

Board of Trustees Agenda Report For the Trustee Meeting Date of June 12, 2012

ITEM TITLE:

Consider Approval of Resolution 11/12-44, Acceptance and Retention, and *Ratification* of Deductive Change Order No. 1, PCCD Smart Classroom Security Implementation Project, Converjint Technologies LP

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 11/12-44, which formally accepts the PCCD Smart Classroom Security Implementation Project (District-Wide) as complete and provides for a retention payment to the contractor, Converjint Technologies LP. Ratification is also requested for Deductive Change Order No. 1 to the contract, in the amount of (\$63,996.00).

ITEM SUMMARY:

On April 26, 2011, this Board awarded a contract to Converjint Technologies LP for the PCCD Smart Classroom Security Implementation Project. This project installed battery operated door locks for all smart classrooms that could be adapted to support the new locks, in order to enhance security and prevent theft of the new AV equipment. One hundred eighteen (118) locks were installed in various smart classroom doors throughout the District's four campuses. 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 \$28,023.20, 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 (\$63,996.00), which is a **reduction of 18.6%** to the original contract amount of \$344,228.00. Part of the bid for this project included an allowance and two unit prices to calculate the cost of modifications for unforeseen site field conditions and/or required changes in the field as desired by each campus. Deductive Change Order No. 1 represents the remaining balance of the allowance and returns \$63,996.00 to the District. It also extends the contract completion date to April 30, 2012.

SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):

Bond Measure E

BACKGROUND/ANALYSIS:

This deductive change order returns \$63,996.00 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 provided access security to each smart classroom District-wide through electronic keying of each main entry door, thereby enabling a record of opening and closing (daily locking and unlocking) of these renovated classrooms with expensive audio-visual equipment content.

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 Security Implementation Project as complete and provides for a retention payment to the contractor, Convergent Technologies LP, is recommended. Ratification is also recommended for Deductive Change Order No. 1 to the contract, in the amount of (\$63,996.00).

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 Ikhara

(*****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

PERALTA COMMUNITY COLLEGE DISTRICT

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

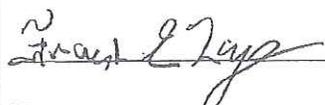
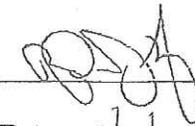
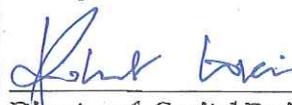
CHANGE ORDER NO. 01

PROJECT: PCCD SMART CLASSROOM SECURITY IMPLEMENTATION PROJECT #2328 OWNER: Peralta Community College District CONTRACTOR: Convergent Technologies LP	DATE: May 2, 2012 DSA FILE NO.: na DSA APP NO.: na PCCD PROJECT #: 2328 CONSTRUCTION MANAGER: Olivia Rocha
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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..... \$ 344,228.00
 Net Change by previously authorized Change Orders.....\$ 0.00
 The Contract sum prior to this Change Order was.....\$ 344,228.00
 The Contract sum will be increased/decreased by this Change Order.....\$ (63,996.00)
 The New Contract Sum including this Change Order will be.....\$ 280,232.00
 Cumulative Change Order(s) as a percentage of contract including this Change Order (18.6%)
 The Contract is changed by (270) Days
 Contract completion date as of this Change Order therefore is: April 30, 2012

Summary reference attached items PCO 1, PCO 2

Approved: Architect of Record  Date: <u>5-2-12</u>	Approved: General Contractor  Date: <u>5/2/12</u>	Approved: Peralta Community College District  Director of Capital Projects Date: <u>05/03/12</u>
Approved: Electrical or Structural Engineer Date:	Approved: Mechanical Engineer Date:	 Vice Chancellor of General Services Date: <u>5-3-2012</u>
Date:	Date:	Approved: Div. of the State Architect Date:

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SUMMARY OF CHANGE ORDER No. 01 Attachment

PROJECT: PCCD Smart Classroom Security DATE: May 2, 2012
Implementation Project #2328 DSA FILE NO.: na
OWNER: Peralta Community College District DSA APP NO.: na
CONTRACTOR: Vertex Construction Services PCCD FILE NO.: 2328

1.	PCO 1	Reimbursement of Allowance	DEDUCTIVE	(\$9,141.00)
			ADD	270 Days

Description: 1-F Release of Allowance
Requested by: Owner
Reason: Only \$10,859 was used under the allowance to retrofit doors at COA, provide door plugs at various campuses; additional work at Laney's Theater doors and provide additional patch cords. The remaining allowance is released.
DSA prelim. approval date: NA

2	PCO 2	Release remainder of UP-01	DEDUCTIVE	(\$54,855.00)
			ADD	0 Days

Description: 1-F Release the remaining amount of \$54,855 in the contract used as Unit pricing 01.
Requested by: Owner
Reason: The contract contained provisions to provide additional equipment and programming for specific needs found during construction at each of the four campuses. The remaining portion was not needed
DSA prelim. approval date: NA

End of Items

Recording Requested By: <u>Peralta Community College District</u>	
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 CLASSRM SECURITY IMPLEMENTATION PROJECT
 PROJECT NUMBER: 2328
 PROJECT ADDRESS: DISTRICT-WIDE
 CONTRACTOR: CONVERGINT TECHNOLOGIES LP
 CONTRACTOR'S ADDRESS: 26252 EDEN LANDING ROAD, HAYWARD, CA 94545
 DSA APPLICATION NUMBER: NA
 CONTRACT START DATE: JUNE 1, 2011
 ORIGINAL CONTRACT TIME: 65 CALENDAR DAYS
 CONTRACT TIME EXTENSIONS: 270 CALENDAR DAYS TO APRIL 30, 2012
 APPROVED VIA CHANGE ORDER: 1
 CONTRACT COMPLETION DATE: APRIL 30, 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)
Dr. Sadiq Bello Ikharo
Vice Chancellor, General Services

5-3-12

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

5-3-12

Date

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 11/12-44
ACCEPTANCE AND RETENTION**

**PCCD SMART CLASSROOM SECURITY IMPLEMENTATION PROJECT
CONVERGINT TECHNOLOGIES LP**

WHEREAS, Convergent Technologies LP a limited partnership 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 Security Implementation 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 TWENTY-EIGHT THOUSAND TWENTY-THREE AND 20/100 DOLLARS (\$28,023.20), 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