

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

ITEM #

**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 Ikharo

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

**DOCUMENT PREPARED BY:**

Prepared by: Dr. Sadiq B. Ikharo Date: \_\_\_\_\_  
Vice Chancellor for General Services

**DOCUMENT PRESENTED AND APPROVED BY:**

Presented and approved by: Dr. Sadiq B. Ikharo Date: \_\_\_\_\_  
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: \_\_\_\_\_  
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: \_\_\_\_\_  
General Counsel

**CHANCELLOR'S OFFICE APPROVAL**

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

Signature: Wise E. Allen Date: \_\_\_\_\_  
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: PCCD SMART CLASSROOM ELECTRICAL & LOW VOLTAGE  
PROJECT NUMBER: 2368  
PROJECT ADDRESS: DISTRICT-WIDE – COA, BCC, LANEY AND MERRITT  
CONTRACTOR: RAY'S ELECTRIC  
CONTRACTOR'S ADDRESS: 411 PENDELTON WAY, OAKLAND, CA 94621  
DSA APPLICATION NUMBER: NA  
CONTRACT START DATE: OCTOBER 25, 2010  
ORIGINAL CONTRACT TIME: 130 WORKING DAYS  
CONTRACT TIME EXTENSIONS: 305 CALENDAR DAYS TO DECEMBER 31, 2011  
APPROVED VIA CHANGE ORDER: CHANGE ORDER NO. 1  
CONTRACT COMPLETION DATE: DECEMBER 31, 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. Ikharo  
(Signature of Affiant)  
Dr. Sadiq Bello Ikharo  
Vice Chancellor, General Services

2-7-2012  
Date

I declare under penalty of perjury that the foregoing is true to the best of my knowledge.

Sadiq B. Ikharo  
(Signature of Affiant)  
Dr. Sadiq Bello Ikharo  
Vice Chancellor, General Services

2-7-2012  
Date

# PERALTA COMMUNITY COLLEGE DISTRICT

Office of General Services • 333 East 8th Street Oakland, California 94606 • Phone 510/466-7200 • Fax 510/466-7315

## CHANGE ORDER NO. 01

**PROJECT:** PCCD SMART CLASSROOM  
ELECTRICAL AND LOW VOLTAGE

**DATE:** DECEMBER 13, 2011

**OWNER:** Peralta Community College District  
**CONTRACTOR:** RAY'S ELECTRIC

**DSA FILE NO.:** na  
**DSA APP NO.:** na  
**PCCD PROJECT #:** 2368  
**PROJECT MANAGER:** Olive CM Inc.

The Contractor is authorized to make the changes listed in the Summary and described in Change Order Attachment when this Change Order has been approved. Through acceptance of this change order, this Contractor acknowledges that it has reviewed the progress of the work related to this project and the potential impact of the added work on the progress of the project in the future. As a result, this change order includes compensation to the Contractor for any and all effects, delays, inefficiencies or similar demands associated with this project and the Contractor recognizes that there is no basis for any such claim in the future. Please note that all other terms and conditions of the contract remain unchanged and that all costs to maintain our original contract schedule with the inclusion of the adjusted scope of work as set forth by this change order are included within the lump sum change order amount stated herein.

Original Contract Sum.....	\$ 2,194,247.00
Net Change by previously authorized Change Orders.....	\$ 0.00
The Contract sum prior to this Change Order was.....	\$ 2,194,247.00
The Contract sum will be increased/decreased by this Change Order.....	\$ (293,263.00)
The New Contract Sum including this Change Order will be.....	\$ 1,900,984.00
Cumulative Change Order(s) as a percentage of contract including this Change Order <u>-13.4%</u>	
The Contract is changed by (305) Days	
Contract completion date as of this Change Order therefore is: December 30, 2011	

