

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of June 10, 2008

ITEM # 29

ITEM TITLE:

Approval of Resolution 07/08-55, Acceptance and Retention, PAINTING: Classrooms and Offices, Buildings A and Q at Merritt College, Andy's Painting

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 07/08-55, Acceptance and Retention, PAINTING: Classrooms and Offices, Buildings A and Q at Merritt College, Andy's Painting.

ITEM SUMMARY:

This resolution formally accepts the work of the contractor, Andy's Painting, as complete. This is one of the previously Board approved Merritt short-term projects.

BACKGROUND/ANALYSIS:

On September 18, 2007, this Board ratified a contract award to Andy's Painting for PAINTING: Classrooms and Offices, Buildings A and Q at Merritt College. The work has now been completed, and the project manager recommends acceptance. Previously Board-approved change order to the contract total \$6,625, which is 8.0% of the original contract amount (\$83,000). This resolution formally accepts the work as complete and provides for a retention payment in the amount of \$8,962.50, which is 10% of the total contract price.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval of Resolution 07/08-55, Acceptance and Retention, PAINTING: Classrooms and Offices, Buildings A and Q at Merritt College, Andy's Painting, is recommended.

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, Exhibit A-1, Merritt College, project costs for "Classroom and facilities repairs and grounds improvements."

OTHER DEPARTMENTS IMPACTED BY THIS ACTION (E.G. INFORMATION TECHNOLOGY):

Yes _____ No X

COMMENTS:

No additional comments.

WHO WILL BE PRESENTING THIS ITEM AT THE BOARD MEETING?

Vice Chancellor Ikharo

DID A BOARD STANDING COMMITTEE RECOMMEND THE ITEM? Yes _____ No X

IF "YES", PLEASE INCLUDE THAT INFORMATION IN YOUR SUMMARY.

PLEASE ACQUIRE SIGNATURES IN THIS ORDER:

DOCUMENT PREPARED BY:
Prepared by: Sadiq B. Ikharmo Date: June 10, 2008
Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:
Sadiq B. Ikharmo Date: June 10, 2008
Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

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: Thomas Smith Date: 6.3.08
Thomas Smith
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 T. Nguyen Date: 6/3/08
Thuy T. Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL
 Approved, and Place on Agenda Not Approved, but Place on Agenda
Signature: Elihu Harris Date: 6/4/08
Elihu Harris, Chancellor

PERALTA COMMUNITY COLLEGE DISTRICT

**RESOLUTION 07/08-55
ACCEPTANCE AND RETENTION**

**PAINTING: CLASSROOMS AND OFFICES
BUILDINGS A AND Q AT MERRITT COLLEGE
ANDY'S PAINTING**

WHEREAS, ANDY'S PAINTING, 2331 Carleton Street, Berkeley, California 94704, an individual ownership 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 PAINTING: Classrooms and Offices, Buildings A and Q at Merritt College, has made application for acceptance of the work; and

WHEREAS, the Project Manager employed by the Board to prepare plans and specifications for and 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 EIGHT THOUSAND NINE HUNDRED SIXTY-TWO AND 50/100 DOLLARS (\$8,962.50), which is ten percent (10%) of said contract price as modified by Change Order 1, shall be made thirty-five (35) calendar days from and after the passage of this resolution, 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 10th day of June, 2008:

AYES:

NOES:

ABSTAIN:

ABSENT:

Secretary of the Board of Trustees
Peralta Community College District
Alameda County
State of California