

**PERALTA COMMUNITY COLLEGE DISTRICT**  
**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<sub>2</sub> 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 CO<sub>2</sub> 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**

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: 10-5-12  
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: 10-5-12  
General Counsel

**CHANCELLOR'S OFFICE APPROVAL**

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

Signature: *José M. Ortiz* Date: 10-2-12  
José M. Ortiz, Chancellor

**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.

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Secretary of the Board of Trustees  
Peralta Community College District  
Alameda County  
State of California