



BOARD OF TRUSTEES  
OF THE  
PERALTA COMMUNITY COLLEGE DISTRICT  
MINUTES  
APRIL 26, 2011

Tonight's Meeting is being held  
at the College of Alameda,  
F Building Student Center,  
5 Ralph Appezato Memorial Parkway,  
Alameda, 94501

This meeting will not be televised, but will be recorded  
for future broadcast on Peralta TV and Granicus.

\*\* Please note: Live stream of the meetings, agendas, minutes, and meeting materials are  
available on Granicus at: [http://peraltaccd.granicus.com/ViewPublisher.php?view\\_id=2](http://peraltaccd.granicus.com/ViewPublisher.php?view_id=2)

**PERALTA COMMUNITY COLLEGE DISTRICT**

A Closed Session is scheduled at 5:00 P.M., April 26, 2011, College of Alameda, Library  
Conference Room L-237.

Topics to be discussed include:

Conference with Labor Negotiator Largent, Peralta Federation of Teachers, Local 39, and  
SEIU 1021 (Government Code § 54957.6)

Conference with Legal Counsel, Multiple Cases: (Government Code § 54956.9)

\* Conference with Legal Counsel (54956.9(a)), Johnson v. PCCD, U.S. District Court,  
Northern District of CA Case No. C08-4152

\* Conference with Legal Counsel (54956.9(a)), Payne v. PCCD, United States District Court,  
Case No. C08-03133.

\* Conference with Legal Counsel (54956.9(a)), Flippin v. PCCD, Alameda County Small  
Claims Court Case No. BS10542521.

\* Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (6 cases).  
Public Employee Appointment Employment, Performance, Evaluation, Discipline,  
Dismissal, Release All Employees (Government Code § 54957 and BP 3.62 Temporary  
Assignments - Interim and Acting definitions).

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE 7:00 P.M.**

**ROLL CALL Trustees González Yuen Pr Ab Gulassa Pr Ab Handy Pr Ab Hodge Pr  
Ab Guillén Riley Pr Ab Withrow Pr Ab and Riley Pr Ab , Student Trustees Storm Pr  
Ab and Brumfield Pr Ab . 7:00 P.M. The Regular Meeting of the Board of Trustees will  
commence at 5:00 P.M. at College of Alameda, Library Conference Room L-237, at which  
time the Board Roll Call will be taken. Immediately following the Board Roll Call at 5:00  
P.M., the Board will enter Closed Session. The Regular Meeting in Open Session will**

convene at 7:00 P.M. at College of Alameda, F Building Student Center. The first item of business upon convening in open session after the Pledge of Allegiance will be to report on Closed Session actions, if any, or to announce that Closed Session is in recess. Listed agenda times are estimates.

Present: Trustee Bill Riley, Trustee Abel Guillén, Trustee Linda Handy, Trustee Cy Gulassa, Trustee Nicky González Yuen, Student Trustee Jurena Storm, and Student Trustee Esteem Brumfield.

Absent: Trustee Bill Withrow, and Trustee Marcie Hodge.

**REPORT OF CLOSED SESSION ACTIONS 7:01 P.M.**

None.

**APPROVAL OF THE AGENDA 7:02 P.M. (Please state the agenda item number and identify the issue.)**

MOTION: Motion by Trustee Abel Guillén, second by Trustee Cy Gulassa to approve the agenda.

- AYES: Trustee Bill Riley, Trustee Abel Guillén, Trustee Linda Handy, Trustee Cy Gulassa, and Trustee Nicky González Yuen.
- NOES: None
- ABSTAIN: None
- ABSENT: Trustee Bill Withrow, and Trustee Marcie Hodge.

**MINUTES 7:03 P.M.**

MOTION: Motion by Trustee Abel Guillén, second by Trustee Cy Gulassa to approve the minutes.

- AYES: Trustee Bill Riley, Trustee Abel Guillén, Trustee Linda Handy, Trustee Cy Gulassa, and Trustee Nicky González Yuen.
- NOES: None
- ABSTAIN: None
- ABSENT: Trustee Bill Withrow, and Trustee Marcie Hodge.

