

**PERALTA COMMUNITY COLLEGE DISTRICT**  
**Board of Trustees Agenda Report**  
**For the Trustee Meeting Date of April 12, 2016**

**ITEM TITLE:**

Consider Approval of Resolution No.15/16-36, Acceptance of Completed Work and Release of 5% Retention for the Merritt College Hardscape Project (Bid No. 14-15/20), Sposeto Engineering.

**SPECIFIC BOARD ACTION REQUESTED:**

Approval is requested for acceptance of completed work and release of 5% retention for the Merritt College Hardscape Project (Bid No. 14-15/20), Sposeto Engineering, not to exceed \$51,261.72.

**ITEM SUMMARY:**

The Governing Board of Trustees approved a contract award (Bid No. 14-15/20) to Sposeto Engineering at the April 14, 2015 meeting, in the amount of \$989,000. A notice to proceed (NTP) was issued with a start date of May 26, 2015. The District has filed a Notice of Completion (NOC) with the County of Alameda, and project acceptance is recommended. This resolution accepts the project as complete and staff is requesting final acceptance of the project and release of the remaining 5% retention, in the amount of **\$51,261.72**. There was one (1) change order on the project for a total of \$41,192.42 or 4.16% of the original contract amount. The College President and Business Manager have signed the Project Final Acceptance. Approval to accept this project as complete and release of retention is recommended by the Chancellor.

**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, Laney College, "Classroom and facilities repairs and grounds improvements," Merritt College, "Classroom and facilities repairs and grounds improvements," College of Alameda, "Remodeling and equipping classroom and campus facilities," and Berkeley City College, "Plumbing, electrical, mechanical system upgrades and improvements."

**BACKGROUND/ANALYSIS:**

The contractor completed all work described in the Contract Documents and Construction Documents prepared by JK Architecture.

**The construction scope of work included:**

- Preparing the site around the building to provide proper grade to construct hardscape surfaces and re-grade landscape areas to provide drainage away from the building;
- Installing a new 4" pedestrian concrete paving around the building;
- Removal of existing hardscape and adding new concrete paving at bus stop;
- Removal of existing ADA non-compliant concrete sidewalks leading to the building and in the courtyard; construction of new 4" thick concrete sidewalk to meet ADA requirements in these designated areas;
- Removal of existing non-compliant ADA parking stalls, and building new ADA parking stalls to meet current regulations;
- Construction of a new sidewalk from Parking Lot D to the east building entrance;

- New 6" thick concrete in vehicular areas and turf blocks paving east of the building for the fire truck access.
- Site lighting improvements includes demolition and removal of existing light posts; relocate and install existing light posts in good condition; and relocate existing electrical conduit to accommodate new locations of light posts.

**ANTICIPATED COMPLETION DATE:**

A Notice of Completion was filed with the County of Alameda on January 28, 2016.

**ALTERNATIVES/OPTIONS:**

Not Applicable

**EVALUATION AND RECOMMENDED ACTION:**

The administration recommends the final acceptance of the project and release of the remaining 5% retention to the contractor.

**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 Date: March 30, 2016  
 Vice Chancellor of General Services

**DOCUMENT PRESENTED AND APPROVED BY:**

Presented and approved by: Dr. Sadiq B. Ikharo Date: March 30, 2016  
 Vice Chancellor of General Services

**FINANCE DEPARTMENT REVIEW**

  X   Finance review required      \_\_\_\_\_ Finance review *not* required

If Finance review is required, determination is:   X   Approved      \_\_\_\_\_ Not Approved

If not approved, please give reason: \_\_\_\_\_

Signature: Ronald Little II  
 Ronald Little, 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*  
Nitasha Sawhney, General Counsel

**CHANCELLOR'S OFFICE APPROVAL**

Approved, and Place on Agenda  
Agenda

Not Approved, but Place on

Signature: *Jowel C. Laguerre*  
Dr. Jowel C. Laguerre, Chancellor

**PERALTA COMMUNITY COLLEGE DISTRICT  
RESOLUTION 15/16-36 ACCEPTANCE AND RETENTION**

MERRITT COLLEGE HARDSCAPE PROJECT (Bid No. 14-15/20)

Sposeto Engineering Inc.

WHEREAS, Sposeto Engineering Inc., 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 **Merritt College Hardscape Project** (Bid No. 14-15/20), 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 FIFTY ONE THOUSAND TWO HUNDRED SIXTY ONE AND 72/100 DOLLARS (\$51,261.72), which is 5 percent (5%) of said contract price (\$989,000), 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 12<sup>th</sup> day of April, 2016. The full Board has voted in support of this resolution, unless the Board meeting minutes reflect otherwise.

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