

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of December 10, 2013

ITEM TITLE:

Consider Approval of Amendment No. 3 for a Lease Extension with Continental Can Building LLC for Interim Storage Needs for Laney College

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested for Amendment No. 3 for a lease extension with Continental Can Building LLC for interim storage space located at 5601 San Leandro Boulevard in Oakland, in an amount not-to-exceed \$30,000.

ITEM SUMMARY:

Under this Amendment No. 3, the lease term for Continental Can Building LLC is for a period of five (5) months, from October 1, 2013 through February 28, 2014, at a cost of \$6,000 per month or \$30,000 total for five (5) months. The leased space will continue to be used for storage of books and other usable furniture, fixtures, and equipment during the modernization work of the Laney College Administrative Tower Building and the Merritt Learning Resource Center (LRC) and Library. Additionally the leased space will store a surplus of items formally in that building and during final completion of the Merritt Library Building. The Laney Tower move-in project is anticipated to be complete by the end of December 2013. The storage space will be needed until the project is complete and the furniture and equipment will be moved back to the Tower or surplus by the college.

After the project is complete at the end of December 2013, in January and February 2014, the District staff will conduct standard surplus procedures with college administrators to inventory and prepare a list of old furniture in the leased space. The old furniture inventory will be submitted to the Governing Board of Trustees for approval so the District can properly remove and dispose the furniture. Continental Can Building LLC is an active business entity registered with the California Secretary of State. The business is located in Oakland, California; Francis M. Rush III is the company's management representative. The Chancellor recommends approval.

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, Berkeley City College, "Science Lab upgrades," "Remodeling classroom space," 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 Preparation, and International Studies and High School Honor's Courses (Advanced Placement).

BACKGROUND/ANALYSIS:

On February 15, 2011, the Board of Trustees approved an amount of \$54,000 for the original lease cost for the period of March 1, 2011 and ended February 29, 2012. An additional \$55,000 was approved at the June 12, 2012 Board Meeting for an extension. This lease provided a storage space

for the Merritt Learning Resource Center (LRC) and Library, and the Laney Tower Project Phase I and II.

Under Amendment No. 2, the lease term for Continental Can Building LLC was extended for a period of eight (8) months, from February 1, 2013 through September 30, 2013, at a cost of \$6,000 per month. Including this Amendment No. 3, the total contract amount will be \$199,000 for all contracts. Originally staff conducted price quotes and moving cost analysis for this space rental with other landlords, and it was determined that it is more financially advantageous to continue to rent from Continental Can Building LLC. Under the original contract, an additional \$8,000 deposit was approved for first and last months' rent. The \$8,000 deposit will be refunded at the lease termination.

DELIVERABLES AND SCOPE OF WORK:

The deliverable by the vendor is an existing lease for 20,000 square feet of ground floor storage space located at 5601 San Leandro Boulevard, Oakland, for a five (5) month term leased from Continental Can LLC for the storage of furniture and equipment removed from Laney Tower during the course of renovation of that space.

ANTICIPATED COMPLETION DATE:

The lease term will end on February 28, 2014.

ALTERNATIVES/OPTIONS:

Not Applicable

EVALUATION AND RECOMMENDED ACTION:

Approval is recommended for this amendment to the lease between the District and Continental Can Building LLC for interim storage space located at 5601 San Leandro Street in Oakland, in amount not-to-exceed \$42,000.

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

YES _____ NO X

COMMENTS: No additional comments.

(****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

Continental Can Building, LLC

Amendment of October 1, 2013, to the Lease dated December 1, 2010, and amended March 1, 2012 and February 1, 2013 between Continental Can Building, LLC as Lessor and Peralta Community College District as Lessee for 20,000 sq. ft. of ground floor space located at 5601 San Leandro Street, Oakland, Calif.

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The parties hereto hereby agree to amend the subject lease as follows:

- 1. Term.** The term shall commence on October 1, 2013 and continue for a period of 0 year(s) and 5 months, ending on February 28, 2014.
- 2. Rent.** The base rent rate shall be \$ 6,000.00, for the period of October 1, 2013 to February 28, 2014 payable in advance on the first day of each month during the term of this lease.
- 3. Insurance.** Lessee to provide a copy of current liability insurance in an amount not less than \$1,000,000.00 comprehensive PL & PD insurance, naming Continental Can Building, LLC as additional insured.

All other terms and conditions shall remain the same.

The parties hereto have executed this extension on the dates specified above their respective signatures.

Executed at _____ Executed at _____

On _____ On _____

By: _____ By: _____

Name printed: Francis M Rush III Name printed: Jose Ortiz
Managing Member Chancellor

Lessor: Continental Can Bldg., LLC Lessee: Peralta Community College District

Address: 2200 Adeline St., STE 350 Address: 333 East 8th Street
Oakland, CA 94607 Oakland, CA 94606

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 Continental Can

ICC # N/A

Vendor Number _____

Date: 11-12-13

CONTRACT INFORMATION

Contract Title	Office and Industrial Storage Services
Funding	Measue A General Fund
Term of Performance	Provide Office and Industrial Storage Services to the District
Vendor's key personnel	Francis Rush

Original contract amount	\$54,000.00
Amendments	\$145,000.00
Change Orders and Percentages (%)	N/A 0%
Final contract amount	Not Yet Complete \$

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

Vendor performed at rates below market average and delivered premium move services to the District.

PERFORMANCE RATING SCORE

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

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

Work performed in compliance with contract terms, scope of work and Peralta's expectations	Outstanding
Deliverables provided, as required	Outstanding
Staff availability and accessibility	Outstanding
Staff professionalism	Outstanding
Customer service	Great
Verbal Communication – understood directions and instructions clearly	Outstanding
Prompt and effective correction of situations and conditions	Outstanding
Documentation records, receipts, invoices and computer generated reports received in a timely manner and in compliance with contract specifications	Great
TOTAL SCORE:	38

OVERALL PERFORMANCE: Outstanding Great Good
 Improvement Needed Unacceptable

Professional Services



Peralta Community College District, Department of General Services
(510) 466-7346 • sikharo@peralta.edu

Would you recommend this Vendor again? Yes No (Explain)
Very professional Moving Company. Prompt, and well prepared. Flexible and effective in moving Peralta Staff, personnel and FF and E.

Deliverables –Contract deliverables were met? Yes No (Explain)
Provision of moving services was performed timely and effectively. Crown has executed very competent move services while under contract with the Department of General Services.

COMMENTS

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

Continental Can is highly recommended for continued Office and Industrial Storage services to the District. Their performance was conducted under significant budget constraints and under circumstances requiring technical knowledge unusual for the field. For example: loading dock access and availability of storage space requiring massive inventory.

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

Continental Can exceeded expectations in the provision of moving serviced to the District as they relate to ongoing Measure A Captal Development Projects, specifically, for example, the storage of FFand E from the Laney Tower . Work was performed ahead of schedule. I highly recommend this compnay.

SIGNATURE

Signature

Print Name

MICHAEL MCNABB

Michael McNabb
Move Manager

Title

11-12-13

Date

Phone

X 7023