Summary reference attached items PCO 01

<p><b>Approved:</b> Architect of Record</p>          <p>Date:</p>	<p><b>Approved:</b> General Contractor</p>          <p>Date: 02/01/2012</p>	<p><b>Approved: Peralta Community College District</b></p> <p style="text-align: center;"><i>[Signature]</i></p> <p style="text-align: center;">Director of Capital Projects</p> <p>Date: 02/06/12</p> <hr/> <p style="text-align: center;"><i>[Signature]</i></p> <p style="text-align: center;">Vice Chancellor of General Services</p> <p>Date: 2-9-12</p>
<p><b>Approved: Electrical or Structural Engineer</b></p>          <p>Date:</p>	<p><b>Approved: Mechanical Engineer</b></p>          <p>Date:</p>	<p><b>Approved: Div. of the State Architect</b></p>          <p>Date:</p>

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## SUMMARY OF CHANGE ORDER No. 1 Attachment

**PROJECT:** PCCD SMART CLASSROOM  
ELECTRICAL AND LOW VOLTAGE  
**OWNER:** Peralta Community College District  
**CONTRACTOR:** RAY'S ELECTRIC

**DATE:** DECEMBER 13, 2011  
**DSA FILE NO.:** na  
**DSA APP NO.:** na  
**PCCD FILE NO.:** 2368

<b>1</b>	<b>PCO 01 - Deductions</b>	<b>DEDUCT</b>	<b>(\$293,263.00)</b>
		<b>ADD/DEDUCT</b>	<b>305 Days</b>

**Description:** 1-F Included in the contract was unit pricing and alternates.

**Requested by:** Owner

**Reason:** Because of the nature of the project, it was decided to include unit pricing and alternates so that the Colleges could participate in the final design of the audiovisual equipment.

The following unit prices, alternates and allowance amounts were not needed and are deducted from the project:

Category	Description	Original Amt.	Amt. Committed	Remaining Uncommitted
All-01	BCC, COA and Laney	\$210,000.00	\$157,884.00	\$ 52,116.00
A-04	COA - electrical outlet for 3 PT-DW6300 D119, D237 and D312	\$3,600.00	\$ 2,400.00	\$ 1,200.00
B-01	BCC Additional outlet for 2 flat panels 125 & 341	\$2,000.00	\$ -	\$ 2,000.00
M-01	Merritt additional outlet for 4 PT-DW6300 in H108, D200, D210 and P103	\$4,800.00	\$ -	\$ 4,800.00

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M-03	Merritt - one outlet for oone flat panel in SRH	\$1,000.00	\$ -	\$ 1,000.00
UP-01A	Additional AP - 15	\$17,775.00	\$ -	\$ 17,775.00
UP-02A	Additional Power Injector - 3	\$864.00	\$ -	\$ 864.00
UP-03A	Additional 24 port switch - 2	\$7,314.00	\$ -	\$ 7,314.00
UP-04A	Additional 48 port switch - 2	\$16,274.00	\$ -	\$ 16,274.00
UP-05A	Install 2 inch conduit - 3000 LF	\$61,260.00	\$ -	\$ 61,260.00
UP-06A	Install 1 inch conduit - 3000 LF	\$38,340.00	\$ -	\$ 38,340.00
UP-07A	6000 LF of CAT 6 cable	\$7,800.00	\$ -	\$ 7,800.00
UP-01B	Additional AP - 10	\$11,850.00	\$ -	\$ 11,850.00
UP-02B	Additional 24 port switch - 1	\$3,657.00	\$ -	\$ 3,657.00
UP-03B	Additional 48 port switch - 1	\$8,137.00	\$ -	\$ 8,137.00
UP-04B	Install 1 inch conduit - 4200 LF	\$53,676.00	\$ -	\$ 53,676.00
UP-05B	000 LF of CAT 6 cable	\$5,200.00	\$ -	\$ 5,200.00
			TOTAL	\$ 293,263.00

DSA prelim.  
approval date: na

**End of Items**

**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.

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Secretary of the Board of Trustees  
Peralta Community College District  
Alameda County  
State of California