

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of March 25, 2014

ITEM TITLE:

Consider Approval of Resolution No. 13/14-50, Acceptance of completed work and Release of Retention for the Laney College Beautification Project, (Bid No.13-14/05), Professional Tree Care Company.

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested for Resolution No. 13/14-50, Acceptance of the completed work and release of retention for the Laney College Beautification Project at the college entrance on Fallon Street.

ITEM SUMMARY:

On October 8, 2014, the Board of Trustees approved (Bid No. 13-14/05), awarding a contract to the Professional Tree Care Company for the Laney Beautification Project, in the amount of \$78,858.00. A Notice of Completion (NOC) has been filed with the County of Alameda; project acceptance is now recommended. This resolution accepts the project as complete and provides a retention release payment of \$3,942.90 which is 5% of the contract price. There was one change order in the amount of \$2,243.00, which was 2.8% of the original contract amount (\$78,858) approved at the Board of Trustees' meeting on March 11, 2014. An approval by the Board of Trustees is recommended to authorize the release of the retention amount. 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,"

BACKGROUND/ANALYSIS:

On October 8, 2013, the Governing Board of Trustees approved Resolution No. 13/14-24 for the Laney College Beautification Project (Bid No. 13-14/05), and awarded the contract to the Professional Tree Care Company. Originally, the work under this beautification project was part of the ADA Improvement Project. However, after the completion of this project, the college president wanted a more aesthetically pleasing landscaped entry at Fallon Street to create a strong sense of place at Laney College. As a result, the college president requested for this beautification project to be completed.

At the Board of Trustee's meeting on March 11, 2014, Change Order No. 1 in the amount of \$2,243 was approved. This amount increased the vendor's contract to \$81,101. Under Change Order No. 1, the contractor made improvements to the irrigation system, drainage system and eliminate damage to the concrete walls from the skate boarders.

DELIVERABLES AND SCOPE OF WORK:

Not Applicable

ANTICIPATED COMPLETION DATE:

The project was completed on January 10, 2014.

ALTERNATIVES/OPTIONS:

Not Applicable

EVALUATION AND RECOMMENDED ACTION:

Approval is recommended for final acceptance of the completed work and release of retention of the Laney College Beautification Project.

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

YES _____ NO X

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: March 12, 2014

DOCUMENT PRESENTED AND APPROVED BY:

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

Date: March 12, 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

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 13/14-50 ACCEPTANCE AND RETENTION**

**LANEY COLLEGE BEAUTIFICATION PROJECT (Bid No. 13-14/05)
The Professional Tree Care Company**

WHEREAS, The Professional Tree Care Company, a corporation existing under and by virtue of the laws of the State of California, the contractor under that certain contract with the Peralta Community College District, Alameda County, State of California, for all labor, materials, mechanical workmanship, transportation, equipment and services necessary for the Laney College Beautification Project, has made application for acceptance of the work; and

WHEREAS, the Project Manager employed by the Board to supervise the completion of said work, has certified in writing to this Board that said contractor completed the work heretofore described and has recommended to this Board the final acceptance of the project, and

NOW, THEREFORE, BE IT RESOLVED that said work of said contract be and the same is hereby accepted; and

BE IT FURTHER RESOLVED that the retention payment in the amount of THREE THOUSAND NINE HUNDRED FORTY TWO AND 90/100 DOLLARS (\$3,942.90), which is 5 percent (5%) of said contract price, shall be made thirty-five (35) calendar days from and after the filing of the Notice of Completion at the Alameda County Recorder's Office, provided no withhold notices requesting the withholding of any monies from said contractor have been filed with this Board of Trustees in accordance with the provisions of Title 15 of Part 4, Division 3, of the Civil Code of the State of California.

PASSED AND ADOPTED by the following called vote this 25th day of March, 2014. The full Board has voted in support of this resolution, unless the Board meeting minutes reflect otherwise.

José M. Ortiz
Chancellor and Secretary
Board of Trustees
Peralta Community College District