

**PERALTA COMMUNITY COLLEGE DISTRICT**  
**Board of Trustees Agenda Report**  
**For the Trustee Meeting Date of February 12, 2013**

**ITEM#**

**ITEM TITLE:**

Consider Approval of Amendment No. 3 to the Agreement with W. J. Robinson & Associates, Inc. for Construction Management Services for 860 Atlantic Avenue Building Improvements in Alameda, CA.

**SPECIFIC BOARD ACTION REQUESTED:**

Approval is requested for Amendment No. 3 to the agreement for construction management services with W. J. Robinson & Associates, Inc. for the 860 Atlantic Avenue Building Improvements project, in the not-to-exceed amount of \$14,503.

**ITEM SUMMARY:**

The 860 Atlantic Avenue facility underwent modernization as swing space for the College of Alameda science departments and the Merritt College genomics program. This amendment will extend the term of the agreement for construction management services with W. J. Robinson & Associates, Inc. for a period ending June 30, 2013. The project was substantially completed on September 15, 2011. However, the contractor will need to complete outstanding construction items covered under the warranty. The requested time extension is the result of several changes to the original scope of work, as requested by the District for improving the ultimate functioning of the facility. Services were also required to oversee the late arrival of laboratory equipment, project's commissioning, and final close-out with the Division of the State Architect (DSA).

**The scope of work under this amendment includes, but is not limited to:**

- Construction management during the final building systems commissioning
- Coordinating furniture moves for the remaining departments.
- Construction management during the: completion of Contractor warranty work for mechanical equipment.
- Construction management during the: completion of Contractor warranty work for Roof leaks.

**BACKGROUND/ANALYSIS:**

The Board of Trustees approved entering into an agreement with W. J. Robinson & Associates, Inc. at the meeting of May 12, 2009, at a fee of \$176,352. Amendment No. 1 in the amount of \$43,509 was approved by the Board at the meeting of April 12, 2011, and Amendment No. 2 in the amount of \$21,521 was approved by the Board at the meeting of October 25, 2011. Including this Amendment No. 3, the total contract amount will be \$255,882. This firm was selected from the previously Board approved short list of small project/construction management firms.

**DELIVERABLES/SCOPE OF WORK:**

Construction management during the final building systems commissioning Contractor warranty work for mechanical equipment and for roof leaks, and coordinating furniture installation for the remaining departments.

**ANTICIPATED COMPLETION DATE:**

JUNE 2013

**ALTERNATIVES/OPTIONS:**

Not applicable.

**EVALUATION AND RECOMMENDED ACTION:**

Approval is recommended for Amendment No. 3 to the agreement for construction management services with W. J. Robinson & Associates, Inc. for the 860 Atlantic Avenue Building Improvements project, in the amount of \$14,500.

**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."

**EVALUATION AND RECOMMENDED ACTION:**

Approval is recommended for Amendment No. 2 to the agreement for construction management services with W. J. Robinson & Associates, Inc. for the 860 Atlantic Avenue Building Improvements project, in the amount of \$14,500.

**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 Ikharo

**DID A BOARD STANDING COMMITTEE RECOMMEND THE ITEM? YES \_\_\_\_\_ No **X****

**IF "YES", PLEASE INCLUDE THAT INFORMATION IN YOUR SUMMARY.**

**PLEASE ACQUIRE SIGNATURES IN THIS ORDER:**

**DOCUMENT PREPARED BY:**

Prepared by: Dr. Sadiq B. Ikharo Date: January 30, 2013  
Vice Chancellor of General Services

**DOCUMENT PRESENTED AND APPROVED BY:**

Presented and approved by: Dr. Sadiq B. Ikharo Date: January 30, 2013  
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: \_\_\_\_\_  
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: \_\_\_\_\_  
General Counsel

**CHANCELLOR'S OFFICE APPROVAL**

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

Signature: José M. Ortiz Date: \_\_\_\_\_  
José M. Ortiz, Chancellor



**W.J. Robinson & Associates, Inc.** *Project & Construction Management Services*

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June 28, 2012

Peralta Community College District  
333 East 8<sup>th</sup> Street  
Oakland, CA 94606

*ATTN: Dr. Sadiq B. Ikharo, Vice Chancellor*

*RE: Fee Proposal Amendment for CM Services at 860 Atlantic Avenue Building  
Improvements, Alameda, CA*

Dear Dr. Ikharo:

Thank you for allowing me the opportunity to provide Construction Management Services on the above mention facility. To date, the project is Substantially Completed. However, there has been extenuating circumstances that has not allow complete close-out. At present, there has been a meeting with Senior Management Staff, the Inspector and Architect of Records, the Owner of the General Contractor and myself. We are confident that the matters necessary to close the project out will be completed within the next two weeks.

