisual equipment. Some of the unit prices, alternates and allowance amounts were not needed or only partially used. Costs were tracked throughout the project, and this deductive change order is a credit for the unused portions of allowances or alternates that were included in the contract price. Change Order No. 1 also extended the contract completion date to December 31, 2011.

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, "Classroom and facility technology upgrades," Merritt College, "Technology upgrades," College of Alameda, "Classroom and facility technology upgrades," and Berkeley City College, "Classroom and facility technology upgrades."

BACKGROUND/ANALYSIS:

This deductive change order returns \$293,263.00 to the District. It is the only change order for this project. It is in the best interests of the District and financially prudent to authorize the change order.

DELIVERABLES/SCOPE OF WORK:

This change order provided a credit for unused allowances or alternates that were included in the original contract price.

ANTICIPATED COMPLETION DATE:

The contract completion date was December 31, 2011.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval of Resolution 11/12-34, which formally accepts the PCCD Smart Classroom Electrical & Low Voltage project as complete and provides for a retention payment to the contractor, Ray's Electric, is recommended. Ratification is also recommended for Deductive Change Order No. 1 to the contract, in the amount of (\$293,263.00).

OTHER DEPARTMENTS IMPACTED BY THIS ACTION (E.G. INFORMATION TECHNOLOGY):

YES _____ No X

COMMENTS:

No additional comments.

WHO WILL BE PRESENTING THIS ITEM AT THE BOARD MEETING? (VICE CHANCELLOR)

Vice Chancellor Ikhara

(*****Board contract approval is subject to negotiation and execution by the Chancellor.)

DOCUMENT PREPARED BY:

Prepared by: Dr. Sadiq B. Ikharo Date: 2-16-12
Vice Chancellor for General Services

DOCUMENT PRESENTED AND APPROVED BY:

Presented and approved by: Dr. Sadiq B. Ikharo Date: 2-16-12
Vice Chancellor for 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 Date: 2-22-12
Ronald Gerhard, Vice Chancellor of Finance

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 Thi Nguyen Date: 2-23-12
General Counsel

CHANCELLOR'S OFFICE APPROVAL

Approved, and Place on Agenda Not Approved, but Place on Agenda

Signature: Wise E. Allen Date: 2-21-12
Wise E. Allen, Chancellor

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 11/12-34
ACCEPTANCE AND RETENTION**

**PCCD SMART CLASSROOM ELECTRICAL & LOW VOLTAGE PROJECT
RAY'S ELECTRIC**

WHEREAS, Ray's Electric, 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 PCCD Smart Classroom Electrical & Low Voltage Project, 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 ONE HUNDRED EIGHTY THREE THOUSAND FIVE HUNDRED FIFTY AND 65/100 DOLLARS (\$183,550.65), which is five percent (5%) of said contract price, as modified by Deductive 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 28th day of February, 2012. 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