

**PERALTA COMMUNITY COLLEGE DISTRICT  
Board of Trustees Agenda Report  
For the Trustee Meeting Date of October 8, 2013**

**ITEM TITLE:**

Consider approval of Measure A Bond Budget Transfers and Appropriations (Nos. 52 & 53).

**SPECIFIC BOARD ACTION REQUESTED:**

Approval is requested for two (2) Measure A bond budget transfers and appropriations (Nos. 52 & 53).

**ITEM SUMMARY:**

The Administration (Laney College President, Vice Chancellor of Finance and Administration, Vice Chancellor of General Services and the Chancellor) have approved these budget transfers and appropriations. With the intent of full disclosure, these budget transfers are now presented to the Board of Trustees for approval. On June 23, 2009, the Board of Trustees approved the Bond Measure (A and E) Spending Plan, which included budget appropriations, cash flow projects and budget transfer procedures. In accordance with the Board approved Bond Measure Spending Plan, a budget transfer form will be completed for the budget transaction.

Budget Transfer No. 52 is to accommodate the engineering, design, construction specifications provided by Gale Associates Inc. for the Waterproofing and Water Intrusion Remediation Project at Laney College, in the amount not-to-exceed \$99,500. The transfer of \$99,500 is from the Laney Contingency (project no. 2424) to pay Gale Associates for the engineering design services, which was approved by the Board of Trustees on September 24, 2013. The fund will be transferred into a project account for the Waterproofing and Water Intrusion Remediation Project at Laney College (project no. 2465).

**Measure A: Budget Transfer Summary No. 52**

<b>Project Nos.</b>	<b>Project Name</b>	<b>Current Budget</b>	<b>Revised Budget</b>	<b>Transfer Amount</b>
<b>Transfer To:</b>				
2465	Waterproofing & Water Intrusion Remediation at Laney College	-	\$99,500	<b>\$99,500</b>
	<b>Total Transfer</b>			<b>\$99,500</b>
<b>Transfer From:</b>				
2424	Laney Contingency	\$306,545	\$207,045	<b>\$99,500</b>
	<b>Total Transfer</b>			<b>\$99,500</b>

**(Description:** Budget No. 52 is to create project no. 2465 for the Laney Waterproofing & Water Intrusion Project.)

Budget Transfer No. 53 of \$118,864 project budget is to cover architectural design services for the Laney College Breezeways-Drainage and Pavement Project provided by Noll & Tam Architects and Planners. This actual project budget will pay for the following project design phases: construction documents, bidding, construction, and occupancy. The transferred fund is from the Laney Contingency account (project no. 2424) to pay Noll & Tam for the architectural design services approved by the governing Board of Trustees on September 24, 2013. The amount of \$118,864 will be transferred into a new project account for the Breezeways-Drainage and Pavement Project at Laney College (project no. 2466).

**Measure A: Budget Transfer Summary No. 53**

<b>Project Nos.</b>	<b>Project Name</b>	<b>Current Budget</b>	<b>Revised Budget</b>	<b>Transfer Amount</b>
<b>Transfer To:</b>				
2466	Breezeways-Drainage & Pavement Project at Laney College	-	\$118,864	<b>\$118,864</b>
	<b>Total Transfer</b>			<b>\$118,864</b>
<b>Transfer From:</b>				
2424	Laney Contingency	\$207,045	\$88,181	<b>\$118,864</b>
	<b>Total Transfer</b>			<b>\$118,864</b>

**Description:** Budget Transfer No. 53 is to create project no. 2466 for the Laney Breezeways-Drainage and Pavement Project.

All Board approved contracts are subject to final 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:**

Staff will implement the standard procedures to finalize the approval of these budget transfers and appropriations. Vice Chancellor of General Services collaborated with Laney College President, Vice Chancellor of Finance & Administration and the Chancellor to start both projects immediately so they can be completed by November 1, 2013.

**DELIVERABLES AND SCOPE OF WORK:**

Not Applicable

**ANTICIPATED COMPLETION DATE:**

Not Applicable

**ALTERNATIVES/OPTIONS:**

Not Applicable

**EVALUATION AND RECOMMENDED ACTION:**

Approval is requested for two (2) Measure A bond budget transfers and appropriations (Nos. 52 & 53).

**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  
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

ORIGINAL



PERALTA COMMUNITY COLLEGE DISTRICT  
Department of General Services  
333 East Eighth Street  
Oakland, California 94606

Measure A Budget Transfer

Campus: Laney College

Transfer # DA: 52

Date 9/27/2013

Transfer Amounts

#	Project Name	Current Budget	Revised Budget	Transfer Amount
<b>Transfer To:</b>				
2465	Waterproofing & Water Intrusion Remediation at Laney College	-	99,500	99,500
	<b>Total Transfer</b>			<b>99,500</b>
<b>Transfer From:</b>				
2424	Laney Contingency	306,545	207,045 <i>85181</i>	99,500
	<b>Total Transfer</b>			<b>99,500</b>

Description:

Create Project 2465 Laney Waterproofing & Water Intrusion. Transfer funds from Laney Contingency to pay Gale Associates for the Engineering, Design & Construction Specifications per the Board Approval on September 24, 2013.

