

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

ITEM TITLE:

Laney Student Center Kitchen Emergency Repairs completion.

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested for the acceptance of completed work, Change Order No. 1 in the amount of \$16,166.78 and the release of the 5% retention (\$18,701.17) for the Laney Student Center Kitchen Emergency Repairs Project.

ITEM SUMMARY:

W.E. Lyons Construction Company original contract was \$374,023.44. The administration requests approval of Change Order No. 1, \$16,166.78 (4.3% of the original contract amount) for **additional painting and corrections to the food tray casework**. The revised contract amount is \$390,190.22.

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 \$18,701.17 to the contractor.

SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):

Measure A

BACKGROUND/ANALYSIS:

The Governing Board of Trustees provided approval in their June 14, 2016 meeting to enter into an agreement with W.E. Lyons Construction Company to perform emergency repair work on the Laney College Student Center Kitchen facilities. The repairs were necessary to address health code violations identified by the Alameda County Health Care Services Agency during an on-site evaluation of the kitchen. The contractor followed plans and specifications prepared by the Architectural firm Bryens Kim Design Works to resolve these code violations.

DELIVERABLES AND SCOPE OF WORK:

The work included an extensive variety of labor and materials that included the following at a minimum:

- New FRP wall material
- New acoustical tile ceilings
- New urethane cement flooring throughout
- New kitchen equipment, sinks, stainless steel tables, and wired shelving
- Demolition and removal materials and shelving that did not meet the health code
- Plumbing, electrical, and HVAC modifications
- Painting, patching, and new tile work
- Miscellaneous other labor and materials

ANTICIPATED COMPLETION DATE:

The project attained Final Completion on October 28, 2016.

ALTERNATIVES/OPTIONS:

Not Applicable

EVALUATION AND RECOMMENDED ACTION:

The administration recommends the approval of the acceptance of completed work, 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

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: Ron Little
Ronald D. Little II, Vice Chancellor for Finance and Administration

GENERAL COUNSEL (Legality and Format/adherence to Education Codes):

X Legal review required _____ Legal review *not* required

If Legal review is required, determination is: X Approved _____ Not Approved

Signature: _____
Ericka Curls-Bartling, General Counsel

CHANCELLOR'S OFFICE APPROVAL

X 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 Student Center Kitchen Emergence Repairs Project
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 Student Center Kitchen Emergence Repairs Project, 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 EIGHTEEN THOUSAND, SEVEN HUNDRED AND ONE, 18,701 which is 5 percent (5%) of said ORIGINAL contract price \$374,023, shall be made thirty-five (35) 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 8th day of November, 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