

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of September 24, 2013

ITEM TITLE:

Consider Approval to Enter into an Agreement with Gale Associates, Inc. to Provide Engineering, Design and Construction Specification for Waterproofing and Water Intrusion Remediation at Laney College.

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested to enter into an agreement with Gale Associates Inc. to provide engineering, design, construction specifications for waterproofing and water intrusion remediation at Laney College, for an amount not-to-exceed \$99,500.

ITEM SUMMARY:

Under this agreement, Gale Associates Inc. will provide engineering, design, construction specification for waterproofing and water intrusion that will be utilized for the purpose of public bidding. Design work will begin immediately after receiving approval from the Chancellor and the Governing Board of Trustees.

On September 3, 2013, an informal request for proposal was issued to five (5) engineering firms and Gale Associates Inc. was selected because they received the highest score of 172 points. The firm specializes in forensic building design. Gale Associates utilizes state of the art equipment to properly diagnose facilities with moisture and water infiltration issues.

SCORESHEET							
Firms	City	SLBE/SELBE		Score		Evaluator	
		In Area	Out of Area	Total Score	Avg. Score	C. Neal	J. Cook
Allana Buick & Bers	Palo Alto		SLBE/SELBE	161	81	95	66
Gale Associates	Mt. View			172	86	90	82
Grossman Design Group	San Francisco		SLBE/SELBE	163	82	85	78
Haviland Associates	Oakland			139	70	65	74
Simpson Gumpertz&Heger	San Francisco			159	80	85	74

The firm's ownership consists of Edward Madden and John Lindberg, the two main principals; Alan Burnett and James Saizan are associates. The company project experience includes Santa Clara Unified School District, Stanford University, University of San Francisco and Virginia Tech just to name a few. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):

Measure A projects, as approved by 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,” “Remodeling of classroom space,” “Science Lab upgrades,” and “Equipment, technology upgrades, and facility and classroom improvements for the college’s following programs and proposed programs: American Sign Language, Biotechnology, Business, Computer Information Systems, Disaster Preparedness, Fine and Applied Arts, Global Studies, International Trade, Multimedia Arts, Social Services Paraprofessional, Travel and Tourism Industry, Foundations (Basic Skills), Network Administration, Teacher Preparedness, International Studies, and High School Honor’s Courses (Advanced Placement).”

BACKGROUND/ANALYSIS:

As required by the State of California Public Contract Code Sections 20651-20660 and Board Policy 6330 for purchasing of goods and services, the District completed an informal request of proposal to establish a new agreement with a selected firm to provide engineering and design services.

DELIVERABLES AND SCOPE OF WORK:

The firm will provide design and engineering scope of services for Buildings A, B,C, G, L and the theater as outlined in their proposal/request for qualifications for Laney College Waterproofing and Remediation Project dated September 9, 2013.

ANTICIPATED COMPLETION DATE:

The anticipated completion date is November 1, 2013.

ALTERNATIVES/OPTIONS:

Not-applicable

EVALUATION AND RECOMMENDED ACTION:

The Administration recommends Board approval of this Agreement with Gale Associates, Inc. to provide engineering, design and construction specification for Waterproofing and Water Intrusion Remediation at Laney College for an amount not-to-exceed \$99,500.

OTHER DEPARTMENTS IMPACTED BY THIS ACTION (E.G. INFORMATION TECHNOLOGY):

YES _____ No X

COMMENTS:

There are no additional comments on this project.