*(see attached for signature)*

Dr. Elnora Webb, President of Laney Date

*Sadiq B. Ikharo*

*9-27-2013*

Dr. Sadiq B. Ikharo, Vice-Chancellor of General Services Date

*Ronald Gerhard*

*10/3/13*

Ronald Gerhard, Vice-Chancellor of Finance & Administration Date

*Jose M. Ortiz*

*10/3/13*

Dr. Jose M. Ortiz, Chancellor Date

RECEIVED  
OCT 03 2013  
Office of the Chancellor  
Peralta Community Colleges

RECEIVED  
OCT 03 2013  
District Finance



PERALTA COMMUNITY COLLEGE DISTRICT  
 Department of General Services  
 333 East Eighth Street  
 Oakland, California 94606

Measure A Budget Transfer

Campus: Laney College

Transfer # DA: 52

Date 9/27/2013

Transfer Amounts

#	Project Name	Current Budget	Revised Budget	Transfer Amount
<b>Transfer To:</b>				
2465	Waterproofing & Water Intrusion Remediation at Laney College	-	99,500	99,500
	Total Transfer			99,500
<b>Transfer From:</b>				
2424	Laney Contingency	306,545	207,045	99,500
	Total Transfer			99,500

Description:

Create Project 2465 Laney Waterproofing & Water Intrusion. Transfer funds from Laney Contingency to pay Gale Associates for the Engineering, Design & Construction Specifications per the Board Approval on September 24, 2013.

*Elnora Webb*

10/1/13

Dr. Elnora Webb, President of Laney

Date

*Sadiq B. Ikharo*

9-27-2013

Dr. Sadiq B. Ikharo, Vice-Chancellor of General Services

Date

Ronald Gerhard, Vice-Chancellor of Finance & Administration

Date

Dr. José M. Ortiz, Chancellor

Date



Peralta Community College District  
 Department of General Services  
 (510) 466-7225

**REQUEST TO TRANSFER FUNDS**

Date: October 2, 2013

To: Susan Rinne

From: Andrea Pavlos

Subject: Request to Transfer Funds - 35820

Accounting Codes								AMOUNT	
Loc	Fund	Cost	Obj	P	Act	Proj	Acct	Debit	Credit
1	63	391	5105	1	710000	2465	00	99,500.00	
1	63	391	6402	1	710000	2424	00		99,500.00
<b>Total:</b>								<b>99,500.00</b>	<b>99,500.00</b>

**JUSTIFICATION:**

DGS-ALP Create Project 2465 Laney Waterproofing & Water Intrusion Remediation for Board Approved BT #52

Approval:

*Sadiq B. Ikharo*

Dr. Sadiq B. Ikharo, Vice Chancellor of General Services  
 (510) 466-7346  
[sikharo@peralta.edu](mailto:sikharo@peralta.edu)

*10-2-2013*

Date



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-psi 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**

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<sup>®</sup> AP  
Associate

\_\_\_\_\_  
Signature

AEB:rrw

\_\_\_\_\_  
Type Name and Title

Enclosures:

- General Terms and Conditions
- Schedule of Fees

\_\_\_\_\_  
Date



PERALTA COMMUNITY COLLEGE DISTRICT  
 Department of General Services  
 333 East Eighth Street  
 Oakland, California 94606

ORIGINAL

Measure A Budget Transfer

Campus: Laney College

Transfer # DA: 53

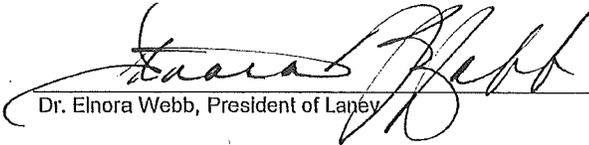
Date 9/27/2013

Transfer Amounts

#	Project Name	Current Budget	Revised Budget	Transfer Amount
<b>Transfer To:</b>				
2466	Breezeways-Drainage & Pavement Project at Laney College	-	118,864	118,864
Total Transfer				118,864
<b>Transfer From:</b>				
2424	Laney Contingency	207,045 <del>366,545</del>	88,181 <del>187,681</del>	118,864
Total Transfer				118,864

Description:

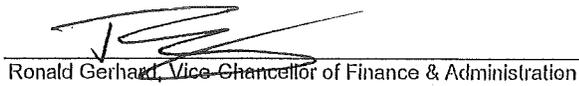
Create Project 2466 Laney Breezeways-Drainage & Pavement Project. Transfer funds from Laney Contingency to pay Noll & Tam Architects for the Architectural Design services per the Board Approval on September 24, 2013.

  
 Dr. Elnora Webb, President of Laney

Sept. 30, 2013  
 Date

  
 Dr. Sadig B. Ikharo, Vice-Chancellor of General Services

9-27-2013  
 Date

  
 Ronald Gerhard, Vice-Chancellor of Finance & Administration

10/2/13  
 Date

  
 Dr. Jose M. Ortiz, Chancellor

10/3/13  
 Date

RECEIVED  
 OCT 03 2013  
 Office of the Chancellor  
 Peralta Community Colleges



Peralta Community College District  
 Department of General Services  
 (510) 466-7225

REQUEST TO TRANSFER FUNDS

Date: October 2, 2013

To: Susan Rinne

From: Andrea Pavlos

Subject: Request to Transfer Funds - 35810

Accounting Codes								AMOUNT	
Loc	Fund	Cost	Obj	P	Act	Proj	Acct	Debit	Credit
1	63	391	5105	1	710000	2466	00	118,864.00	
1	63	391	6402	1	710000	2424	00		118,864.00
Total:								118,864.00	118,864.00

**JUSTIFICATION:**

DGS-ALP Create Project 2466 Laney Breezeways. For Board Approved BT #53

Approval:

*Sadiq B. Ikharo*

Dr. Sadiq B. Ikharo, Vice Chancellor of General Services  
 (510) 466-7346  
[sikharo@peralta.edu](mailto:sikharo@peralta.edu)

*10-2-13*

Date