

RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT

BOARD FACILITIES COMMITTEE MEETING

2323 North Broadway, Room #103

Santa Ana, California

ADDENDUM TO AGENDA

Thursday, March 10, 2011

➤ **Add:**

2.0 REVIEW OF FACILITIES ITEMS

2.10 Approval of Division of State Architect (DSA) Inspection Services - Humanities Building, Athletic/Aquatic Center, Santiago Canyon Road Entry and Parking Lot, Chapman Avenue Entry and Learning Resource Center (LRC) Parking and Loop Road Extension Projects at Santiago Canyon College

The administration recommends approval of the contract with TYR-IOR Services to provide DSA mandated inspection services for the five above-mentioned projects at SCC and authorization be given to the Vice Chancellor, Business Operations/Fiscal Services to sign the contract between TYR-IOR Services and RSCCD which has been approved by district's legal counsel as presented.

**RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT
BUSINESS OPERATIONS/FISCAL SERVICES**

To:	Board of Trustees	Date: March 14, 2011
Re:	Approval of Division of State Architect (DSA) Inspection Services - Humanities Building, Athletic/Aquatic Center, Santiago Canyon Road Entry and Parking Lot, Chapman Avenue Entry and Learning Resource Center (LRC) Parking and Loop Road Extension Projects at Santiago Canyon College	
Action:	Request for Approval	

BACKGROUND:

On February 28, 2011, Universal Labs, the Division of State Architect (DSA) Inspector of Record for all five (5) projects at Santiago Canyon College, advised the District that they were terminating their services immediately. Since DSA requires continuous inspection of their projects, this action essentially brought construction to a close. It required the District to immediately initiate a process to evaluate and hire a new DSA certified inspection team.

ANALYSIS:

On March 2, 2011, the District issued a Request for Qualifications (RFQ) for certified inspection firms with a deadline of March 7, 2011. The RFQ was sent to eight (8) firms that had been recommended by construction managers, architects, legal counsel and professionals from other districts.

Five (5) firms responded to the RFQ and four (4) firms were interviewed on March 9, 2011. As a result of the interview process, responses to the RFQ and a due diligence process, it is recommended that the District enter into a contract with TYR-IOR Services to provide DSA mandated inspection service for all five (5) projects at Santiago Canyon College.

TYR-IOR Services shall provide inspection services at the hourly rates noted in the attached fee schedule. The fee schedule is fixed for the entire project duration.

The two (2) Class I inspectors proposed by TYR-IOR Services, as well as the firm itself, were subjected to a due diligence process that included reference checks and review by the District's legal counsel, our construction management firm, DSA and professionals in the field. All references were positive.

RECOMMENDATION:

It is recommended that the Board of Trustees approve the contract with TYR-IOR Services to provide DSA mandated inspection services for all five (5) projects at Santiago Canyon College and authorize the Vice Chancellor, Business Operations/Fiscal Services to sign the contract between TYR-IOR Services and the District which has been approved by District's legal counsel as presented.

Fiscal Impact:	\$550,000.00 Based on hourly fees schedule (approx. total)	Board Date: March 14, 2011
Prepared by:	Darryl A. Odum, Director, District Construction and Support Services	
Submitted by:	Peter J. Hardash, Vice Chancellor, Business Operations/Fiscal Services	
Recommended by:	Dr. Raúl Rodriguez, Chancellor	



I.O.R. Services
 DSA & OSHPD Inspection

RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT REGULAR HOURLY RATE QUOTATION

Project Inspector	Classification	Fully Burdened Hourly Rates
Youssef Sobhi Leonard Cloer Robert Patten	DSA Class 1	\$77.00
Robert Harte Austen Pell Syrus Avanesyan	DSA Class 2	\$67.00
Ashraf Samak Sammy Joseph	DSA Class 3	\$63.00

The above hourly rates are for both, with and without \$500,000. Professional Liability Insurance coverage. TYR, Inc. carries a \$1 million Professional Liability policy, in addition to \$1 million Auto Commercial Insurance, see attachment.

TERM AND GENERAL CONDITIONS

Terms of Payment

Fees charged are for professional and technical service and are due on presentation. If not paid within 30 days from date of invoice, they are considered past due and a finance charge of 1 1/2% per month will be added to the unpaid balance (APR 18%)

All invoice errors or necessary corrections shall be brought to the attention of the company within fifteen (15) days of receipt of invoice thereafter, customer acknowledges invoices are correct and valid. TYR IOR Services reserves the right to terminate its service to a customer without notice if all invoices are not current. Upon such termination of services, the entire amount accrued for all services performed shall immediately become due and payable. Customer waives any and all claims against TYR IOR Service, its subsidiaries, affiliates, servants and agent for termination of work on account of these terms.

In the event of any litigation arising from or related to any agreement to provide service whether verbal or written, the prevailing party shall be entitled to recover from the non-prevailing party all reasonable costs, incurred, including staff time, court costs, attorney's fees and all other related expenses in such litigation. Additionally, in the event of a non-adjudicative settlement of litigation between the parties or a resolution of dispute by arbitration, the same process shall determine the term "prevailing party".

An annual cost of living increase of 4% will be applied beginning March 2012.

REGULAR TIME:

First eight (8) hours, Monday through Friday, between the hours of 5:00 a.m. & 5:00 p.m.

OVERTIME:

Any work exceeds 8 hours in on full day, Saturday, Sunday and any national recognized holiday will be **billed as regular time.**

Hourly rate is based on onsite inspection only. No minimum charge will apply and there are no other Reimbursable Expense fees.

"IOR ON DEMAND"