1. Consider Minutes of the Board Meeting of April 12, 2011. Copies of the minutes of the Board of Trustees' Meetings are posted on Granicus. Please submit all minute corrections to the Board Clerk. As a matter of policy (Board Policy 1.10), no action shall be taken on any item not identified as an "action item."

Background Material

**ASSOCIATED STUDENT GOVERNMENT REPRESENTATIVES REPORT 7:04 P.M. At this time in the meeting, representatives of the associated student governments will be afforded an opportunity to address the Board. (Please provide your name and position, and line-up to speak.)**

Speaker Marlen, Merritt College, shared that the students had a restful Spring break, and that health awareness month occurred, Speaker Washburn, COA, welcomed the Board and staff to COA and the student building. She announced that a One Stop job fair for students occurred, the Hands

Across CA fundraiser, with Student Storm leading the efforts, and a new cafeteria was established using student workers. Student elections are approaching, as well as a Cinco de Mayo celebration and a car show. Speaker Williams, Laney College, announced a film documentary on Laney students, and a "Laney week" of anniversary events.

**COMMUNICATIONS FROM MEMBERS OF THE PUBLIC 7:10 P.M. (Please line-up to speak when your name is called.) This portion of the agenda provides an opportunity for members of the public to address the Board on matters not included on this agenda. A maximum of 15 minutes (3 minutes per individual maximum) will be provided for speakers under this agenda item. Requests to speak which cannot be honored within the time limit will be scheduled for subsequent meetings in the order received. Under the Brown Act, Trustees and District staff are not allowed to discuss and/or take formal action at today's meeting on items brought before them under this item. Trustees and District staff are only allowed to respond briefly. Persons submitting cards to address an item included on the agenda will be called upon at the time the agenda item is considered by the Board, and comments on tangential issues not directly related to the item may be ruled out of order. Cards must be received prior to the Board's consideration of the item and are honored in the order the cards are received by the recording secretary. Written statements can be submitted to the Board Clerk for inclusion in the Board minutes.**

Speaker Thayar asked the Board to rescind the layoffs. She feels that classified staff are the backbone of the institution, that the layoffs are not equal between the represented groups, and she asked for equal treatment in the offered retirement program. Speaker Reed, Classified senate President, shared that staff are already extremely thin. He hears that more cuts may occur in the future, and he asked for a staffing calculation on a college-by-college basis. He feels that the colleges are barely keeping things going as it is now, and that everyone is working as hard as they can for the benefit of our students. Speaker Angela gave her time to Mr. James. Speaker Curia feels the Board should be ashamed for cutting classes and classified staff. He feels that administrators should cut their pay by 50%. He feels the Board doesn't know how valuable the students are. He shared that the campuses would be filthy without classified staff, and that everyone should stand up against corporations who make the working class peasants. Workers pay the same price for goods and services, and he feels that the middle class is being eliminated. Speaker Ross shared that Friday 1-4 pm in a General Assembly rally. He feels that administrators' salaries should be cut to pay for classified staff teaching. Speaker Castillo knows that difficult cuts need to be made. She asked that the Board receive further information about the specific jobs that will be cut and how it will affect the students and those supportive services provided. Speaker Watson-Hajeem, COA parent childcare group, shared that the group is passionate about their center and the importance of the center staying open. Last year the Board visited the center. They have offered to help with staffing and help with grants and fundraisers. They have an award winning staff, with a large waiting list and it is an important program for the community. Speaker Blake, Laney College, has found it difficult to tap into the shared governance process. He hasn't seen any of the suggested ideas implemented, and doesn't feel that the bottom-line workers are being heard who know the most about the college and students, and he feels that the best solutions will be found there. He is frustrated to come into this arena, and he feels there is a lack of accountability and respect. He feels that the main objective should be educating students, but he feels that administrators are more focused on savings their own jobs. He feels that cuts are one sided which forces people to action, and he wants for us all to work together by disclosing all of the available data. He feels that consultants eat away at our resources.

