SOLANO COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD AGENDA ITEM

TO: **Members of the Governing Board**

SUBJECT: **RESOLUTION TO APPROVE CHANGE ORDER #01 TO SOLANO COUNTY ROOFING FOR BUILDING 1000 RE-ROOFING PROJECT, RESOLUTION NO. 17/18-29**

REQUESTED ACTION:

☐Information   OR   ☒Approval
☐Consent   OR   ☒Non-Consent

SUMMARY:

Board approval is requested for Change Order No. 01 to Solano County Roofing for the Building 1000 Re-roofing Project in the amount of $17,189. Because this Change Order exceeds 10% of the value of the construction contract, it is required that the Board of Trustees pass a Resolution to approve the Change Order.

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STUDENT SUCCESS IMPACT:
☒Help our students achieve their educational, professional and personal goals
☐Basic skills education
☐Workforce development and training
☐Transfer-level education
☒Other: <u>Providing safe school facilities and classrooms</u>.

Ed. Code:	*Board Policy:*	*Estimated Fiscal Impact:*	***$17,189 State Scheduled Maint. Funds***

SUPERINTENDENT'S RECOMMENDATION:	☒ **APPROVAL** ☐ **DISAPPROVAL**
	☐ **NOT REQUIRED** ☐ **TABLE**

Myron Hord	
Interim Facilities Director	
PRESENTER'S NAME	
4000 Suisun Valley Road	
Fairfield, CA 94534	
ADDRESS	**Celia Esposito-Noy, Ed.D.**
	Superintendent-President
(707) 864-7209	
TELEPHONE NUMBER	
Robert V Diamond	
Vice President, Finance & Administration	May 4, 2018
VICE PRESIDENT APPROVAL	**DATE APPROVED BY SUPERINTENDENT-PRESIDENT**
May 4, 2018	
DATE SUBMITTED TO SUPERINTENDENT-PRESIDENT	

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SUMMARY:

CONTINUED FROM THE PREVIOUS PAGE

Due to the additional State Scheduled Maintenance Funds available, the Facility staff is requesting additional work be completed. This Change Order represents work requested by the District, including demolition and re-roofing an existing exterior canopy roof, located adjacent to Building 1000, that has deteriorated and exceeded its life expectancy. This Change Order also extends the contract completion date 56 days to be June 22, 2018 in order to complete this additional work.

This Resolution affirms that, based on project scope and schedule, it is more costly and time-consuming to bid this additional work to other contractors and it would not produce any advantage to the District.

Revised contract figures are as follows:

Contract Award Amount	$ 98,747.00
Prior Change Orders	$ 0.00
Change Order No. 01	$ 17,189.00
Revised Contract Amount	$ 115,936.00

This Change Order can be accomplished within the District's State Scheduled Maintenance Funding. The Board is asked to approve Resolution No. 17/18-29 Change Order #01 to Solano County Roofing in the amount of $17,189.

SOLANO COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD

RESOLUTION TO APPROVE CHANGE ORDER #01
TO SOLANO COUNTY ROOFING

RESOLUTION NO. 17/18-29

WHEREAS, Solano Community College District (the "District") previously competitively bid and awarded a contract for the Building 1000 Re-roofing Project (the "Project") to Solano County Roofing;

WHEREAS, subsequent to the award of the Project, it was determined that additional work was necessary as part of the Project (the "Change Order");

WHEREAS, the Change Order provides for the work set forth in Exhibit "A;"

WHEREAS, the total cost for the Change Order is $17,189 and exceeds the limitations set forth in Public Contracts Code Section 20659;

WHEREAS, it will be more costly and time-consuming to bid this additional work since it is integral to the Project and the work being performed by the Contractor;

WHEREAS, competitive bidding the additional work covered by the Change Order would result in the delay of the completion of the Project and result in coordination issues if another contractor is performing similar work at the Project site at the same time as Contactor;

WHEREAS, it would work an incongruity and not produce any advantage to the District to competitively bid the Change Order since such competitive bid work could result in multiple contractors being required to performed work more efficiently and effectively performed by one contractor;

WHEREAS, a change in contractors in the middle of the Project may cause an inability to enforce the warranty provisions of the Contract; and

WHEREAS, Los Angeles Dredging v. Long Beach (1930) 210 Cal. 348 holds that statutes requiring competitive bidding to not apply when competitive bidding would work an incongruity or not produce any advantage; and

WHEREAS, while pursuant to Public Contract Code section 20659, a community college district is required to competitively bid any change or alteration to a contract that has a value over 10% of the original contract price, California law provides that, "[w]here competitive proposals work an incongruity and are unavailing as affecting the final result or where they do not produce any advantage . . . the statute requiring competitive bidding does not apply." Hiller v. City of Los Angeles, (1961) 197 Cal.App.2d 685, 694; now therefore be it

SOLANO COMUNITY COLLEGE DISTRICT
GOVERNING BOARD

RESOLUTION TO APPROVE CHANGE ORDER #01
TO SOLANO COUNTY ROOFING

RESOLUTION NO. XX/XX-XX
(Continuing Page 2)

    RESOLVED that the Governing Board of the Solano Community College District makes the following findings:

1. That the above recitals are true and correct.

2. That it would work an incongruity and not produce any advantage to the District to bid the completion of the work set forth in the Change Order under the competitive process.

3. That the District approves the immediate completion of the work stated in the Change Order without competitively bidding such work and approves the District's payment in the amount set forth in the Recitals to the Contractor upon the terms and conditions set forth in the Change Order.

PASSED AND ADOPTED by the Governing Board of the Solano Community College District, on March 16, 2016.

_____

SARAH E. CHAPMAN, Ph.D.

BOARD PRESIDENT

_____

CELIA ESPOSITO-NOY, Ed.D.

SECRETARY

AYES:

NOES:

ABSENT:

ABSTAIN:

Solano Community College District
4000 Suisun Valley Road
Fairfield, CA 94534
Tel: 707-864-7189

Change Order #	1	DSA File No. :	48-C1
Project No.:	18-004	DSA Number:	02-116187
Date:	5/16/2018		

Project:	Building 1000 Re-Roofing Project	Architect:	MADI Architecture + Planning
	4000 Suisun Valley Road		333 First Street, Suite C
	Fairfield CA 94534		San Francisco, CA 94105
To:	Solano County Roofing		
	4349 Cordelia Road		
	Fairfield, CA 94534		

The Contract is Changed as Follows:

PCO #	Description	Amount	Days Added
N/A	Per District request, demolish and re-roof and existing exterior canopy roof, located adjacent to Building 1000, that has deteriorated and exceeded its life expectancy.	$ 17,189.00	56
	TOTAL COST OF CHANGE ORDER	**$ 17,189.00**	

Original Contract Sum:	$	98,747.00
Total change By Previous Change Orders:	$	-
Contract Sum Prior to This Change Order:	$	98,747.00
Original Contract Sum will be Increased by This Change Order:	$	17,189.00
The New Contract Sum Including This Change Order Will Be:	$	115,936.00

The Contract Completion Date is:	4/27/2018
Contract Time Will be Changed by This Change Order:	56 Days
The date of substantial completion as of the of this change order is:	6/22/2018

CONTRACTOR: _____   Date: _____

Jay Almstrom
Solano County Roofing

OWNER: _____   Date: _____

Lucky Lofton
Executive Bonds Manager
Solano Community College District