

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

ITEM # 43

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: 6-7-12
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: 6-7-12
General Counsel

CHANCELLOR'S OFFICE APPROVAL

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

Signature: Wise E. Allen Date: 6-5-12
Wise E. Allen, Chancellor

**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