

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

ITEM #32

ITEM TITLE:

Consider Approval of Resolution 11/12-35, Acceptance and Retention, Peralta TV Site Package, Beliveau Engineering Contractors, Inc.

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 11/12-35, which formally accepts the Peralta TV Site Package project as complete and provides for a retention payment to the contractor, Beliveau Engineering Contractors, Inc.

ITEM SUMMARY:

On September 28, 2010, this Board ratified the contract award to Beliveau Engineering Contractors, Inc. for the Peralta TV Site Package project. The work has now been completed and the Notice of Completion has been filed with the County of Alameda. Approval by the Board of Trustees is recommended. This resolution accepts the work as complete and provides for a retention payment of \$27,532.26, which is 10% of the contract price.

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, District-Wide Projects, "Classrooms and facilities to enhance the community outreach capabilities of the District among the numerous ethnic communities living in and served by the District," and "Technology infrastructure for distance learning."

BACKGROUND/ANALYSIS:

The Board previously approved two change orders to this contract totaling \$12,122.53, which is 4.6% of the original contract amount (\$263,200.00).

DELIVERABLES/SCOPE OF WORK:

The project provided for site preparation and connection of two modular structures to house Peralta TV at the District Administrative Center site.

ANTICIPATED COMPLETION DATE:

The work has been completed.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval of Resolution 11/12-35, which formally accepts the Peralta TV Site Package project as complete and provides for a retention payment to the contractor, Beliveau Engineering Contractors, Inc., is recommended.

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: 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 11/12-35
ACCEPTANCE AND RETENTION**

**PERALTA TV SITE PACKAGE
BELIVEAU ENGINEERING CONTRACTORS, INC.**

WHEREAS, Beliveau Engineering Contractors, Inc., 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 Peralta TV Site Package, 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 TWENTY-SEVEN THOUSAND FIVE HUNDRED THIRTY-TWO AND 26/100 DOLLARS (\$27,532.26), which is ten percent (10%) of said contract price, as modified by Change Order Nos. 1 and 2, 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