

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of May 14, 2013

ITEM TITLE:

Consider Ratification of Change Order No. 1 for the Laney College Awning Project (Bid No. 12-13/10), Bay Construction Company.

SPECIFIC BOARD ACTION REQUESTED:

Ratification is requested for Change Order No. 1 to the contract with Bay Construction Company, in the amount of \$3,553.16.

ITEM SUMMARY:

Mark Lee and Yong Kay are principals of Bay Construction Company and the business has a current and active contractor's license in California. They are registered with the California Department of Consumer Affairs – Contractors State License Board. There was one (1) approved Change Order to date in the amount of \$3,553.16, which is 5.9% of the original contract amount (\$59,900). After review of the shop drawings and structural calculations by the contractor, the structural engineer recommended stainless steel anchors to replace zinc plated wedge anchors specified in the bid documents. The generic 3/8" x 3" wedge zinc anchors were replaced with the Simpson Strong Bolt 2 stainless steel anchors. Stainless anchors were recommended because of their durability, resistance to corrosion and staining, and for use in applications when moisture is present in the atmosphere. This recommendation is a cost upgrade from what was contained in the bid documents. *Ratification* is requested for Change Order No. 1, in the amount of \$3,553.16.

In accordance with the Board Policy 6600, approval was requested for the change order work, and now Change Order No. 1 is brought before the Board for *Ratification*. It is in the best interests of the District and financially prudent to authorize this change order. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends *ratification*.

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, Laney College, "Classroom and facilities repairs and grounds improvements," Merritt College, "Classroom and facilities repairs and grounds improvements," College of Alameda, "Remodeling and equipping classroom and campus facilities," and Berkeley City College, "Plumbing, electrical, mechanical system upgrades and improvements."

BACKGROUND/ANALYSIS:

Bay Construction Company installed new canvas awnings in one courtyard of the Laney Building 'A' complex. For this project, the project manager(s) conducted a mandatory pre-bid job walk with three (3) well respected companies: TC Awning Construction Inc., Bay Construction Company, and Artisan Awning. Artisan Awning provided a bid as subcontractor under Bay Construction Co. The apparent lowest bid was submitted by TC Awning Inc., in the amount of \$52,000. However, it was determined that the bid was non-responsive, because TC Awning failed to provide the information required by the bid documents. Therefore, the lowest responsible and responsive bid was submitted by Bay Construction Co., in the amount of \$59,900. Under the Chancellor Authorization to Sign (Resolution 99/00-5), the Chancellor approved for the District to enter into a contract with Bay Construction Company so that the work can commence during the Board recess period. The Chancellor's approval allowed the project mobilization to happen more quickly and ensure project completion in an expedient timeframe.

DELIVERABLES AND SCOPE OF WORK:

For deliverables, Bay Construction Company and their sub-consultant fabricated and installed canvas awnings per contract documents developed by WLC architectural firm.

ANTICIPATED COMPLETION DATE:

The project was completed by April 13, 2013.

ALTERNATIVES/OPTIONS:

Not Applicable

EVALUATION AND RECOMMENDED ACTION:

The administration recommends approval by the Board of Trustees because this project has been completed by the Bay Construction Company.

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

(*****Board contract approval is subject to negotiation and execution by the Chancellor.)

DOCUMENT PREPARED BY:

Prepared by: Dr. Sadiq B. Ikharo Date: May 1, 2013
Vice Chancellor of General Services

DOCUMENT PRESENTED AND APPROVED BY:

Presented and approved by: Dr. Sadiq B. Ikharo Date: May 1, 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: 5-10-13
Ron Gerhard, Vice Chancellor for Finance and Administration

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: 5-10-13
Thuy Thi Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL

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

Signature: José M. Ortiz Date: 5-10-13
Dr. José M. Ortiz, Chancellor