

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of May 12, 2015

ITEM TITLE:

Consider Approval of Resolution 14/15-44, Acceptance of Completed Work and Release of Retention for the Leaks Remediation for Laney College Buildings A, B, C, D, E & G at Laney College (Bid No. 13-14/22) Project as Complete and Release Remaining 2.5% Retention, with Valentine Corporation.

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested for Acceptance of Completed Work and Release of the Remaining 2.5% Retention for the Laney College Buildings A, B, C, D E & G at Laney College (Bid No. 13-14/22), in the amount not-to-exceed \$60,238.95.

ITEM SUMMARY:

The Governing Board of Trustees approved the contract award (Bid No. 13-14/19) to Valentine Corporation for the Laney College Buildings A, B, C, D E & G at the May 12, 2014 meeting, in the amount of \$2,339,369.00. A notice to proceed (NTP) was issued with a start date of June 13, 2014 and the Certificate for Substantial Completion was issued on October 28, 2014 for the entire project, except for the fitness room. Change order no. 1 was approved at the November 18, 2014 Board meeting for additional work at the fitness room for \$49,854 (2.13%) and forty (46) calendar days extension; change order no. 2 was approved at the April 14, 2014 Board meeting for \$20,335 (3.0%) to waterproof a concrete bench at Courtyard G and one hundred eleven (111) calendar days extension and reduction of retention to 2.5%. This resolution accepts the project as complete and staff is requesting final acceptance of the project and release of the remaining 2.5% retention, in the amount of \$60,238.95.

The work was completed March 27, 2015 and all subsequent paperwork has been reviewed and received by the Architect for approval and delivered to the District. The administration recommends final acceptance of the project and release of the remaining 2.5% retention in the amount above.

Approval to accept this project as completed and release of retention are recommended and approved 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 Gale Associates Inc. The Engineer has written a summary of all work included in the contract. There were four occasions of leak discovery that were included in the finished contract documents:

1. Leaks included in the RFP to the Engineer;
2. Leaks identified by Maintenance Engineers and other during the job walk;
3. Leaks identified during the water testing of the existing planters; and
4. Leaks identified during the February 2014 rains.

In addition, there were leaks identified during construction. All of these leaks were addressed during the project. After the project additional leaks were detected that could not be addressed in the project as they required additional investigation to determine the source and because of the need to receive the most competitive bid possible. A mandatory bidder's conference was held on December 19, 2013; the bid opening was held on April 22, 2014. A total of two (2) bids were received.

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

- The removal of existing concrete topping slab, planter landscaping and soil, existing waterproofing and flashing as described in the contract documents at selected courtyards and walkways on the Laney College Campus;
- Install new PVC waterproofing and drainage system;
- Installation new concrete topping slab for the selected courtyards and walkways;
- Apply new waterproofing sealer to selected existing concrete walls and seating;
- Performance epoxy injection repairs in the Men's and Women's Locker and Fitness Rooms; and
- Removal and installation of new skylights in the Library.

DELIVERABLES AND SCOPE OF WORK:

For deliverables, the contractor procured goods under this contract and performed construction work in accordance with Gale Associates Inc.'s construction documents.

ANTICIPATED COMPLETION DATE:

The project was substantially completed on October 28, 2014. The contract completion is March 27, 2015.

ALTERNATIVES/OPTIONS:

Not Applicable

EVALUATION AND RECOMMENDED ACTION:

The administration recommends the final acceptance and release of retention above.

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: April 29, 2015

DOCUMENT PRESENTED AND APPROVED BY:

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

Date: April 29, 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: _____
Nitasha Sawhney, Acting 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 14/15-44 ACCEPTANCE AND RETENTION**

**LEAKS REMEDIATION OF LANEY COLLEGE BUILDINGS A, B, C, D,
E, & G (Bid No. 13-14/22)**

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 Leaks Remediation of Laney College Buildings A, B, C, D, E, & G (Bid No. 13-14/22), 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 SIXTY THOUSAND TWO HUNDRED THIRTY EIGHT AND 95/100 DOLLARS (\$60,238.95), which is 2.5 percent (2.5%) 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 12th day of May, 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