

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of April 26, 2016

ITEM TITLE:

Consider Approval of Resolution No.15/16-39, Acceptance of Completed Work and Release of 5% Retention for the Veterans Center and Athletics Offices Remodel Project at College of Alameda (Bid No. 13-14/24), WE Lyons Construction.

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested for acceptance of completed work and release of 5% retention for the Veterans Center and Athletics Offices Remodel Project at College of Alameda (Bid No. 13-14/24), W.E. Lyons Construction.

ITEM SUMMARY:

The Governing Board of Trustees approved a contract award (Bid No. 13-14/24) to WE Lyons Construction at the March 10, 2015 meeting in the amount of \$286,663.00. A notice to proceed (NTP) was issued with a start date of April 3, 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 **\$15,749.43**. There were three (3) change orders on the project for a total of \$28,335.30, which is 9.88% 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 Gelfand Partners, Architects.

The construction scope of work included:

- Remodeling a portion of the second floor of Building G to create space to accommodate a new Veterans Center,
- Remodeling several rooms on the first floor of Building G to accommodate occupants displaced by the Veterans Center project, and
- Minor revisions at the parking lot to improve compliance with accessibility.

The contract breakdown is as follows:

Description	Board Approval Dates	Costs
Original Contract	March 10, 2015	\$286,663.00
Change Order No. 1 paid for correct unforeseen work and conditions.	September 8, 2015	\$22,020 and 60 days time extension
Change Order No. 2 responded to unforeseen conditions and to opportunities to improve overall value that were identified by the college leadership during the construction phase.	December 8, 2015	\$6315.92 with a time extension of 160 days.
Change Order No. 3	April 12, 2016	\$0.00 with time extension of 36 days
Total Change Order Amount:		\$28,335.92
Cumulative Contract Amount:		\$314,998.92

ANTICIPATED COMPLETION DATE:

The contractor completed the project on Monday, February 22, 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:

IT to support this project was coordinated with campus IT and installed under a separate contract.

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 14, 2016

DOCUMENT PRESENTED AND APPROVED BY:

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

Date: April 13, 2016

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 Little II
Ronald 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: Nitasha Sawhney
Nitasha Sawhney, Acting 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 15/16-39 ACCEPTANCE AND RETENTION**

**VETERANS CENTER AND ATHLETICS OFFICES REMODEL PROJECT
AT COLLEGE OF ALAMEDA (BID NO. 13-14/24)**

W.E. Lyons Construction

WHEREAS, WE Lyons 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 **Veterans Center and Athletics Offices Remodel Project at College of Alameda** (Bid No. 13-14/24), 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 FIFTEEN THOUSAND SEVEN HUNDRED FORTY-NINE AND 43/100 DOLLARS (\$15,749.43), which is 5 percent (5%) of said contract price (\$314,988.30), 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 26th day of April, 2016. 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