

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. 13/14-52, Acceptance of Completed Work and Release of Retention for Merritt College's Building 'A' Heating Upgrade Project (Bid No. 12-13/07), Environmental Systems, Inc.

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested for Resolution No. 13/14-52 for completed work and release of retention for Merritt College's Building 'A' Heating Upgrade Project (Bid No. 12-13/07) to Environmental Systems, Inc.

ITEM SUMMARY:

On January 22, 2013, the Board of Trustees ratified the contract award to the company, in the amount of \$195,000.00. A notice to proceed (NTP) was issued with a start date of March 11, 2013 with the project duration of 180 calendar days. The final completion date was on July 12, 2013 for the entire project, as the contractor completed work ahead of schedule. 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 5% retention in the amount of \$10,378.60. There was one deductive (1) change order in the amount of (\$12,571.51) which was approved by the Board of Trustees on December 10, 2013. An approval by the Board of Trustees is recommended to authorize the release of retention amount. 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, 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."

BACKGROUND/ANALYSIS:

The building heating upgrade for Merritt College Building "A" was necessitated by concerns of habitability of the facility. The existing facility lacked adequate heating ability causing discomfort to students and faculty using this building. The project construction drawings and specifications were finalized by Salas Obrien Engineering and approved by the Division of the State Architect (DSA) in July 2012.

The scope of work under the original contract included:

- Demolition of 9 gas fired infrared radiant heaters, one unit heater, one fan coil unit, and 2 baseboard heaters including associated supports and connections.
- Installation of 9 new gas fired tubular infrared radiant heaters and 3 cabinet unit heaters shall be installed complete with all necessary piping valves wiring thermostats supports to provide complete installation.

- Start-up, programming and commissioning.

All paperwork has been reviewed and received by the Architect for approval and delivered to the District. The College President and Business Manager have signed the Project Final Acceptance and staff is recommending final acceptance of the project and release of the remaining five percent (5%) retention.

ANTICIPATED COMPLETION DATE:

The anticipated completion date was on September, 2013.

ALTERNATIVES/OPTIONS:

Not applicable

EVALUATION AND RECOMMENDED ACTION:

Approval is recommended for the final acceptance of the project and release of the remaining five percent (5%) retention.

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

YES _____ NO X

COMMENTS

None

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 14/14-52 ACCEPTANCE AND RETENTION**

**BUILDING 'A' HEATING UPGRADE PROJECT
AT MERRITT COLLEGE (Bid No. 12-13/07)
Environmental Systems, Inc.**

WHEREAS, Environmental Systems, Inc., 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 Building 'A' Heating Upgrade Project at Merritt College, has made application for acceptance of the work; and

WHEREA, 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 TEN THOUSAND THREE HUNDRED SEVENTY EIGHT AND 60/100 DOLLARS (\$10,378.60), 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



PERALTA COMMUNITY COLLEGE DISTRICT

PROJECT FINAL ACCEPTANCE

PROJECT NAME: Building 'A' Heating Upgrade
Bid No. 12-13/08 Project No. 2741e

LOCATON: Merritt College

CONTRACTOR: Environmental Systems, Inc.

This Project is accepted as complete and approved by the College

Facilities Project Manager:

Gary Banks
Print Name

Signature

Date

3/17/14

College Business Manager:

DR. DATINA C. DEL ROSARIO
Print Name

Signature

Date

3/18/14

College President:

NORMA ANBRIZ GALAVIZ
Print Name

Signature

Date

3/19/14