

## **Board of Trustees Agenda Item**

**Board Meeting Date:**     October 1, 2012

**Title of Item:**     Measure E Consent

### **Background and Analysis:**

The aggregate of these items is: \$2,944.

### **De Anza College –**

- A) Ashron Construction and Restoration, Inc. – Change Order #2 – Stelling Parking Renovation - \$2,944
- B) Smith, Fause, & McDonald Inc. – Revision #2 to Agreement – Campus-wide Coax Replacement - \$0

**Recommendation:** Executive Director of Facilities, Operations, and Construction Management Charles Allen; Director, Bond Program Management, De Anza College, Tom Armstrong; and Bond Program Management, Foothill College, Art Heinrich, recommend that Measure C consent item(s) be ratified/approved by the Board of Trustees

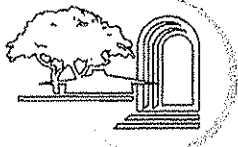
Submitted by:	Charles Allen, Executive Director, Facilities, Operations, & Construction Management
Additional contact names:	Tom Armstrong, Director, Bond Program Management, De Anza College, and Art Heinrich, Director, Bond Program Management, Foothill College
Is backup provided?	Yes

Title: Change Order #2 (PCCO 02)  
Vendor: Ashron Construction and Restoration, Inc.  
Agreement Date: July 10, 2012  
Campus: De Anza College  
Project Number: 284  
Project Name: STELLING PARKING RENOVATION  
Amount: \$2,944  
For: Added cost is for fixing the upper level crash wall stucco due to damage caused by the public, and added cost for additional striping on all levels to clearly indicate stalls that were coated over and added stop signage.

All changes to date are equal to 7.7% of the original construction contract.  
Funding for this change is available within the project budget.

Action Requested: Ratification

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**FOOTHILL-DE ANZA**  
**Community College District**

## Prime Contract Change Order

284 – Stelling Parking Renovation  
De Anza College  
21250 Stevens Creek Blvd.  
Cupertino, CA 95014

Project #284

Date: 9/13/12  
To Contractor:  
Ashron Construction and Restoration, Inc.  
1109 N. Fair Oaks Ave.  
Sunnyvale, CA 94089

Contract Date: July 10, 2012  
Contract Number:  
Change Order Number: 02

The Contract is hereby revised by the following items:  
Change Order #2 – October 2012 BOT

PCO	Description	Amount
003	Crash Wall Fix	\$1493.00
004	Additional Striping	\$1481.00

The original Contract Value was.....	\$355,000
Sum of changes by prior Prime Contract Change Orders	\$24,240
The Contract Value prior to the Prime Contract Change Order was	\$379,240
The Contract Value will be changed by this Prime Contract Change Order in the amount of	\$2,944
The new Contract Value including this Prime Contract Change Order will be	\$382,184
The Contract duration will be changed by	0
The revised Substantial Completion date as of this Prime Contract Change Order is	9/14/2012

The Contract documents are hereby amended to include the additional work described above. The contractor will furnish all labor, material and supervision to complete the work above. The contractor agrees to release the Owner from all additional costs, cost overruns, delay damages, whether known or unknown that arise out of this change order.

Simpson Gumpertz & Heger  
ARCHITECT  
The Landmark @ One Market  
Suite 600  
San Francisco, CA 94105  
Address  
By: Jonathan Stafford  
Signature: [Signature]  
Date: 9/13/12

Ashron Construction and  
Restoration, Inc.  
CONTRACTOR  
1109 N. Fair Oaks Ave.  
Sunnyvale, CA 94089  
Address  
By: Rick Bauer  
Signature: [Signature]  
Date: 9/13/12

Foothill-De Anza Community College District  
OWNER  
12345 El Monte Road  
Los Altos Hills, CA 94022  
Address  
By: Charles Allen  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

**B**

Title: Standard Form Agreement Revision #2  
Vendor: Smith, Fause, & McDonald Inc.  
Agreement Date: March 7, 2011  
Campus: De Anza College  
Project Number: #282  
Project Name: Campus wide Coax Replacement  
Amount: \$0.00  
For: A no-cost Project Schedule extension due to extended program management design and scheduling.

Action Requested: Ratification

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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 14th day of August, 2012, by and between the District, a community college district of the State of California, hereinafter called "District" and Smith, Fause, & McDonald 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:

Replacing and revising terms for Agreement for Services Revision #1.

Revised EXHIBIT "A"

Contract between Foothill-DeAnza Community College District and  
Smith, Fause, & McDonald 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.)

1. This Revision No. 2 extends the contract term until December 30, 2013 due a change in the project delivery and schedule.
2. This Revision No. 2 replaces Revision No. 1 due to the use of incorrect form for Revision No. 1.

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.

ORIGINAL AGREEMENT AMOUNT \$46,446.00  
PLUS OR MINUS AMOUNT OF ALL PREVIOUS CHANGES \$0.00  
PLUS OR MINUS AMOUNT FOR THIS CHANGE \$0.00  
NEW TOTAL AGREEMENT AMOUNT \$46,446.00

In any event, the total payment for services of contractor shall not exceed \$46,446.00  
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 the contract shall commence on the date specified in the first  
paragraph of the contract, and shall continue until December 30 2013.

[Signature]  
Authorized Contractor Signature

August 23, 2012  
Date

Print name ARYANNA McDONALD

Smith, Fouse & McDonald, Inc.  
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