

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

ITEM # 44

ITEM TITLE:

Consider Approval of Resolution 11/12-43, Acceptance and Retention, and *Ratification* of Deductive Change Order No. 1, PCCD Smart Classroom Systems, Bid A (College of Alameda, Berkeley City College and Laney College), Serb Systems, Inc. dba Pro Media Ultrasound

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 11/12-44, which formally accepts the PCCD Smart Classroom Systems, Bid A (College of Alameda, Berkeley City College and Laney College as complete and provides for a retention payment to the contractor, Serb Systems, Inc. dba Pro Media Ultrasound. Ratification is also requested for Deductive Change Order No. 1 to the contract, in the amount of (\$272,157.00).

ITEM SUMMARY:

On September 28, 2010, this Board awarded a contract to Serb Systems, Inc. dba Pro Media Ultrasound for the PCCD Smart Classroom Systems, Bid A (College of Alameda, Berkeley City College and Laney College). This project included the purchase and installation of all equipment for the smart classrooms at the three colleges. (The Smart Classroom Systems for Merritt College was done by a different contractor under a separate contract.) The work at College of Alameda, Berkeley City College and Laney College 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 \$294,639.30, which is 10% 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 (\$272,157.00), which is a **reduction of 8.5%** to the original contract amount of \$3,218,550.00. Deductive Change Order No. 1 includes changes in equipment required and installation locations at the three campuses. The cumulative total of these changes resulted in a deductive amount of (\$272,157.00).

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

BACKGROUND/ANALYSIS:

This deductive change order returns \$272,157.00 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 this change order.

DELIVERABLES/SCOPE OF WORK:

This project included the purchase and installation of all equipment for the various smart classrooms located at College of Alameda, Berkeley City College and Laney College.

ANTICIPATED COMPLETION DATE:

The work under this project has been completed.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval of Resolution 11/12-44, which formally accepts the PCCD Smart Classroom Systems, Bid A (College of Alameda, Berkeley City College and Laney College as complete and provides for a retention payment to the contractor, Serb Systems, Inc. dba Pro Media Ultrasound, is recommended. Ratification is also recommended for Deductive Change Order No. 1 to the contract, in the amount of (\$272,157.00).

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: 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 11/12-44
ACCEPTANCE AND RETENTION**

**PCCD SMART CLASSROOM SYSTEMS, BID A (COLLEGE OF ALAMEDA,
BERKELEY CITY COLLEGE AND LANEY COLLEGE)
SERB SYSTEMS, INC. DBA PRO MEDIA ULTRASOUND**

WHEREAS, Serb Systems, Inc. dba Pro Media Ultrasound, 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 Systems, Bid A (College of Alameda, Berkeley City College and Laney 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 TWO HUNDRED NINETY-FOUR THOUSAND SIX HUNDRED THIRTY-NINE AND 30/100 DOLLARS (\$294,639.30), which is ten percent (10%) 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 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