

**PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of November 15th, 2016**

ITEM TITLE:

Laney College Theater Renovation Completion.

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested for the acceptance of completed work, *deductive* Change Order No. 1 (\$16,954.65), and the release of the 5% retention in the amount of \$13,383.57 for the Laney College Theater Renovation Project at Laney College (Bid No. 15-16/13).

ITEM SUMMARY:

W.E. Lyons Construction Co. original contract amount was \$284,625. The administration requests an approval of the deductive Change Order No. 1 of (\$16,954.65), (6% reduction of the contract amount) releasing unused contingency. The revised contract amount is \$267,670.35.

The campus has accepted the project as complete and a Notice of Completion has been filed with the County of Alameda. The administration requests the release of the five percent (5%) retention payment of \$13,383.57 to the contractor.

SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):

Measure A

BACKGROUND/ANALYSIS:

On October 6, 2015, the Governing Board of Trustees accepted and approved the contract to W.E. Lyons Construction Co., in the amount not-to-exceed \$284,625. A formal competitive bid was conducted by the Purchasing Department with four contractors submitting bids.

DELIVERABLES AND SCOPE OF WORK:

The construction scope of work included replacement of the stage flooring, new curtain rigging systems, and upgrades to the stage floor electrical outlets. The contractor completed the work as described in the Contract Documents prepared by WLC Architects, Inc. All subsequent paperwork has been reviewed and received by the Architect for approval and delivered to the District.

ANTICIPATED COMPLETION DATE:

The project attained Final Completion on October 15, 2016.

ALTERNATIVES/OPTIONS:

Not Applicable

EVALUATION AND RECOMMENDED ACTION:

The administration recommends the approval of the acceptance of completed work, 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 Little
(*Board contract approval is subject to negotiation and execution by the Chancellor.)

DOCUMENT PREPARED BY:

Prepared by: Ron Little Date: 11/03/2016
Ronald D. Little II, Vice Chancellor for Finance and Administration

DOCUMENT PRESENTED AND APPROVED BY:

Presented and approved by: Ron Little Date: 11/03/2016
Ronald D. Little II, Vice Chancellor for Finance and Administration

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: Ron Little
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: _____
Erica Curls-Bartling, 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 ACCEPTANCE AND RETENTION**

**Laney College Theater Renovation Project (Bid No. 15-16/13)
W.E. Lyons Construction Company**

WHEREAS, W.E. Lyons Construction Company, 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 Laney College Theater Renovation Project (Bid No. 15-16/13), W.E. Lyons Construction Company 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 THIRTY THOUSAND TWO HUNDRED & FIFTY AND 00/100 DOLLARS (\$13,383.57), which is 5 percent (5%) of said final contract price (\$267,670.35), 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 25th day of October, 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