

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

ITEM TITLE:

Consider Approval of Resolution 14/15-13, Acceptance of Completed Work and Release of Retention for the Breezeways Pavement Rehabilitation Project at Laney College (Bid No. 13-14/19), Valentine Corporation.

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested for Acceptance of Completed Work and Release of Retention to Valentine Corporation for the Breezeways Pavement Rehabilitation Project at Laney College (Bid No. 13-14/19).

ITEM SUMMARY:

The Governing Board of Trustees approved a contract award (Bid No. 13-14/19) to Valentine Corporation on March 25, 2014, in the amount of \$1,069,369. A notice to proceed (NTP) was issued with a start date of May 27, 2014 and the Certificate for Substantial Completion was issued on September 12, 2014 for the entire project. A Notice of Completion (NOC) was filed with the County of Alameda with an increase in contract time of fifty-three (53) calendar days to September 26, 2014, 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 \$53,468.45. There were no change orders on this project.

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

SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):

Measure A, approved by the voters in Peralta's constituency and authorized under in Resolution 05/06-45, Exhibit A-1, District-Wide, support services for the "acquisition, construction, repair, refurbishment, equipping, upgrading, and modernization of classrooms, campuses, buildings, facilities, and grounds throughout the District."

BACKGROUND/ANALYSIS:

Under this contract, the contractor performed all work per the contract documents prepared by Noll & Tam Architects. This project was warranted because the existing cross slope of the breezeway exceeds 2 percent (2%), which is not compliant with the Americans with Disabilities Act (ADA) requirement. After years of deterioration due to earthquakes and pedestrian foot traffic, irregularities of the breezeway surface had become a safety hazard. The existing ground surface storm drain systems in the breezeway failed. These failures caused standing water to not drain, therefore, damaging the surface and weakening the structural integrity of the breezeway. A mandatory bidder's conference was held on December 19, 2013; the bid opening was held on March 6, 2014. A total of four (4) bids were received.

The construction scope of work included, but is not limited to the following:

- Without limitation, civil and plumbing related upgrades, including accessibility compliance.
- Demolition and removal of the existing asphalt paving and portions of the existing storm drain system.

- Installation of new storm drain lines for a portion of the breezeway system.
- New asphalt paving.

DELIVERABLES AND SCOPE OF WORK:

For deliverables, the contractor performed construction work in accordance with Noll & Tam Architect's construction documents. The work was completed September 12, 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 and staff is recommending final acceptance of the project and release of retention.

ANTICIPATED COMPLETION DATE:

The project was Substantially Completed on September 12, 2014. The contract completion was September 26, 2014.

ALTERNATIVES/OPTIONS:

Not Applicable

EVALUATION AND RECOMMENDED ACTION:

Approval is requested for final acceptance and release of retention in the amount of \$53,468.00.

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

YES _____ No X

COMMENTS:

Not Applicable

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: October 8, 2014

DOCUMENT PRESENTED AND APPROVED BY:

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

Date: October 8, 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 14/15-13 ACCEPTANCE AND RETENTION**

**BREEZEWAYS PAVEMENT REHABILITATION PROJECT AT LANEY
COLLEGE (Bid No. 13-14/19)
Valentine Corporation**

WHEREAS, Valentine Corporation, 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 Breezeways Pavement Rehabilitation 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 FIFTY THREE THOUSAND FOUR HUNDRED SIXTY EIGHT AND 45/100 DOLLARS (\$53,468.45), 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