

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of September 25, 2012

ITEM TITLE:

Consider Ratification of Change Order No. 5 to the Design-Build Agreement with Gilbane Building Company for the Laney Athletic Complex

SPECIFIC BOARD ACTION REQUESTED:

Ratification is requested for Change Order No. 5 to the design-build agreement with Gilbane Building Company for the Laney College Athletic Complex project, in the amount of \$18,078.

ITEM SUMMARY:

The Laney College Athletic Complex project is now complete. Change Order No. 5 will reimburse Gilbane Building Company for fees paid to PG&E for a new service connection. The fees were paid by Gilbane in order to maintain the project schedule.

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, "Athletic Fields, Gym and Facilities," and District-Wide Projects, "Solar energy system installation and the retrofitting of existing energy systems."

BACKGROUND/ANALYSIS:

The Board of Trustees originally approved a negotiated design-build contract with Gilbane Building Company at the Board meeting of November 18, 2008, following a competitive Request for Proposal process. At previous meetings, the Board of Trustees approved Change Order Nos. 1, 2, 3 and 4 to the design-build agreement.

Change Order Nos. 1 and 2 established a lump sum contract price of \$17,540,000, based on owner requested additional scope changes beyond the original design-bid services agreement amount of \$12,000,000. Change Order No. 1 included the addition of 3,000 sq. ft. and other changes to the Field House, and added a photovoltaic collection system (funded from the District-wide solar budget). Including these changes, the estimated design-build cost was \$17,650,000. Change Order No. 2 formally accepted the lump sum design-build project cost of \$17,540,000. This was a reduction of \$110,000 from the Change Order No. 1 estimate and was based on the actual bids Gilbane received for the three project phases. Change Order No. 3 was approved by the Board of Trustees at the meeting of July 19, 2011, in the amount of \$263,367. This change order included owner requested additional scope changes, including a turnkey audiovisual package and other minor changes. The District had planned to undertake audiovisual deployment as a separate bid, but due to delays in the main project (field house), this turnkey project was incorporated as part of Gilbane's contract in an effort to save time. Change Order No. 4, in the amount of \$165,000, was the result of unforeseen conditions and college/owner requested scope of work items.

Ratification is now requested for Change Order No. 5, which will reimburse Gilbane Building Company for fees paid to PG&E for a new service connection. The fees were paid by Gilbane in order to maintain the project schedule. The cumulative total of Change Order Nos. 3, 4 and 5 is \$446,445, which is 2.5% of the final lump sum price established by Change Order No. 2. In

accordance with Board Policy 6.83, approval was requested from the Chancellor for this change order item, and Change Order No. 5 is now brought before the Board for ratification. It is in the best interests of the District and financially prudent to authorize this change order.

DELIVERABLES/SCOPE OF WORK:

Change Order No. 5 will reimburse Gilbane Building Company for fees paid to PG&E for a new service connection.

ANTICIPATED COMPLETION DATE:

The Laney College Athletic Facility project is substantially complete.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Ratification is recommended for Change Order No. 5 to the design-build agreement with Gilbane Building Company for the Laney College Athletic Complex project, in the amount of \$18,078.

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: September 13, 2012
Vice Chancellor of General Services

DOCUMENT PRESENTED AND APPROVED BY:

Presented and approved by: Dr. Sadiq B. Ikharo Date: September 13, 2012
Vice Chancellor of 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: 9-21-12
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: 9-21-12
General Counsel

CHANCELLOR'S OFFICE APPROVAL

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

Signature: José M. Ortiz Date: 9-18-12
José M. Ortiz, Chancellor