

**PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of September 8, 2015**

ITEM TITLE:

Consider *Ratification* to accept a Chancellor Approved Construction Contract with Bay Construction Company for the Merritt College Barbara Lee Center for Science and Allied Health Landscape Improvement (Bid No. 14-15/43) (Resolution 15/16-08).

SPECIFIC BOARD ACTION REQUESTED:

Ratification is requested to accept a Chancellor approved contract with Bay Construction Company for the Merritt College Barbara Lee Center for Science and Allied Health Landscape Improvement (Bid No. 14-15/43), in the amount not-to-exceed \$604,000.00.

ITEM SUMMARY:

During the board recess, as permitted under the Chancellor Authorization to Approve (Resolution 99/00-5), the Chancellor signed and do business on behalf of the Board. On August 27, 2015, the Chancellor signed and approved the contractor's construction contract so the contractor can commence the landscape work as soon as possible.

The Landscape Improvement project consists of, all planting, irrigation, site furnishing, accessories and concrete work, as described in the Construction Documents prepared by Gates & Associates.

In compliance with the Public Contract Codes, Section 20651, a formal request for bid was conducted for this project, and a bid opening was held on August 7, 2015. A total of three (3) bids were received, as follows:

CONTRACTOR	LOCATION	TOTAL BID
Bay Construction Company	Oakland, CA	\$604,000
Marina Landscape, Inc.	Livermore, CA	\$630,800
Bortolussi & Watkin, Inc.	San Rafael, CA	\$710,036

The lowest responsible and responsive bid was submitted by Bay Construction Company, in the amount of \$604,000. This project requires the contractor to sign a Letter of Assent (LOA), agreeing to work under the terms of the District's Construction Project Labor Agreement (PLA). Additionally, the contractor will comply with California prevailing wage laws applicable to the project.

Mark Lee and Yong Kay are principals of Bay Construction Company and the business has a current and active contractor's license in California. They are registered with the California Department of Consumer Affairs – Contractors State License Board (no. 593411) and the Department of Industrial Relation's Labor Compliance Program (no. 1000000066). The Chancellor recommends approval.

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:

The Merritt College Science Building Landscape Improvement project consists of the following: all planting, irrigation, site furnishing, accessories and concrete work, as described in the Construction Documents prepared by Gates & Associates.

Eight (8) interested contractors attended the mandatory pre-bid meeting on July 15, 2015. The project manager conducted a mandatory pre-bid job walk with all eight (8) contractors.

DELIVERABLES AND SCOPE OF WORK:

The scope of work comprises of construction and installation of new landscaping per the bid documents prepared by Gates & Associates.

ANTICIPATED COMPLETION DATE:

The anticipated completion date is four (4) months from the issuance of the Notice to Proceed.

EVALUATION AND RECOMMENDED ACTION:

The administration recommends the award of the construction contract to Bay Construction Company for the Merritt College Science Building Landscape Project.

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: <u>Dr. Sadiq B. Ikharo</u> Date: <u>August 27, 2015</u> Vice Chancellor of General Services

DOCUMENT PRESENTED AND APPROVED BY: Presented and approved by: <u>Dr. Sadiq B. Ikharo</u> Date: <u>August 27, 2015</u> Vice Chancellor of General Services

FINANCE DEPARTMENT REVIEW <u> X </u> Finance review required _____ Finance review <i>not</i> required If Finance review is required, determination is: <u> X </u> Approved _____ Not Approved
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If not approved, please give reason: _____

Signature: Ronald D. Little II

Ronald D. Little II, 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: Jowel C. Laguerre

Dr. Jowel C. Laguerre, Chancellor

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 15/16-08
ACCEPT BID AND AWARD CONTRACT FOR
MERRITT COLLEGE BARBARA LEE SCIENCE AND ALLIED
HEALTH BUILDING LANDSCAPE IMPROVEMENT
(Bid No. 14-15/43)
TO
BAY CONSTRUCTION COMPANY**

WHEREAS, this Board has heretofore advertised for bids to secure all labor, material, equipment, mechanical workmanship, transportation and services for the Merritt College Science Building Landscape (Bid No. 14-15/43); and

WHEREAS, three (3) bids were received in response to said advertisement on the 29th day of July, 2015; and

WHEREAS, this Board does hereby accept the bid of Bay Construction Company and

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby accept the bid of Bay Construction Company, 4026 Martin Luther King Jr. Way, Oakland, California 94609 for Total Bid in the amount of Six Hundred and Four Thousand and 00/100 DOLLARS (\$604,000); and

BE IT FURTHER RESOLVED that the bid of the other bidders shall be and the same are hereby rejected; and

BE IT FURTHER RESOLVED that the Secretary of this Board be and he is hereby authorized and directed to enter into a contract in accordance with law with said Bay Construction Company for the Merritt College Science Building Landscape Project (Bid No. 14-15/11) and the bid bond of said bidder be returned to it upon the acceptance of said contract together with the bonds attached thereto.

PASSED AND ADOPTED this 8th of September, 2015. The full Board has voted in support of this resolution, unless the Board meeting minutes reflect otherwise.

