

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of June 24, 2008

ITEM 35

ITEM TITLE:

Consider Approval of Resolution 07/08-61, Acceptance and Retention, Ratification of Change Order 1, Merritt College Flooring Project, MCC Flooring Contractors

SPECIFIC BOARD ACTION REQUESTED:

Approval of Resolution 07/08-61, Acceptance and Retention, Merritt College Flooring Project, MCC Flooring Contractors, and Ratification of Change Order 1 in the amount of \$1,387.76.

ITEM SUMMARY:

This resolution formally accepts the work of the contractor, MCC Flooring Contractors, as complete. Ratification is also requested for Change Order 1 to the contract in the amount of \$1,387.76, which is 3.5% of the original contract amount (\$39,722).

BACKGROUND/ANALYSIS:

On July 11, 2006, this Board awarded a contract to MCC Flooring Contractors for the Merritt College Flooring Project. The work has now been completed, and the project manager recommends acceptance. This resolution formally accepts the work as complete and provides for a retention payment of 10% of the total contract price (\$4,110.98) to be made thirty-five days after the resolution is approved by the Board. Ratification is also requested for Change Order 1 to the contract in the amount of \$1,387.76.

It was necessary for the contractor to perform this work so that the schedule would not be delayed and the sequencing of the work would not be affected. These final change order items are now brought before the Board for ratification.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval of Resolution 07/08-61, Acceptance and Retention, Merritt College Flooring Project, MCC Flooring Contractors, and Ratification of Change Order 1, in the amount of \$1,387.76, 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 "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 APPROVE 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. Ikharo Date: June 24, 2008
Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

DOCUMENT PRESENTED BY:

Prepared by: Sadiq B. Ikharo Date: June 24, 2008
Dr. Sadiq B. Ikharo
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: Thomas Smith Date: June 24, 2008
Thomas Smith
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: Thuy T. Nguyen Date: June 24, 2008
Thuy T. Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL

X Approved, and Place on Agenda _____ Not Approved, but Place on Agenda

Signature: Elihu Harris Date: June 24, 2008
Elihu Harris, Chancellor

PERALTA COMMUNITY COLLEGE DISTRICT

**RESOLUTION 07/08-61
ACCEPTANCE AND RETENTION**

**MERRITT COLLEGE FLOORING PROJECT
MCC FLOORING CONTRACTORS**

WHEREAS, MCC FLOORING CONTRACTORS, 1785 Timothy Drive, Unit #1, San Leandro, California 94577, a sole 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 Merritt College Flooring Project, has made application for acceptance of the work; and

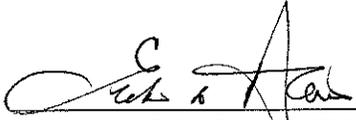
WHEREAS, the project manager employed by the Board to prepare plans and specifications for and to supervise the completion of said work, has certified in writing to this Board that said contractor completed the work heretofore described and has recommended to this Board the final acceptance of the project; 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 FOUR THOUSAND ONE HUNDRED TEN AND 98/100 DOLLARS (\$4,110.98), 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 24th day of June, 2008:

AYES:
NOES:
ABSTAIN:
ABSENT:


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

PERALTA COMMUNITY COLLEGE DISTRICT

Office of General Services 333 East 8th Street Oakland, California 94606

CHANGE ORDER NO. 1

PROJECT: 90-120 DAYS - SHORT TERM PROJECT PHASE II

DATE: 5/1/08

OWNER: Peralta Community College District
 CONTRACTOR: MCC Flooring Contractors

DSA FILE NO: N/A
 DSA APP NO.: N/A
 PCCD PROJECT #: 07-08/23
 PROJECT MANAGER: Terrell Miller

Contractor is authorized to make the changes listed in the Summary and described in Change Order Attachment when this Change Order has been approved.

| | |
|---|-------------|
| Original Contract Sum..... | \$39,722.00 |
| Change by previously authorized Change Orders..... | \$0.00 |
| Contract sum prior to this Change Order was..... | \$39,722.00 |
| Contract sum will be increased by this Change Order..... | \$1,387.96 |
| New Contract Sum including this Change Order will be..... | \$41,109.76 |

Relative Change Order (s) as a percentage of contract including this Change Order 3.5%

Contract is changed by 0 Days

Contract completion date as of this Change Order therefore is:

January 14, 2008

Summary reference attached items P.C.O'. 001 - 002

| | | |
|---|---|--|
| Approved: Project Manager: _____ Date: | Approved: General Contractor X _____ Date: | Approved: Peralta Community College District X Director of Capital Projects Date: X Vice Chancellor of General Services Date: |
| Approved: Electrical or Structural Engineer N/A | Approved: Mechanical Engineer N/A 4 | Approved: Div of the State Architect N/A Date: |

SUMMARY OF CHANGE ORDER NO. 1

Attachment

PROJECT: 90-120 DAYS - SHORT TERM PROJECT PHASE II DATE: 05/01/08

OWNER: Peralta Community College District
CONTRACTOR: MCC Flooring Contractors

DSA FILE NO: N/A
DSA APP NO.: N/A
PCCD PROJECT #: 07-08/23
PROJECT MANAGER: Terrell Miller

Through acceptance of this Change Order Contractor acknowledges that Contractor has review the progress of the work related to this project and the potential impact of the added work on the progress of the project in the future. As a result this Change Order includes compensation to Contractor for any and all effects, delays, inefficiencies or similar demands associated with this Project and the Contractor recognizes that this is the basis for any such claim in the future. Please note all other terms and conditions of the Contractor remain unchanged and that all costs to meet the original contract schedule with the inclusion of the adjusted scope of work as set forth by this change order are included within the lump sum amount stated herein.

| | | | |
|---|----------|-----|-----------|
| 1 | PCO #001 | ADD | \$1898.60 |
|---|----------|-----|-----------|

Description: Additional VTC Installation/Base in Rooms 109 & 112

Requested by: Owner Requested Change
Reason: Was not in original scope of work

DSA prelim approval date: N/A

| | | | |
|---|----------|--------|----------|
| 1 | PCO #002 | DEDUCT | \$510.84 |
| | | ADD | |

Description: Eliminate Room L-112 in Library Building

Requested by: Owner Requested Change
Reason: Owner requested scope change

DSA prelim approval date: N/A