

**PERALTA COMMUNITY COLLEGE DISTRICT**  
**Board of Trustees Agenda Report**  
**For the Trustee Meeting Date of September 08, 2015**

**ITEM TITLE:**

Consider Approval of Resolution 15/16-06 for the Acceptance of Completed Work and Deductive Change Order No. 1, and Release of the 5% Retention for the Americans with Disabilities Act (ADA) Tower Entry Doors Replacement Project at Laney College (Bid No. 14-15/26), T. Amaral's Done Right Construction.

**SPECIFIC BOARD ACTION REQUESTED:**

Approval is requested for the acceptance of completed work and deductive change order no. 1 (\$10,000), and the release of the 5% retention for the ADA Tower Entry Doors Replacement Project at Laney College (Bid No. 14-15/26).

**ITEM SUMMARY:**

The Governing Board of Trustees approved a contract award (Bid No. 14-15/24) to T. Amaral's Done Right Construction at the February 17, 2015 meeting, in the amount of \$75,696. A notice to proceed (NTP) was issued with a start date of May 23, 2015. The administration requests an approval of the deductive change order no. 1 of \$10,000, which is (-13.2%) of the contract amount. The total contract amount is now \$65,696 due to this deductive change order. This deductive change order will reduce the remaining amount from the contract. Additionally, there was a decrease in the construction contract time of seventeen (17) calendar days.

Acceptance of the project completion is requested. Since the project is complete, the administration requests the release of the five percent (5%) retention payment \$3,285 to the contractor.

**SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):**

Measure A Funding

**BACKGROUND/ANALYSIS:**

On February 17, 2015, the Governing Board of Trustees accepted and approved the contract to T. Amaral's Done Right Construction, in the amount not-to-exceed \$75,696. A formal competitive bid was conducted by the Purchasing Department.

**DELIVERABLES AND SCOPE OF WORK:**

The construction scope of work included the following:

- Replacement of the Laney College Tower entry doors, including two (2) power operated sliding doors and one (1) manual double door with sidelights.

The contractor completed the work as described in the Contract Documents prepared by Byrens Kim Design Works. The work was completed July 15, 2015 and all subsequent paperwork has been reviewed and received by the Architect for approval and delivered to the District.

**ANTICIPATED COMPLETION DATE:**

The project was substantially completed on July 15, 2015.

**ALTERNATIVES/OPTIONS:**

Not Applicable

**EVALUATION AND RECOMMENDED ACTION:**

The administration recommends the approval of the acceptance of completed work and deductive change order no. 1, and the release of 5% retention for this 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: Dr. Sadiq B. Ikharo  
Vice Chancellor of General Services

Date: August 25, 2015

**DOCUMENT PRESENTED AND APPROVED BY:**

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

Date: August 25, 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: 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 15/16-06 ACCEPTANCE AND RETENTION**

**TOWER ENTRY DOORS REPLACEMENT PROJECT AT LANEY  
COLLEGE (BID NO. 14-15/24)**

**T. Amaral's Done Right Construction.**

WHEREAS, T. Amaral's Done Right Construction, 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 **Tower Entry Doors Replacement Project at Laney College** (Bid No. 14-15/24), 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 THREE THOUSAND TWO HUNDRED EIGHT FIVE AND 00/100 DOLLARS (\$3,285), which is 5 percent (5%) of said contract price (\$65,696), shall be made thirty-five (35) calendar days 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 8<sup>th</sup> day of September, 2015. The full Board has voted in support of this resolution, unless the Board meeting minutes reflect otherwise.

\_\_\_\_\_  
Jowel C. Laguerre, Ph.D.  
Chancellor and Secretary  
Board of Trustees  
Peralta Community College District





## DEPARTMENT OF GENERAL SERVICES—PROJECT EVALUATION FORM

**Vendor:** Done Right Construction (Contractor)

**Vendor No.:** 731439

**Date:** August 17, 2015

**This evaluation form is to be used by the Department of General Services and external Project Managers and Construction Managers to evaluate all projects including Consultants contracts.**

The Department of General Services recognizes that Consultant cannot improve or sustain good performance without project-specific constructive feedback. This evaluation is to provide constructive feedback and will be kept on file for review for future consultant selection.