Jowel C. Laguerre
Chancellor and Secretary
Board of Trustees
Peralta Community College District



Peralta Community College
 District
 501 5th Avenue Oakland,
 California 94606

BID TABULATION

Bid No. 14-15/20 Merritt College Science Bldg Landscape Improvements
 BID DUE DATE: August 7, 2015 at 2:00 PM

Vendor	Bid Total	Bid Form Signed by Vendor Yes/No	Addendum Acknowledge Yes/No	Bid Bond Yes/No	Signed Non-Collusion Affidavit Yes/No	Sub List Yes/No	SLBE Yes/No	Bidder Certification
Bontalussi & Watkins, Inc.	\$710,036 ⁰⁰	✓	✓	✓	✓	✓	No	✓
Marina	\$630,800 ⁰⁰	✓	✓	✓	✓	✓	No	✓
Bay Construction Co	\$604,000 ⁰⁰	✓	✓	✓	✓	✓	Yes	

Opened By: John Hilt
 Recorded By: Amia Dowlen

Witness:
 1. Mike Ayala
 2. John Bacon

Witness:
 3. Jerry Banks
 4. _____



Contractor's License Detail for License # 593411

DISCLAIMER: A license status check provides information taken from the CSLB license database. Before relying on this information, you should be aware of the following limitations.

CSLB complaint disclosure is restricted by law (B&P 7124.6) If this entity is subject to public complaint disclosure, a link for complaint disclosure will appear below. Click on the link or button to obtain complaint and/or legal action information.

Per B&P 7071.17 , only construction related civil judgments reported to the CSLB are disclosed.

Arbitrations are not listed unless the contractor fails to comply with the terms of the arbitration.

Due to workload, there may be relevant information that has not yet been entered onto the Board's license database.

Data current as of 8/26/2015 9:42:42 AM

Business Information

MARK LEE AND YONG KAY INC
DBA BAY CONSTRUCTION CO

4026 MARTIN LUTHER KING JR WAY
OAKLAND, CA 94609
Business Phone Number:(510) 658-7225

Entity Corporation
Issue Date 05/10/1990
Expire Date **05/31/2016**

License Status

This license is current and active.

All information below should be reviewed.

Classifications

A - GENERAL ENGINEERING CONTRACTOR
B - GENERAL BUILDING CONTRACTOR
C27 - LANDSCAPING

Bonding Information

Contractor's Bond

This license filed a Contractor's Bond with AMERICAN CONTRACTORS INDEMNITY COMPANY.

Bond Number: 54477

Bond Amount: \$12,500

Effective Date: 01/01/2007

Contractor's Bond History

Bond of Qualifying Individual

The Responsible Managing Officer (RMO) KAY YONG SIK certified that he/she owns 10 percent or more of the voting stock/equity of the corporation. A bond of qualifying individual is **not** required.

Effective Date: 08/15/2002

BQI's Bond History

Workers' Compensation

This license has workers compensation insurance with the STATE COMPENSATION INSURANCE FUND

Policy Number:9073528

Effective Date: 10/01/2013

Expire Date: 10/01/2015

Workers' Compensation History

Other

Personnel listed on this license (current or disassociated) are listed on other licenses.



PERALTA COMMUNITY COLLEGE DISTRICT
Office of General Services

August 11, 2015

MEMORANDUM

TO: Dr. Jowel C. Laguerre, Chancellor

FROM: Dr. Sadiq B. Ikharo, Vice Chancellor of General Services *SBI*

SUBJECT: Chancellor's Approval during Board Recess of Bid and Award a Contract to **Bay Construction Company** for the Merritt College Barbara Lee Science & Health Building Landscape (Bid No. 14-15/43)

Your approval is requested to accept the bid and award a contract to Bay Construction Company for the Merritt College Science Building Landscape (Bid No. 14-15/43), in the amount not-to-exceed \$604,000.00. In compliance with the Public Contract Codes, the administration has completed formal competitive bidding for this project. The project was advertised in newspaper publications. After your approval, the contractor may start this project during the board recess.

As permitted under the chancellor Authorization to Sign (Resolution 99/00-5), you may approve this agreement during the Board recess. Your approval on this agreement will be taken to the September 8, 2015 Board meeting for *ratification*.

ITEM SUMMARY:

The Merritt College Science Building Landscape Improvement project consists of, without limitation, all planting, irrigation, site furnishing, accessories and concrete work, as described in the Construction Documents prepared by Gates & Associates.

In compliance with the Public Contract Codes, Section 20651, a formal request for bid was conducted for this project, and a bid opening was held on August 7, 2015. A total of three (3) bids were received, as follows:

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PERALTA COMMUNITY COLLEGE DISTRICT
Office of General Services

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SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):

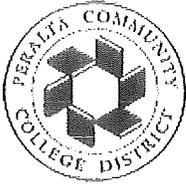
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Approved By:

Dated:

Dr. Jowel C. Laguerre
Its: Chancellor, Authorized Agent

cc: Gary Banks, District Project Manager



PERALTA COMMUNITY COLLEGE DISTRICT
Office of General Services

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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."

Approved By:

A handwritten signature in black ink, appearing to read 'Jowel C. LaQuette', written over a horizontal line.

Dr. Jowel C. LaQuette
Its: Chancellor, Authorized Agent

Dated:

A handwritten date '08-27-15' written in black ink over a horizontal line.

cc: Gary Banks, District Project Manager

