PERALTA COMMUNITY COLLEGE DISTRICT ITEM #

Board of Trustees Agenda Report

For the Trustee Meeting Date of October 9, 2012

ITEM TITLE:
Consider Approval of Resolution 12/13-14, Acceptance and Retention, Photovoltaic System Installation Project at Merritt College, Chevron Energy Solutions Company

SPECIFIC BOARD ACTION REQUESTED:
Approval of Resolution 12/13-14, which formally accepts the Photovoltaic System Installation project at Merritt College as complete and provides for a retention payment to the design-build contractor, Chevron Energy Solutions Company.

ITEM SUMMARY:
On July 21, 2009, this Board approved entering into a design-build contract with Chevron Energy Solutions Company for the Photovoltaic system Installation project at Merritt College. The effective date of the contract was January 26, 2010. This project is 100% complete, and a Notice of Completion has been filed with the County of Alameda. Approval by the Board of Trustees is recommended. This resolution accepts the work as complete and provides for a retention payment of $293,648.90 to Chevron Energy Solutions Company. There have been no change orders on this project.

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

BACKGROUND/ANALYSIS:
The project included installation of a ground mounted photovoltaic array located on the hillside by the athletic field at Merritt College and a parking shade system structure at a subsection of Merritt College Parking Lot C. (The structure in Parking Lot C is located so that it does not obstruct the "million dollar" view of the Bay Area from the Merritt campus.) The total size of the photovoltaic system is 1.2 MW and will provide approximately 45% of the total energy usage for the college from clean, renewable onsite energy generation. This project was undertaken in keeping with the District's comprehensive and aggressive sustainability policy and as championed by the Sustainable Peralta Initiative. Photovoltaic systems produce the most electricity during peak hours of the day when electric rates are highest. By installing a photovoltaic system on the Merritt campus, the District will reduce its energy bills by displacing power purchased at peak rates. The primary benefits of the Merritt College solar photovoltaic system are cost savings in electricity and CO_2 avoidance. On average, the photovoltaic system saves the District $21,718 each month. The District's savings will increase with each electricity rate increase. The savings are combined with a monthly average CO2 reduction of 168,011 lbs. Installing the solar photovoltaic system also created jobs in the six cities that the District serves. Additional benefits include community goodwill (essential for bond funding) and improved energy conservation awareness for students, faculty and staff, which should lead to some degree of behavior modification as it relates to energy use. The photovoltaic array project went through the shared governance process in 2009.

DELIVERABLES/SCOPE OF WORK:
Installation of the photovoltaic array located on the hillside by the athletic field at Merritt College and a parking shade system structure at a subsection of Merritt College Parking Lot C.

ANTICIPATED COMPLETION DATE:
The project is complete.

ALTERNATIVES/OPTIONS:
Not applicable.

EVALUATION AND RECOMMENDED ACTION:
Approval of Resolution 12/13-14, which formally accepts the Photovoltaic System Installation project at Merritt College as complete and provides for a retention payment to the design-build contractor, Chevron Energy Solutions Company, 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: October 2, 2012
Vice Chancellor of General Services

DOCUMENT PRESENTED AND APPROVED BY:

Presented and approved by: *Dr. Sadiq B. Ikharo* Date: October 2, 2012
Vice Chancellor of General Services

FINANCE DEPARTMENT REVIEW

__X__ Finance review required _____ Finance review *not* required

If Finance review is required, determination is: __X__ 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):

__X__ Legal review required _____ Legal review *not* required

If Legal review is required, determination is: __X__ Approved ____ Not Approved

Signature: *Thuy Thi Nguyen* Date: _____
General Counsel

CHANCELLOR'S OFFICE APPROVAL

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

Signature: *Wise E. Allen* Date: _____
Wise E. Allen, Chancellor

Recording Requested By: Peralta Community College District 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:	Merritt College – Photovoltaic Project
PROJECT NUMBER:	2358
PROJECT ADDRESS:	Merritt College, 12500 Campus Drive, CA, 94619
CONTRACTOR:	Chevron Construction Solutions
CONTRACTOR'S ADDRESS:	345 California Street, 18nd Floor, San Francisco, 94102
DSA APPLICATION NUMBER:	01-111488
CONTRACT START DATE:	March 8, 2010
ORIGINAL CONTRACT TIME:	183 Calendar Days
CONTRACT TIME EXTENSIONS:	143 calendar days
APPROVED VIA CHANGE ORDER:	None
CONTRACT COMPLETION DATE:	March 31, 2011

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 10-3-12
(Signature of Affiant) Date
Dr. Sadiq Bello Ikharo
Vice Chancellor, General Services
Peralta Community College District

I declare under penalty of perjury that the foregoing is true to the best of my knowledge.

Sadiq B. Ikharo 10-3-12
(Signature of Affiant) Date
Dr. Sadiq Bello Ikharo
Vice Chancellor, General Services
Peralta Community College District

PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 12/13-14
ACCEPTANCE AND RETENTION

PHOTOVOLTAIC SYSTEM INSTALLATION AT MERRITT COLLEGE
CHEVRON ENERGY SOLUTIONS COMPANY

WHEREAS, Chevron Energy Solutions Company, a Division of Chevron U.S.A., Inc., a corporation existing under and by virtue of the laws of the State of Pennsylvania, 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 Photovoltaic System Installation project at Merritt College, has made application for acceptance of the work; and

WHEREAS, that said contractor has completed the work, and the final acceptance of this project is recommended; 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-THREE THOUSAND SIX HUNDRED FORTY-EIGHT AND 90/100 DOLLARS ($293,648.90), 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 9th day of October, 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