

**Board of Trustees Agenda Item****Board Meeting Date:** April 2, 2012**Title of Item:** Extension of Contract to Design and Install Measures to Reduce Power Usage at Foothill College**Background and Analysis:**

Monitoring-based commissioning (MBCx) of the Central Plant (Building 7400) at Foothill College has been done by Salas O'Brien Engineers, Inc. Phase I of this project determined the power usage and recommended measures to reduce the kilowatt hours used in this building.

Implementing changes to the energy reduction program has taken longer than anticipated and therefore it has become necessary to extend the contract date term to June 30, 2013. The board of Trustees is requested to extend the performance period for the previously approved scope of services to design and install the recommended MBXx measured to reduce the kilowatt-hours used in the Central Plant (Building 7400), Foothill College.

**Recommendation:** Charles Allen, Executive Director of Facilities, Operations and Construction Management recommends that the Board approve the extended performance period for the engineering services by Salas O'Brien Engineers, Inc.

Submitted by:	Charles Allen, Exec. Dir. of Facilities, Operations, and Construction Management
Additional contact names:	Frank Nunez, Director of Facilities
Is backup provided?	Yes

CHANGE NO. 1 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 15 day of March, 2012, by and between the District, a community college district of the State of California, hereinafter called "District" and Salas 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.

(check one box)

☒ No Change

☐ 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.

(check one box)

☒ No Change

☐ 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" which is attached hereto and by this reference made a part hereof.

3. Contract Term.

(check one box)

☐ No Change

☒ This Agreement shall be in effect only as specified in the revised Exhibit "A" which is attached hereto and by this reference made a part hereof. 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.

(check one box)

☒ No Change

☐ Describe applicable changes in detail:

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.)

Implementing changes to the energy reduction program at the Foothill Campus has taken longer than anticipated and therefore it has become necessary to extend the contract date term to June 30, 2013.

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

ORIGINAL AGREEMENT AMOUNT \$ 44,820.00  
PLUS OR MINUS AMOUNT OF ALL PREVIOUS CHANGES \$ 0.00  
PLUS OR MINUS AMOUNT FOR THIS CHANGE \$ 0.00  
NEW TOTAL AGREEMENT AMOUNT \$ 44,820.00

Foothill-DeAnza Community College District Change No. 1  
To Agreement/Purchase Order No. HH111235

In any event, the total payment for services of contractor shall not exceed \$ 44820  
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 the contract shall commence on the date specified in the first  
paragraph of the contract, and shall continue until June 30 2013.

\_\_\_\_\_  
Authorized Contractor Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Contractor's Company Name

FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

By \_\_\_\_\_

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 \$20,000.00