

FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

**Board of Trustees Agenda Item**

**Board Meeting Date:** December 6, 2010

**Title of Item:**

Extension of Agreement for Services with Salas O'Brien Engineers, Inc.,  
For Monitoring-Based Commissioning, Foothill College

**Background and Analysis:**

At their meeting of October 20, 2008, the Board of Trustees approved an agreement for services with Salas O'Brien Engineers, Inc., for monitoring-based commissioning (MBCx) of the Central Plant Building 7400, Foothill College. The term of the original agreement was July 29, 2008 through June 30, 2009.

At their meeting of November 2, 2009, the Board of Trustees approved an extension of that agreement through June 30, 2010. There was no change in the scope or amount of the agreement.

The Board of Trustees is requested to approve one additional extension of the agreement through June 30, 2011. There is no change in the scope or amount of the agreement. The funding source is General Fund 76.

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**Recommendation: Approval**

Charles Allen, Executive Director of Facilities, Operations and Construction Management recommends that the Board approve this revision to extend the term of the Agreement with Salas O'Brien Engineers, Inc.

Submitted by:	Charles Allen, Executive Director of Facilities, Operations & Construction Management
Additional contact names:	Frank Nunez, Director of Facilities
Is backup provided?	Yes

Foothill-DeAnza Community College District Change No. 2  
To Agreement/Purchase Order No. PH979727

CHANGE NO. 2 TO AGREEMENT FOR SERVICES

The Agreement is changed only as described herein. All other terms, conditions, and prices remain unchanged. This Change to the Agreement is entered this 27th day of September, 2010, by and between the District, a community college district of the State of California, hereinafter called "District" and SAULS O'BRIEN ENGINEERS, INC. hereinafter called "Contractor."

NOW, THEREFORE, IT IS HEREBY AGREED by the parties as follows:

1. Services to be performed by Contractor. In consideration of the payments hereinafter set forth, Contractor shall perform services for District in accordance with the terms, conditions and specifications set forth in the original Agreement and in the revised Exhibit "A" which is attached hereto and by this reference made a part hereof.
2. Payments. In consideration of the services rendered in accordance with all terms, conditions and specifications set forth herein and in revised Exhibit "A", District shall make payment to contractor in the manner specified in revised Exhibit "A".
3. Contract Term. This Agreement shall be in effect only as specified in the revised Exhibit "A". The District may terminate this contract at any time for any reason by providing 30 days notice to Contractor. Termination to be effective on the date specified in the notice. In the event of termination under this paragraph, Contractor shall be paid for all work provided to the date of termination.
4. Other changes. (Indicate "none" or describe applicable changes in detail)

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Revised EXHIBIT "A"

Contract between Foothill-DeAnza Community College District and  
SALAS O'BRIEN ENGINEERS, INC.  
hereinafter called "Contractor".

- I. Detailed description of the change in services to be performed or work product to be delivered to District by Contractor: (reference and attach additional pages, if necessary)

*EXTENDS TERM OF CONTRACT THROUGH 6/30/11,  
FOR ENGINEERING SERVICES FOR MBLX OF  
CENTRAL PLANT BLDG. 18400, FOOTHILL COLLEGE.  
REFERENCE CCC-101L #210702458*

- II. Amount and Method of Payment: (indicate the additional fee for increased scope of work or the deductive amount for decreased scope of work)

*NO CHANGE IN SCOPE OF WORK OR FEE FOR SERVICES.*

ORIGINAL AGREEMENT AMOUNTS 93,350.00  
PLUS OR MINUS AMOUNT OF ALL PREVIOUS CHANGE NO. \$ 0  
PLUS OR MINUS AMOUNT FOR THIS CHANGE NO. \$ 0  
NEW TOTAL AGREEMENT AMOUNTS 93,350.00

Foothill-DeAnza Community College District Change No. 2  
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In any event, the total payment for services of contractor shall not exceed \$ 93,350.00  
and District shall have the right to withhold payment if District determines that the quantity or  
quality of the work performed is unacceptable.

III. Term of the contract: The term of this contract shall commence on the date specified in the first  
paragraph of this contract, and shall continue until JUNE 30 20 11.

Carl  
Contractor Signature

9/27/10  
Date

SalasO Brien  
Contractor's Company Name

FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT  
By Charles Allen  
Title: \_\_\_\_\_

This contract is not valid until signed by both parties above.

\_\_\_\_\_  
Date Approved by Board of Trustees if the total cost including change exceeds \$20,000.