

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of October 21, 2014

ITEM TITLE:

Consider Approval of Resolution No. 14/15-10, Acceptance of Completed Work and Release of Retention for the Merritt College Chilled Water Infrastructure Project (Bid No. 12-13/03), Taber Construction, Inc.

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested for Resolution No. 14/15-10 for completed work and release of retention for the Merritt College Chilled Water Infrastructure Project (Bid No. 12-13/03).

ITEM SUMMARY:

The Governing Board of Trustees approved a contract award (Bid No. 12-13/03) to Taber Construction, Inc., Inc. for the Merritt College Chilled Water Infrastructure Project at the October 23, 2012 meeting, in the amount of \$4,076,000. A notice to proceed (NTP) was issued with a start date of April 8, 2013 with the project duration of 334 calendar days for Substantial Completion. The Certificate for Substantial Completion was issued on June 09, 2014 for the entire project. A Notice of Completion (NOC) was filed with the County of Alameda, and project acceptance is recommended.

There were five (5) change orders for the project for a total of \$401,022 or 9.839% of the original contract amount. Including these change orders, the cumulative contract amount was \$4,477,020. This resolution accepts the project as complete and staff is requesting final acceptance of the project and release of the remaining 5% retention of the cumulative contract amount, in the amount of \$223,851.

Approval to accept this project as complete and release of retention are recommended by the Chancellor.

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:

A formal Request for Bids (Bid No: 12/13-03) was conducted for this project, and a bid opening was held on October 16, 2012. Four (4) bids were received and the lowest responsible and responsive bid was submitted by Taber Construction, Inc., in the amount of \$4,076,000.

The original scope of work included:

- The installation of a chilled water plant in Building F at Merritt College with a new cooling tower and upgraded electrical service.
- Underground chilled water lines will be installed from the chilled water plant to Buildings L & Q and stubbed out connections for the new Barbara Lee Science and Allied Health Building Project.

The work was completed June 9, 2014 and all subsequent 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.

ANTICIPATED COMPLETION DATE:

The project was Substantially Completed on June 09, 2014.

ALTERNATIVES/OPTIONS:

Not applicable

EVALUATION AND RECOMMENDED ACTION:

Approval is requested for final acceptance of the project and release of the remaining 5% retention in the amount of \$223,851.

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 Date: September 24, 2014
Vice Chancellor of General Services

DOCUMENT PRESENTED AND APPROVED BY:

Presented and approved by: Dr. Sadiq B. Ikharo Date: September 24, 2014
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: 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 14/15-10 ACCEPTANCE AND RETENTION**

**MERRITT COLLEGE CHILLED WATER INFRASTRUCTURE
PROJECT (Bid No. 12-13/03)
Taber Construction, Inc.**

WHEREAS, Taber Construction, 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 Merritt College Chilled Water Infrastructure 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 TWO HUNDRED TWENTY THREE THOUSAND EIGHT HUNDRED FIFTY ONE AND 00/100 DOLLARS (\$223,851.00), 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 21st day of October, 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