**Interim** evaluations are used to give timely performance feedback, and allows opportunity for performance modification to ensure the project's success.

**Final** evaluation is used for future Consultant selection, and helps the District's General Services Department develop and hire the best possible firms.

### PROJECT INFORMATION

Project No:	2389	Project Name: Tower Entry Doors Replacement	
Project Start Date:	May 23, 2015	Location of Project: Laney	% Complete: 100
Scope of Work: Replace entry doors to Laney Tower.			
Type of Work:	Construction	Facilities Project Manager:	Gary Banks
Firm Name:	Done Right Construction	Consultant Project Manager:	NA
Evaluation Date:	August 17, 2015	Evaluation Type: (Check one)	<input type="checkbox"/> Interim or <input checked="" type="checkbox"/> Final

### RATING SYSTEM DEFINITIONS

Scale	Rating Name	Rating Description
5	Outstanding	Deliverables exceed standards with minimal District General Service's direction; seeks opportunities for self-improvement; models, coaches and inspires excellent service; owns project problems and offers analysis of resolution options.
4	Great	Deliverables exceed standards with some District General Service's direction; frequently checks in on status of service and provides consistent quality service; identifies project problems in advance and offers timely alternative options.
3	Good	Deliverables meet standards with some District General Service's direction; provides expected service and quality checks required by the contract; helps to analyze and resolve problems as they occur.
2	Improvement Needed	A comment is required. Deliverables eventually meet minimum standards with frequent District General Service's coaching required; provides mediocre service, rarely checking for feedback; unaware of problems until discovery by others, then provides weak solution analysis.
1	Unacceptable	A comment is required. Deliverables are substandard even with frequent District General Service's coaching; rarely provides expected service and no quality service checks are evident; unaware of problems until discovery by others, then unable to provide analysis or resolution options.

# CAPITAL PROJECTS

## GENERAL MANAGEMENT

Complete this section for all services

	<u>Score</u>	<u>Comment</u>
1) <b>RESOURCES</b> —Manages resources effectively including, sub-consultants, schedules meetings and provides progress reports, and milestones.	4	General Contractor seemed to have a good relationship with his subcontractors.
2) <b>QUALITY CONTROL</b> —Provides quality control throughout the project. Follows the District's standards. Implements a quality control/assurance plan for the project.	4	Owner of company, Tom Amaral, was on site full time managing the quality of work.
3) <b>COMMUNICATION</b> — Communicates effectively with the Project Team, Sub-consultants, Stakeholders, District Management, and at meetings.	4	Owner was proactive in communication.
4) <b>BUDGET</b> —Manages budgets effectively. Brings projects in within budget. Reviews all invoices and makes sure proper scope of work is addressed on invoices, and submits invoices on time.	4	Owner stayed within budget and did not seek meritless change orders.
5) <b>MANAGEMENT</b> —Manages the contract and modifications. Negotiates change orders in a fair collaborative and open manner.	4	No change orders on this project.
6) <b>POLICY</b> —Understands and conforms to the District's General Services policies, procedures, standards, manuals of instruction, and if applicable any State-Aid requirements.	3	Contractor was new to Peralta and the DSA process which required a learning curve.
7) <b>SCHEDULE</b> —Develops and meets a realistic schedule for the project and scope of services.	3	Contractor met the project's schedule, but his documentation was marginal.
8) <b>OPERATION</b> —Reviews drawings/specifications and works with Project Manager to mitigate exposure to change orders. Understands the entire project scope and work to makes sure sub-consultants understand the scope.	3	Adequate in this category, could use improvement for larger projects.
9) <b>PROVIDES SOLUTIONS</b> —Proposes innovative solutions to Design & Construction Challenges.	3	Relied on subcontractors for solutions.
10) <b>TEAMWORK</b> —Works effectively with project team members and stakeholders.	4	Contractor worked well with entire team.
<b>TOTAL FOR GENERAL MANAGEMENT</b>	<b>36</b>	

## ENVIRONMENTAL SERVICES

Complete this section if this contract is for environmental services.

