“This contract approval request was reviewed and approved by the Chancellor and Vice Chancellor in the month of July 2003, as authorized by Resolution 000622-S6, and is presented to the Board Trustees for ratification, but was inadvertently not included on the August Board Agenda. Per Section 20654 of the Public Contracts Code this resolution requires unanimous approval for ratification.”

DATE: September 25, 2003

TO: Board of Trustees

FROM: Dr. Philip R. Day, Jr., Chancellor

SUBJECT: CAPITAL OUTLAY

Authorization for one (1) Contract Modification totaling ($64,600) for a Construction Contract (Resolution No. 030925-B7)

BACKGROUND INFORMATION:

<table>
<thead>
<tr>
<th>ORIGINAL RESOLUTION NUMBER</th>
<th>GRANTOR/ CONTRACTOR</th>
<th>ORIGINAL CONTRACT AMOUNT</th>
<th>PREVIOUS CONTRACT MODIFICATION(s) AMOUNT</th>
<th>CM #</th>
<th>REQUESTED CONTRACT MODIFICATION AMOUNT</th>
<th>NEW CONTRACT AMOUNT</th>
<th>DESCRIPTION OF MODIFICATION</th>
<th>PROJECT BUDGET</th>
<th>TOTAL PROJECT FUNDS COMMITTED WITH THIS ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>A 021121-B7 Creative and Visual Arts Buildings, Hazardous Material Removal</td>
<td>Sterling Environmental, Inc.</td>
<td>$58,800</td>
<td>None</td>
<td>01</td>
<td>$64,600</td>
<td>$123,400</td>
<td>SEE BELOW.</td>
<td>$1,985,512</td>
<td>$1,605,554</td>
</tr>
</tbody>
</table>

DESCRIPTION OF MODIFICATION:

Renovation of the Visual Arts building was scheduled to be done between June and August 2003. Due to contract negotiation issues the work did not begin until July 2003. It was not until the general contractor was ready to begin the renovations that the Facilities Planning and Construction Office (FPCO) discovered that hazardous materials removal work was not included in the bid set of construction documents. To maximize the amount of construction work that could be completed before classes started in August and thereby reduce disruption to students and faculty, the FPCO added to the scope of Sterling Environmental (a firm already under contract after a competitive process) for hazardous materials removal
from the Creative Arts building. This error of omission was not picked up earlier in the process by the project manager for the Creative Arts Building Jim Blomquist, because the consultant incorrectly presumed that Sterling Environmental already had a contract for work on the Visual Arts Building.

To prevent this type of occurrence in the future the FPCO has changed its procedures and will now require design teams to include hazardous materials removal in the construction bid packages they prepare for the College.

RECOMMENDATION:
RESOLVED: That the Board authorizes the specified modification to the resolution as indicated in the table, and

FURTHER BE IT RESOLVED: That the Chancellor, Vice Chancellor of Finance and Administration and/or their designee are hereby authorized to execute any and all documents on behalf of the District to effectuate this resolution.