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
Vice Chancellor of General Services

DOCUMENT PRESENTED AND APPROVED BY:

Presented and approved by: Dr. Sadiq B. Ikharo
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
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
Thuy Thi Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL

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

Signature: José M. Ortiz
Dr. José M. Ortiz, Chancellor



9 September 2013

Peralta Community College District
Department of General Services
333 East Eight Street
Oakland, California 94606

Attn: Dr. Sadiq Ikharo
Telephone: 510-587-7864
Facsimile: 510-466-7315
E-Mail: sikharo@peralta.edu

Re: Engineering Consulting Services Proposal
Waterproofing and Water Intrusion Project – Buildings A, B, C, G, and Theater
Laney College, Oakland, California

Dear Dr. Ikharo:

Gale Associates, Inc. (GALE) is pleased to present this proposal to provide Engineering Consulting Services to Peralta Community College District (PERALTA) regarding the above-referenced college.

PROJECT DESCRIPTION

Based on our review of the request for proposal (Atheria Smith e-mail of 5 September 2013) and our site tour of 3 September 2013, we understand the following project criteria:

- Leakage has been reported in Building A, B, C, G, L and the theatre. The leaks occur under plazas with planters and/walkways and over plumbing, except for Building L. For Building L, the leaks appear related to the exterior wall. Plumbing leak repairs are not included in the scope of work.
- PERALTA requests a proposal from GALE to design the remediation, prepare contract documents and to provide construction administration services.

SCOPE OF SERVICES

Based upon our understanding of the project, we propose the following Scope of Services for Buildings A, B, C, G, L and the Theater. For clarity, we divided our scope into phases: design and construction.

Design

- Establish the project schedule for field work and deliverables and coordinating the project with the building occupants.
- Review original plans, specifications, reports, and similar data made available to GALE.
- Interview onsite personnel familiar with the facility and the leak/repair history.
- View the interior of the facility to locate damage due to reported leakage.



- Perform isolated leak testing at representative plaza locations that are reported to be experiencing chronic leaking. A total of 3 to 5 representative locations will be leak tested. Water hook-up will be provided by PERALTA. Should staging or hoisting equipment be necessary to leak test or observe inaccessible areas, GALE will arrange for an outside contractor to provide these services. The fee for these staging/hoisting services is not included in our proposal.
- Observe and monitor the removal and replacement of isolated areas of topping slab and/or planter landscaping to verify the as-built methods and materials of construction and condition of these materials. At this time, we anticipate 3 to 5 locations of destructive testing. Destructive testing will be performed at representative "problem leak areas" and at representative areas with no history of leakage problems. The actual removal and replacement of components and the staging/hoisting apparatus required to perform these tests will be provided by an outside contractor. The fee for these outside contractor services is not included in our proposal as a reimbursable item.
- Evaluate the courtyard waterproofing and library (Building L) exterior wall systems and related accessory construction for conformance with present code and industry standards.
- Prepare a Design Development Report that will outline our findings and recommended remediation.
 - Prior to commencing with the final design phase of the project, GALE will request written comments to assure compliance with PERALTA's needs.
- Design the chosen construction measures and prepare plans, details, and technical specifications suitable for soliciting contractor bids for the work.
 - An initial submission of the Construction Documents (3 bound copies and a PDF copy) will be provided for your review and written comments prior to final submission.
 - Provide 3 bound sets and one reproducible set of the final Construction Documents.
 - PERALTA will provide the contract and bidding (i.e. non-technical) requirements of the Construction Documents.
- Submit the drawings and specifications to the Division of State Architect (DSA) for permit and attend one back check visit to the DSA Office in Oakland.
- Assist with bid solicitation of contractors.
- Attend pre-bid meeting at the project site.
- Address technical questions and issue addenda, as required.
- Review bids prior to contract award for the remedial construction.

Construction

- Establish the project site visit schedule and points of contact.