*My fee for providing was exhausted at the end of December 2011. In order to complete the services required to final close-out, I have continued to monitor the open punchlist items any address the concerns of the College of Alameda Instructional Staff to ensure the the classrooms and laboratory environment have been safe and comfortable. Therefore, I am requesting consideration of ad-services for the past six months in the amount of \$14,503.00. in additional fees.*

My initial proposal was to provide project management services for a six months period. This period was to cover the project's final design and oversee the pre-contract award activities. I started in May 2009 providing limited design monitoring services which was the scheduled six months. The Project went out to bid in June of 2010. At that time, the contractual construction duration was for 300 days, or approximately ten months. The Chemistry laboratory and the main classrooms for instructions was accessible in August of 2011. In December of 2011, the project was considered substantially complete and the punchlist items were the open items.

I have attached a fee schedule for the time and cost itemized breakdown of the above request.

Again, thank you for your consideration in this matter.

Sincerely,

Willie J. Robinson  
Project Manager

cf:SBI\_PCCD\_CM\_1tr(r2)



**W.J. Robinson & Associates, Inc.** *Project & Construction Management Services*

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**ATTACHMENT - I**

●	<b><u>Post Construction Services:</u></b>			
○	Prepare Monthly Progress Reports	0.0 hrs.	x 0 mos =	0.0 hrs.
○	Monitor Work Activities	10.0 hrs.	x 6 mos =	60.0 hrs..
○	Validate Cost of Proposed Changes	0.0 hrs.	x 0 mos =	0.0 hrs.
○	Review & Process Final Pay Application	16.0 hrs.	x 1 ea. =	16.0 hrs.
○	Process Final Change Order Request	8.0 hrs.	x 1 ea. =	8.0 hrs.
○	Facilitate Contract Close-out Activities		allowance =	40.0 hrs.
<b>Subtotal Construction Activities:</b>				<b>= 124.0 hrs.</b>

●	<b><u>Billable Rates (loaded):</u></b>			
○	Construction Manager	164.0 hrs.	@ \$116.96/Hr.	= \$14,503

●	<b>TOTAL CONTRACT PROPOSED AMENDMENT</b>	<b>= \$14,503</b>
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# Professional Services

## PROFESSIONAL SERVICES PERFORMANCE EVALUATION FORM

To be completed by College President and Business Manager for consideration of contract renewal.

Location  District  BCC  COA  Laney  Merritt

Vendor Willie J. Robinson

ICC # \_\_\_\_\_

Vendor Number \_\_\_\_\_

Date: January 29, 2013

### CONTRACT INFORMATION

Contract Title	Construction Management
Funding	Measure A
Term of Performance	May 2009 -January 2013
Vendor's key personnel	Willie J. Robinson

Original contract amount	176,352
Amendments	79530
Change Orders and Percentages (%)	
Final contract amount	255,882

**SCHEDULE & BUDGET – Did vendor meet realistic schedules and was deliverables within budget?**  Yes  No (*Explain*)

A major part of the duties of the Construction Manager is to have the contractor perform in a timely a budget sensible manner. WJR Inc. was unable to manage the contractor and by extension the construction in a satisfactory manner. Some of the blame must be accepted by the District in that one of the tools used is approval of pay applications. If the payment is habitually late due to District processes this tool becomes unavailable to the Construction Manager.

### PERFORMANCE RATING SCORE

Provide a score for each criteria with 5 being the highest and 1 the lowest.

5 = Outstanding 4 = Great 3 = Good 2 = Improvement Needed 1 = Unacceptable

Work performed in compliance with contract terms, scope of work and Peralta's expectations	1
Deliverables provided, as required	2
Staff availability and accessibility	4
Staff professionalism	3
Customer service	1
Verbal Communication – understood directions and instructions clearly	1
Prompt and effective correction of situations and conditions	1
Documentation records, receipts, invoices and computer generated reports received in a timely manner and in compliance with contract specifications	2
<b>TOTAL SCORE:</b>	<b>15</b>

# Professional Services



Peralta Community College District, Department of General Services

(510) 466-7346 • [sikharo@peralta.edu](mailto:sikharo@peralta.edu)

OVERALL PERFORMANCE:  Outstanding  Great  Good  
 Improvement Needed  Unacceptable

Would you recommend this Vendor again?  Yes  No (Explain)  
One of the most important duties of the Construction Manager is to represent the interests of the District in an effective manner.

Deliverables –Contract deliverables were met?  Yes  No (Explain)

### COMMENTS

Please provide on a summary or any unusual circumstances affecting this consultant's performance. (Include extra sheets if, necessary.)

During the project at times it was necessary to prevent the CM from waving requirements that clearly benefited the contractor at the Districts expense even after items were brought to his attention by the Architect and Inspector. An example of this is the need to force the CM to seek credits for the substitution of cheaper materials.

Please provide on overall performance summary. (Include extra sheets if, necessary.)

I believe there was poor management of the Contractor. Poor use and collaboration with the Inspector, Architect and poor representation of the District. Perhaps the complexity of the project was more than WJR could Manage.

### APPROVAL SIGNATURES

#### 1. Project Manager

X

Signature

Date

Print Name

Phone

#### 2. Director of Capital Projects

X

Signature

Date

Johnie Fudge

510 466-7213

Print Name

Phone

#### 3. Vice Chancellor of General Services

X

Signature

Date

Dr. Sadiq B. Ikharo

510 466-7336

Print Name

Phone