

**PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of July 17, 2012**

ITEM TITLE:

Consider Approval of Resolution 12/13-2, Accept Bid and Award Contract, Berkeley City College Build-Out Phase 3 (Bid No. 11-12/19), E.F. Brett & Company, Inc.

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested for Resolution 12/13-2, to accept the bid and award a contract for the Berkeley City College Build-Out Phase 3 (Bid No. 11-12/19), to E.F. Brett & Company, Inc., in the amount of \$2,377,704.

ITEM SUMMARY:

A formal bid was conducted for this project (Bid No. 11-12/19), and a bid opening was held on June 13, 2012. Five bids were received, as follows:

CONTRACTOR	LOCATION	TOTAL BID
E.F. Brett & Company, Inc.	Woodacre, CA	\$2,377,704
Cal Pacific Construction	Oakland, CA	\$2,329,000
D.L. Falk Construction	Hayward, CA	\$2,588,000
Angotti & Reilly	San Francisco, CA	\$2,849,308
Romkon Inc.	San Francisco, CA	\$2,892,824

Staff conducted a post-bid evaluation and interviews. It was found that the lowest apparent bid submitted by Cal Pacific Construction was non-responsive because certified audiovisual and controls subcontractors were not listed in the bid, as required by Public Contract Code 4104. Staff recommends that the contract be awarded to the next lowest responsible and responsive bidder, E.F. Brett & Company, Inc., in the amount of \$2,377,704. This resolution formally accepts the bid and authorizes the contract award to E.F. Brett & Company, Inc. for the Berkeley City College Build-Out Phase 3 (Bid No. 11-12/19).

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, Berkeley City College, “Plumbing, electrical, mechanical system upgrades and improvements,” “Remodeling of classroom space,” “Science Lab upgrades,” and “Equipment, technology upgrades, and facility and classroom improvements for the college’s following programs and proposed programs: American Sign Language, Biotechnology, Business, Computer Information Systems, Disaster Preparedness, Fine and Applied Arts, Global Studies, International Trade, Multimedia Arts, Social Services Paraprofessional, Travel and Tourism Industry, Foundations (Basic Skills), Network Administration, Teacher Preparedness, International Studies, and High School Honor’s Courses (Advanced Placement).”

BACKGROUND/ANALYSIS:

Bid information for this project was published in newspapers of general circulation and ethnic publications reflecting the diversity of the market area. Bid information was sent to all Chambers of Commerce within the market area to disseminate to their constituency, local plan rooms and associated contractor subscription services.

DELIVERABLES/SCOPE OF WORK:

This project provides for the build-out of existing unimproved spaces into art studios on the 4th floor and improvements/alterations to labs, classrooms and offices on the 1st, 2nd, 3rd and 5th floors at Berkeley City College.

ANTICIPATED COMPLETION DATE:

Project is estimated to be completed 334 days after issuance of the Notice to Proceed.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval is recommended for Resolution 12/13-2, to accept the bid and award a contract for the Berkeley City College Build-Out Phase 3 (Bid No. 11-12/19), to E.F. Brett & Company, Inc., in the amount of \$2,377,704.

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: July 5, 2012
Vice Chancellor for General Services

DOCUMENT PRESENTED AND APPROVED BY:

Presented and approved by: Dr. Sadiq B. Ikharo Date: July 5, 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: 7-12-12
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: 7-12-12
General Counsel

CHANCELLOR'S OFFICE APPROVAL

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

Signature: José M. Ortiz Date: 7-10-12
José M. Ortiz, Chancellor

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 12/13-2**

**ACCEPT BID AND AWARD CONTRACT
BERKELEY CITY COLLEGE BUILD-OUT PHASE 3
BID NO. 11-12/19**

E.F. BRETT & COMPANY, INC.

WHEREAS, this Board has heretofore advertised for bids to secure all labor, material, equipment, mechanical workmanship, transportation and services for the Berkeley City College Build-Out Phase 3 (Bid No. 11-12/19); and

WHEREAS, five bids were received in response to said advertisement on the 13th day of June, 2012; and

WHEREAS, this Board does hereby accept the bid of E.F. Brett & Company, Inc.; and

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby accept the bid of E.F. Brett & Company, Inc., P.O. Box 96, Woodacre, California 94973, for Total Bid in the amount of TWO MILLION THREE HUNDRED SEVENTY-SEVEN THOUSAND SEVEN HUNDRED FOUR AND NO/100 DOLLARS (\$2,377,704.00); making the total contract price TWO MILLION THREE HUNDRED SEVENTY-SEVEN THOUSAND SEVEN HUNDRED FOUR AND NO/100 DOLLARS (\$2,377,704.00); and

BE IT FURTHER RESOLVED that the bid of the other bidders shall be and the same are hereby rejected; and

BE IT FURTHER RESOLVED that the Secretary of this Board be and he is hereby authorized and directed to enter into a contract in accordance with law with said E.F. Brett & Company, Inc. for the Berkeley City College Build-Out Phase 3 (Bid No. 11-12/19), and the bid bond of said bidder be returned to it upon the acceptance of said contract together with the bonds attached thereto.

PASSED AND ADOPTED this 17th day of July, 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