- Receive and review Contractor's shop drawings and submittals for acceptance or rejection prior to project start-up. Rejected submittals will be returned to the Contractor for resubmittal.
- Attend a pre-construction meeting at the site to review project requirements from a technical and non-technical aspect. Scheduling, coordination with interior occupancy and set-up locations will be reviewed at that time. Written meeting minutes will be provided.
- Perform periodic onsite observations of the Contractor's work. Written daily reports outlining methods and materials of construction and progress will be submitted. This proposal includes:
 - Three (3) half-day site visits per week for a period of 16 weeks.
- Attend progress meetings on a weekly basis to review Contractor progress and performance. Written meeting minutes will be submitted for each meeting. This proposal includes 16 progress meetings.
- Review periodic payment requests for the project made by the Contractor, technical issues, and Change Order requests.
- Perform a site visit after job completion and prior to Contractor demobilization from the site to observe completed work. We will provide a report that will identify and locate those items which are incomplete and/or non-conforming with the Construction Documents. Each item must be addressed by the Contractor prior to final site visit by GALE.
- Review final project closeout documents: Contractor's Lien Release and Consent of Surety, Contractor's Guarantees, Manufacturer's Warranties, and final Contractor payment requisition.

FEE

- Our fee to provide the above-listed Scope of Services is summarized in the table below.

Phase	Fee Type	GALE Fee
Design	Fixed Fee	\$48,000
Construction	Time-and-Expense	\$61,500
Total Fee		\$99,500

- This fee was prepared in accordance with our General Terms and Conditions (June 2013) and Schedule of Fees (June 2013), a copy of which is attached.

LIMITATIONS

- It is assumed that:
 - GALE will be provided complete access to required areas of work at the college.



- GALE will be provided with available documents related to the building envelope portion of the buildings.
- PERALTA will remove and replace interior wall and/or ceiling finishes to allow GALE access to concealed assemblies during leak testing. Areas requiring removal will be designated by GALE.
- PERALTA will provide connections for a standard garden hose within 100-feet of each testing location and with sufficient water pressure to provide 30-psf at the test location.
- Our fee does not include:
 - DSA permit fees.
 - Design of plumbing repairs.
 - Hazardous materials (lead and asbestos) and mold identification or remediation.
 - Mechanical, electrical, plumbing, or structural engineering
 - Provision of staging, scaffolding, or hoisting equipment.
 - Removal and replacement of in-place construction components.
 - Specialized laboratory testing of construction materials.
- GALE services are limited to those stated above. If additional services not included in the above Scope of Services are requested, additional fees for such services will be charged on a time and expenses basis in accordance with our Schedule of Fees.
- Additional services may include, but are not limited to:
 - Incidental conference calls, meetings, research and communications related to our base Scope of Services and not specifically delineated in the described scope items above.
 - Additional construction period services beyond the assumed 16-week construction schedule.
 - Consultation related to any legal action resulting from or related to our findings.
- This proposal and the schedule of fees upon which it is based are valid for 90 days from the date of this letter. [delete this sentence if this is a contract client]

REQUIRED DOCUMENTS

- Space has been provided below for your signature in order that this proposal may serve as a notice to proceed.
- Receipt of this signed proposal is required prior to GALE initiating services on the project.

PAYMENT

- PERALTA will be responsible for payment to GALE for services provided. Such payment is not, under any circumstances, subject to any contingencies or conditions precedent or subsequent other than GALE's performance of services outlined in this proposal.

Dr. Sadiq Okharo
Peralta Community College District
Re: Laney College Waterproofing and Water Intrusion Remediation Project
9 September 2013
Page 5 of 5



Thank you for this opportunity to provide services to Peralta Community College District. We look forward to working with you on this project. Please contact us if you have questions regarding this proposal.

Sincerely,

Accepted for:

GALE ASSOCIATES, INC.

PERALTA COMMUNITY COLLEGE DISTRICT

A handwritten signature in black ink, appearing to read "Alan E. Burnett". The signature is fluid and cursive.

The Undersigned represents that he/she is an officer/principal of PERALTA and is duly authorized to execute this contract on behalf of PERALTA .

Alan E. Burnett, PE, LEED[®] AP
Associate

Signature

AEB:rrw

Type Name and Title

Enclosures:

- General Terms and Conditions
- Schedule of Fees

Date