

**PERALTA COMMUNITY COLLEGE DISTRICT**  
**Board of Trustees Agenda Report**  
**For the Trustee Meeting Date of January 21, 2013**

**ITEM TITLE:**

Consider Approval of Resolution No. 13/14-41, Acceptance of Completed Work for the Rooftop Solar Photovoltaic Project at Laney College and Berkeley City College (Bid No. 11-12/15), Cupertino Electric Inc.

**SPECIFIC BOARD ACTION REQUESTED:**

Approval is requested for Resolution No. 13/14-41 for completed work and release of retention for the Rooftop Solar Photovoltaic Project (Bid No. 11-12/15), Cupertino Electric Inc.

**ITEM SUMMARY:**

The final completion date was on August 31, 2013 for the entire project. A Notice of Completion (NOC) was filed with the County of Alameda, and project acceptance is recommended. This resolution accepts the project as complete and staff is requesting final acceptance of the project and release of the remaining retention in the amount of \$210,524.00. There was one (1) approved Change Order in the amount of \$18,073, which was 0.4% of the original contract amount \$4,192,407.00. This Change Order was approved by the Board of Trustees on July 16, 2013. An approval by the Board of Trustees is recommended to authorize the release of retention amount.

John Boncher is the President / CEO of Cupertino Electric Inc.; 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. The company's local office is located in San Jose, California. 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, District-Wide Projects, "Solar energy system installation and the retrofitting of existing energy systems," and Merritt College, "Classroom and facilities repairs and grounds improvements."

**BACKGROUND/ANALYSIS:**

The District issued a Request for Proposals (RFP 11-12/5) on May 18, 2012. Although six (6) potential bidders attended the mandatory pre-bid conference and bid walk, Cupertino Electric, Inc. submitted the only response. This vendor was recommended based on review of the proposal, which included experience and favorable references.

On July 17, 2012, the Governing Board of Trustees approved for the District to negotiate an agreement with Cupertino Electric, Inc. to provide design-build project services for the Rooftop Solar Photovoltaic Project at Laney College and Berkeley City College. Assessments showed that the roofs on Buildings 'C' and 'G' are at the end of their serviceable lives, so they are being replaced prior to installing the solar photovoltaic systems. Solar panels are typically guaranteed to last for 25 years, and in some cases projected to last for 40 years. It is, therefore, proper and more cost effective to replace these roofs prior to installing solar panels. To replace the roofs later would incur greater costs to the District. The panels

would either have to be removed and replaced, or roofers would have to work around the panels. Either approach would be more expensive than replacing the roofs before the photovoltaic panels are installed.

Cupertino Electric, Inc. implemented the project using a design-build format. Under the design-build format, the District interacted with one (1) general contractor. If an issue needs to be resolved, the District simply goes to the general contractor, who will address his or her subcontractors as appropriate. Seeing that this project has several major components, two photovoltaic systems and two new roofs—essentially three projects combined as one—a design-bid-build format would reduce complexity, additional cost and time.

**DELIVERABLES AND SCOPE OF WORK:**

The vendor's deliverables and scope of work included but not limited to the following:

- Reroof Buildings C & G, Laney College campus
- Rooftop solar photovoltaic system, Berkeley City College
- Roof patching at core locations
- Roof evaluation to ensure load-bearing capacity
- Protection of District's roofing warranties
- Design for solar photovoltaic systems
- Compliance with California Solar Initiative rebate requirements
- Rooftop solar photovoltaic systems at Laney College on Buildings B, C, D, E, F, G, Forum, Gym, and Theater
- System commissioning
- System maintenance
- Kiosk to monitor, report, and archive electricity generation
- Grid connection of solar photovoltaic systems

**ANTICIPATED COMPLETION DATE:**

The work was completed in August 2013.

**ALTERNATIVES/OPTIONS:**

Not Applicable

**EVALUATION AND RECOMMENDED ACTION:**

**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

Date: January 13, 2014

**DOCUMENT PRESENTED AND APPROVED BY:**

Presented and approved by: Dr. Sadiq B. Ikharo  
Vice Chancellor of General Services

Date: January 13, 2014

**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: Susan Rinne  
Susan Rinne, Interim 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