MEMORANDUM

TO:       Board of Trustees
FROM:    Dr. Douglas Treadway
DATE:    May 7, 2008
SUBJECT:    Ratification of Change Order to Top Grade Construction
            Contract No. 243-0206-001

On June 14, 2006, the Board approved a contract with Top Grade Construction for Geo-Thermal Coils in the amount of $2,429,400.00 at the Ohlone College Newark Center for Health, Sciences, and Technology. During the normal course of construction, it is periodically necessary to make changes to the scope of work and amend the contract to respond to conditions at the site or to the changing market. Previous change orders approved by the Board total $14,962.00.

To meet these needs, to comply with legal requirements, and to ensure timely payment to contractors, it is recommended that the following changes to the existing contract be ratified:

<table>
<thead>
<tr>
<th>CO #</th>
<th>SCOPE OF CHANGE</th>
<th>CHANGE AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Repair Geothermal leaks</td>
<td>$26,580.00</td>
</tr>
<tr>
<td>3</td>
<td>Back charge for geothermal vault deficiencies</td>
<td>-$7,259.00</td>
</tr>
</tbody>
</table>

Total of Changes $19,321.00
New Contract Total $2,463,683.00

RECOMMENDATION

The President/Superintendent recommends ratification of Change Orders 2-3 as listed above in the amount of $19,321.00 to Contract No. 243-0206-001 with Top Grade Construction.