

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of January 27, 2015

ITEM TITLE:

Consider Approval of Resolution 14/15-23, Acceptance of Completed Work and Release of Retention for the Boiler Retrofit Project at Laney College (Bid No. 14-15/04), with R.F. MacDonald Co.

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested for Acceptance of Completed Work and Release of Retention for the Boiler Retrofit Project at Laney College (Bid No. 14-15/04), with R.F. MacDonald Co.

ITEM SUMMARY:

The Governing Board of Trustees approved a contract award to R.F. MacDonald Co. at the October 7, 2014, board meeting, in the amount of \$210,000. A notice to proceed (NTP) was issued with a start date of November 1, 2014. The Certificate for Substantial Completion was issued on January 12, 2014 for the entire project. This resolution accepts the project as complete. The administration requests for final acceptance of the project and release of the remaining 5% retention (\$10,500.00) to the contractor. There were no change orders on this project or a request for a time increase to complete the construction work. Final acceptance is to be filed as the date of this Board meeting.

The firm is registered with the California Department of Consumer Affairs – Contractors State License Board. 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 in-house staff. This project was warranted because the Bay Area Air Quality Management District (BAAQMD) Regulation 9 Rule 7 required that all District's boilers meet certain air quality standards. A mandatory bidder's conference was held on September 2, 2014; the bid opening was held on September 23, 2014. A total of two (2) bids were received.

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

- All demolition and disposal of all three existing burner, gas train, and control cabinet appurtenances removed for installation of the new work
- Remove existing and install new burner, control panel, gas control valve and servo, gas pressure regulator
- Ordering and fitting the equipment into the Project Area
- All new burner and burner throat mounting fabrications
- Installation of the new package burners

Summary installing the new gas train

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- Running necessary FGR piping to the burner.
- Mounting new control cabinet, and controls to include all valves necessary for a complete operational system
- Running electrical to the burners and gas trains
- Provide start-up and commissioning – all startup matrix shall be submitted prior to testing
- Provide Peralta Community College District a final consumption and emission report for each boiler; including final combustion emission testing and adjustment to meet BAAQMD regulations.
- Provide a set of three maintenance and operational manuals
- Provide operational training to District staff
- All work must meet or exceed local, State and Federal building codes.
- Provide an equipment and air emissions compliance warranty for one year

DELIVERABLES AND SCOPE OF WORK:

The contractor completed the scope of work by the project completion dates. All subsequent paperwork has been reviewed and received by the District.

ANTICIPATED COMPLETION DATE:

The project was substantially completed on January 12, 2015. The contract completion was set for January 27, 2015.

ALTERNATIVES/OPTIONS:

Not Applicable

EVALUATION AND RECOMMENDED ACTION:

The administration recommends final acceptance of the project and release of the remaining 5% retention (\$10,500.00).

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: January 15, 2015

DOCUMENT PRESENTED AND APPROVED BY:

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

Date: January 15, 2015

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 14/15-23 ACCEPTANCE AND RETENTION**

**LANEY COLLEGE BOILER RETROFIT
PROJECT (Bid No. 14-15/04)
R.F. MacDonald Co.**

WHEREAS, R.F. MacDonald Co., 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 Boiler Retrofit (Bid No. 14-15/04), 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 TEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$10,500.00), 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 27th day of January, 2015. 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