

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of June 12, 2012

ITEM #

ITEM TITLE:

Consider Approval of Resolution 11/12-42, Acceptance and Retention, Building Q Improvements at Merritt College, Rockaway Construction Inc.

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 11/12-42, which formally accepts the Building Q Improvements at Merritt College project as complete and provides for a retention payment to the contractor, Rockaway Construction Inc.

ITEM SUMMARY:

On March 23, 2010, this Board awarded a construct to Rockaway Construction Inc. for the Building Q Improvements at Merritt College. The work has now been completed, a Notice of Completion has been filed with the County of Alameda, and the Merritt College President and Business Manager have signed the Project College Acceptance Form. Approval by the Board of Trustees is recommended. This resolution accepts the work as complete and provides for a retention payment of \$70,998.05, which is 5% 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, Merritt College, "Plumbing, electrical, mechanical system upgrades and improvements," and "Classroom and facilities repairs and ground improvements."

BACKGROUND/ANALYSIS:

The Board previously ratified three change orders to this contract in the cumulative amount of \$129,086.92, which is 9.9% of the original contract amount (\$1,290,874.00).

DELIVERABLES/SCOPE OF WORK:

Offices of the Merritt College president, administrative staff and business offices are located in Building Q. This project involved demolition of some existing internal structure and utility systems, construction and installation of new walls, doors, hardware, construction of new casework systems, installation of new modular cubicle systems, interior storefront frames and glazing, adjusting the existing electrical power and lighting, telephone and data systems for the new work, installation of new mechanical system, adjustment to existing fire alarm system, and installation of new finishes throughout Building Q, as well as upgrades to the Building R mechanical system at Merritt College.

ANTICIPATED COMPLETION DATE:

The work has been completed.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval of Resolution 11/12-42, which formally accepts the Building Q Improvements at Merritt College project as complete and provides for a retention payment to the contractor, Rockaway Construction 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: May 31, 2012
Vice Chancellor for General Services

DOCUMENT PRESENTED AND APPROVED BY:

Presented and approved by: Dr. Sadiq B. Ikharo Date: May 31, 2012
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: <u>Peralta Community College District</u>	For Recorder's Use
When Recorded, Mail To: Office of General Services 333 East 8th Street Oakland, CA 94606	

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: Merritt College – Building Q Improvements

PROJECT NUMBER: 2303

PROJECT ADDRESS: Merritt College, 12500 Campus Drive, Oakland, CA 94619,

CONTRACTOR: Rockaway Construction

CONTRACTOR'S ADDRESS: 580 Crrespi Drive, #A6-224, Pacific, CA 94044

DSA APPLICATION NUMBER: 01-110536

CONTRACT START DATE: June 21,2010

ORIGINAL CONTRACT TIME: 240 Calendar Days

CONTRACT TIME EXTENSIONS: 687 calendar days to May 8, 2012

APPROVED VIA CHANGE ORDER: Change Order No. 3

CONTRACT COMPLETION DATE: May 8, 2012

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)

5-11-2012
Date

Dr. Sadiq Bello Ikharo
Vice Chancellor, General Services
Peralta Community College District

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

Sadiq B. Ikharo
(Signature of Affiant)

5-11-2012
Date

Dr. Sadiq Bello Ikharo
Vice Chancellor, General Services
Peralta Community College District

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 11/12-42
ACCEPTANCE AND RETENTION**

**BUILDING Q IMPROVEMENTS AT MERRITT COLLEGE
ROCKAWAY CONSTRUCTION INC.**

WHEREAS, Rockaway Construction 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 Building Q Improvements at Merritt College, 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 SEVENTY THOUSAND NINE HUNDRED NINETY-EIGHT AND 05/100 DOLLARS (\$70,998.05), which is five percent (5%) of said contract price, as modified by Change Orders No. 1, 2 and 3, 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 12th day of June, 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