

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of October 23, 2012

ITEM TITLE:

Consider Approval of Resolution 12/13-16, Acceptance and Retention, *Ratification of Change Order No. 6, Improvements to 860 Atlantic Avenue, Alameda, Cal-Pacific Construction Inc.*

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 12/13-16, which formally accepts the Improvements to 860 Atlantic Avenue, Alameda project as complete and provides for a retention payment to the contractor, Cal-Pacific Construction Inc. Ratification is also requested for Change Order No. 6 to the contract, in the amount of \$35,531.30.

ITEM SUMMARY:

On September 28, 2010, this Board ratified the contract award to Cal-Pacific Construction Inc. for the Improvements to 860 Atlantic Avenue project in Alameda. The work has now been completed and a Notice of Completion has been filed with the County of Alameda. Project acceptance is recommended. This resolution accepts the work as complete and provides a retention payment of \$232,502.64, which is 5% of the contract price as modified by change orders.

Ratification is also requested for Change Order No. 6, in the amount of \$35,531.30. Including the previously Board approved Change Order Nos. 1, 2, 3, 4 and 5, the cumulative change order total is \$425,574.00, which is 9.99% of the original contract amount (\$4,260,000.00). It was necessary for the contractor to perform this work so that the project schedule would not be delayed and the sequencing of the work would not be adversely affected. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and Change Order No. 6 is now brought before the Board for ratification.

Change Order No. 6 was required to address items that were necessary for code compliance, safe occupancy of the building and correct or optimal functioning of the various systems, including:

- Additional reinforcing bars at ADA ramp, concrete slab and curbs
- New water lines and funnel drains for ice machines
- Four new 480-port CAV-Ve patch panels for CAT III voice cables
- New gas and vacuum lines
- New 120v power for access control system

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, College of Alameda, "Remodeling and equipping classroom and campus facilities," and "Science Lab upgrades," and Merritt College, "Classroom and facilities repairs and grounds improvements," "Science Lab upgrades," and "Equipment, technology upgrades, and facility and

classroom improvements for the college's following programs: Science, Child Development, Communications, English as a Second Language at the Fruitvale Education Center, Art, Ceramics, Landscape Horticulture/Design, Learning Center, Liberal Arts, Music, Physical Education/Athletics, and Radiologic Science."

BACKGROUND/ANALYSIS:

The changes have been reviewed and approved by the project architect, NBBJ; the Inspector of Record (IOR), Jason Zalinsky; the project manager, Willie J. Robinson and Associates; and the Department of General Services. It was necessary for the contractor to perform this work so that the project schedule would not be delayed and the sequencing of the work would not be adversely affected. It is in the best interests of the District and financially prudent to authorize this change order.

DELIVERABLES/SCOPE OF WORK:

A new C & D Science Building is planned for the College of Alameda and a new Science and Allied Health Building is planned for Merritt College to fulfill the long-term needs for both colleges. To facilitate the interim housing (swing space) needs for the College of Alameda Science Departments and the Merritt College Genomics Program, the 860 Atlantic building was renovated. Existing research and development laboratory rooms around the perimeter of the building were combined into larger classroom-lab spaces for COA, offices were demolished to make room for shared classroom spaces, and in the center of the building, a corridor, some small spaces and offices were reconfigured into teaching and lab spaces for the Genomics Program. New, larger restrooms were created, and mostly new mechanical and telecom systems were provided. Electrical, lighting and plumbing systems are a hybrid of existing and new.

ANTICIPATED COMPLETION DATE:

The work under this project has been completed.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval of Resolution 12/13-16, which formally accepts the Improvements to 860 Atlantic Avenue, Alameda project as complete and provides for a retention payment to the contractor, Cal-Pacific Construction Inc., is recommended. Ratification is also recommended for Change Order No. 6 to the contract, in the amount of \$35,531.30.

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 15, 2012
Vice Chancellor of General Services

DOCUMENT PRESENTED AND APPROVED BY:

Presented and approved by: *Dr. Sadiq B. Ikharo* Date: October 15, 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: 10-19-12
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: 10-19-12
General Counsel

CHANCELLOR'S OFFICE APPROVAL

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

Signature: *José M. Ortiz* Date: 10-16-12
José M. Ortiz, Chancellor

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 12/13-16
ACCEPTANCE AND RETENTION**

**IMPROVEMENTS TO 860 ATLANTIC AVENUE, ALAMEDA
CAL-PACIFIC CONSTRUCTION INC.**

WHEREAS, Cal-Pacific Construction, Inc., a corporation 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 Improvements to 860 Atlantic Avenue, Alameda, has made application for acceptance of the work; and

WHEREAS, the Architect 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 TWO HUNDRED THIRTY-TWO THOUSAND FIVE HUNDRED TWO AND 64/100 DOLLARS (\$232,502.64), which is five percent (5%) of said contract price, as modified by Change Order Nos. 1, 2, 3, 4, 5 and 6, shall be made thirty-five (35) 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 23rd 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