	<u>Score</u>	<u>Comment</u>
1) <b>QUALITY</b> —Prepares quality environmental documents.		
2) <b>FOLLOWS THE LAW</b> —Understands and conforms with state and local laws regarding environmental services.		
3) <b>COLLEGE INVOLVEMENT</b> —Involves the Colleges with regard to environmental issues. Makes sure Colleges are informed.		
<b>TOTAL FOR ENVIRONMENTAL SERVICES</b>		

# CAPITAL PROJECTS

## DESIGN SERVICE

Complete this section if this contract is for design services.

	<u>Score</u>	<u>Comment</u>
1) <b>DESIGN PROCESS</b> —Follows the District's General Services Design Process and is knowledgeable of Federal/State/Industry design standards.		
2) <b>DESIGN GOALS</b> —Design to the District's needs, and fulfills project mitigation commitments for any environmental, right of way, utility, etc. requirements.		
3) <b>CONTENT SOLUTION</b> —Design connect with the College values and the build environment. Design meets the Districts Standards.		
4) <b>DELIVERABLES</b> —Develops quality plans, specifications, estimates, reports, meeting minutes.		
5) <b>INNOVATION</b> —Delivers a product that effectively applies innovative solutions to project challenges within the project requirements (scope, schedule, and budget).		
6) <b>OUTSIDE AGENCIES</b> —Works effectively with State & Local Agencies.		
<b>TOTAL FOR DESIGN SERVICES</b>		

## CONSTRUCTION ENGINEERING MANAGEMENT

Complete this section if this contract is for construction engineering management.

	<u>Score</u>	<u>Comment</u>
1) <b>PARTNERS</b> —Effectively partners with Contractor, District General Services, District Consultants (AOR, IOR), State (DSA), Local Agency, Utility Firms, and adjacent property owners to work solutions to Design & Construction Challenges.		
2) <b>INSPECTION AND TESTING</b> —Performs and documents in a timely manner quality materials testing and inspections consistent with District's General Services standards.		
3) <b>OVERSIGHT</b> —Ensures Contractors complies with the construction contract.		
4) <b>WORKING ENVIRONMENT</b> —Monitors and supports a SAFE work environment for project personnel and the public.		
5) <b>CONTRACT ADMINISTRATION</b> —Provides timely and accurate contract administration. Processes change orders, and payments on-time, reviews project documentation.		
6) <b>CLOSEOUTS</b> —Provides timely and accurate closeout process with state and local agencies.		
<b>TOTAL FOR CONSTRUCTION ENGINEERING SERVICES</b>		

# CAPITAL PROJECTS

## OVERALL EVALUATION COMMENTS/FEEDBACK

Director of Capital Projects Comments/Feedback:

### Facilities Project Manager Feedback:

How likely is it you will select this consultant for future projects?

**Check One:**  Very Likely  Likely  Maybe  Unlikely (Explain)  Very Unlikely (Explain)

Owner of firm was responsive, reliable and involved in the details of the project. Oversight of construction was very good. Communication was good. Punch list items were addressed immediately and all close out material delivered in a timely manner.

Consultant Project Manager Comments/Feedback:

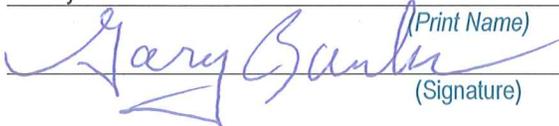
Overall Evaluation Score:

36

## SIGNATURES

1. Facilities Project Manager:

Gary Banks

  
(Print Name)  
(Signature)

August 17, 2015

(Date)

2. Consultant Project Manager (if applicable):

(Print Name)

NOT APPLICABLE

(Signature)

(Date)

3. Director of Capital Projects:

*Vice Chancellor of General Services*  
*Dr. Sadig B. Ikharo*  
(Print Name)

  
(Signature)

9/3/15  
(Date)