

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of April 22, 2008

ITEM # 12

ITEM TITLE:

Consider Approval of Resolution 07/08-45, Acceptance and Retention, Re-Paving Parking Lots at Merritt College, College of Alameda and Laney College, American Asphalt Repair & Resurfacing Company, Inc.

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 07/08-45, Acceptance and Retention, Re-Paving Parking Lots at Merritt College, College of Alameda and Laney College, American Asphalt Repair & Resurfacing Company, Inc.

ITEM SUMMARY:

This resolution formally accepts the work of the contractor, American Asphalt Repair & Resurfacing Company, Inc., as complete. There have been no change orders to this contract.

BACKGROUND/ANALYSIS:

On April 24, 2007, this Board awarded a contract to American Asphalt Repair & Resurfacing Company, Inc. for Re-Paving Parking Lots at Merritt College, College of Alameda and Laney College. The work has now been completed, and the project engineer recommends acceptance. This resolution formally accepts the work as complete and provides for a retention payment in the amount of \$179,511.37, which is 10% of the total contract price.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval of Resolution 07/08-45, Acceptance and Retention, Re-Paving Parking Lots at Merritt College, College of Alameda and Laney College, American Asphalt Repair & Resurfacing Company, Inc., is recommended.

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, Exhibit A-1, District-Wide Projects, "Walkways, parking lots, landscaping, and handicap accessibility improvements."

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

YES _____ No X

COMMENTS:

No additional comments.

WHO WILL BE PRESENTING THIS ITEM AT THE BOARD MEETING?

Vice Chancellor Ikharo

DID A BOARD STANDING COMMITTEE RECOMMEND THE ITEM? YES _____ NO X

IF "YES", PLEASE INCLUDE THAT INFORMATION IN YOUR SUMMARY.

PLEASE ACQUIRE SIGNATURES IN THIS ORDER:

DOCUMENT PREPARED BY:
Prepared by: Sadiq B. Ikharo Date: April 22, 2008
Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:
Sadiq B. Ikharo Date: April 22, 2008
Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

FINANCE DEPARTMENT REVIEW
X Finance review required _____ Finance review *not* required
If Finance review is required, determination is: / Approved _____ Not Approved
If not approved, please give reason: _____
Signature: Thomas Smith Date: 4-16-08
Thomas Smith
Vice Chancellor for Finance and Administration

GENERAL COUNSEL (Legality and Format/adherence to Education Codes):
X Legal review required _____ Legal review *not* required
If Legal review is required, determination is: X Approved _____ Not Approved
Signature: Thuy T. Nguyen, General Counsel Date: 4/15/08

CHANCELLOR'S OFFICE APPROVAL
X Approved, and Place on Agenda _____ Not Approved, but Place on Agenda
Signature: Elihu Harris, Chancellor Date: 4/15/08

PERALTA COMMUNITY COLLEGE DISTRICT

**RESOLUTION 07/08-45
ACCEPTANCE AND RETENTION**

**RE-PAVING PARKING LOTS AT MERRITT COLLEGE,
COLLEGE OF ALAMEDA AND LANEY COLLEGE
AMERICAN ASPHALT REPAIR & RESURFACING, INC.**

WHEREAS, AMERICAN ASPHALT REPAIR & RESURFACING, INC., 27601 Industrial Boulevard, Hayward, California 94545, 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 Re-Paving Parking Lots at Merritt College, College of Alameda and Laney College, has made application for acceptance of the work; and

WHEREAS, the Engineer employed by the Board to prepare plans and specifications for and 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 ONE HUNDRED SEVENTY-NINE THOUSAND FIVE HUNDRED ELEVEN AND 37/100 DOLLARS (\$179,511.37), which is ten percent (10%) of said contract price, shall be made thirty-five (35) calendar days from and after the passage of this resolution, 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 22nd day of April, 2008:

AYES:
NOES:
ABSTAIN:
ABSENT:

Secretary of the Board of Trustees
Peralta Community College District
Alameda County
State of California