**IDENTIFICATION OF ITEMS TO BE REMOVED FROM THE CONSENT CALENDAR FOR DEBATE 7:25 P.M. (Please state the agenda item number and identify the issue.)**

None.

**IDENTIFICATION OF ITEMS TO REMAIN ON THE CONSENT CALENDAR AND PULLED FOR DISCUSSION 7:27 P.M. (Please state the agenda item number and identify the issue.)**

Item 20.

**IDENTIFICATION OF ITEMS WITH PUBLIC SPEAKERS 7:29 P.M.**

None.

**PRESENTATIONS 7:30 P.M.**

Trustee Guillén asked about accelerating learning clusters to assist students through basic skills. This will be adopted in various ways in the future. Chabot has a short, intensive program for their students.

2. Presentation on the College of Alameda Presenter: President Jackson and COA Staff (30 minutes)
3. Presentation on COA Buildings C & D Design Build Status Presenters: Steinberg and Associates (15 minutes)

**ACTION ITEMS 8:15 P.M. INFORMATIONAL ITEMS AND WRITTEN REPORTS**

**CHANCELLOR**

4. Chancellor's Report Presenter: Chancellor Allen Vice Chancellors' Reports State Budget Update Presenter: Vice Chancellor Gerhard Enrollment Update Presenter: Vice Chancellor Budd EasyPass, Financial Aid, Student Health Fee, and Health Services Initiative Update Presenter: Vice Chancellor Ng General Services' Update Presenter: Vice Chancellor Ikharo

[Financial Aid update](#)

[Measure A Bus Tour](#)

**College Reports**

**Merritt College Presenter: President Adams**

[Merritt College President Report](#)

**Laney College Presenter: President Webb**

**College of Alameda Presenter: President Jackson**

**Berkeley City College Presenter: President Inclan**

**COMMENTS FROM THE BOARD OF TRUSTEES**

Trustee González Yuen announced the Sustainable Peralta teach-in day, and the culinary arts cook-off. He read a statement about the Bay Area News Group article related to part-time public employee benefits, which is attached to the minutes. Student Trustee Storm thanked staff and faculty for coming together on behalf of the students. A town hall meeting was held on April 14th with the administration to hear student concerns and feedback. The Hands-across-CA event was successful, and administrators arrived on the weekend to open the facilities for to the students. Many photos are posted on Flickr and Facebook. She reminded the audience that it's our first job to educate students, and that we can only do the best that we can after that.

[Trustee González Yuen comments](#)

**[DAS PRESIDENT REPORT Presenter: DAS President van Putten](#)**

[DAS President Report](#)

**[CONSENT CALENDAR \(FOR ACTION\) 8:45 P.M. All action items are to be considered to be a part of a consent calendar. Trustees are given the opportunity to pull specific items off of the consent calendar for discussion and action. All items that have not been pulled by a Trustee will be considered in a block for comments by the public and action by the Board. All Board approved contracts are subject to final negotiation and execution by the Chancellor. Items pulled for Debate by the Trustees will be addressed later in the meeting, at approximately 8:45 p.m. Meeting times are estimates.](#)**

MOTION: Motion by Trustee Abel Guillén, second by Trustee Nicky González Yuen to approve the consent calendar, including agenda items 5 through 28.

- AYES: Trustee Bill Riley, Trustee Abel Guillén, Trustee Linda Handy, Trustee Cy Gulassa, and Trustee Nicky González Yuen.
- NOES: None
- ABSTAIN: None
- ABSENT: Trustee Bill Withrow, and Trustee Marcie Hodge.

[Executed resolutions](#)

**BOARD POLICY and RESOLUTIONS**

- 5. Consider Approval of Resolution 10/11-71, Excusing Trustee Absence Presenter: Trustee Riley It is recommended that Trustees approve Resolution 10/11-71, excusing Trustee Handy from the March 29, 2011 Board meeting due to her absence on District business. The Chancellor recommends approval.

[Background Material](#)

- 6. Consider Approval of Resolution 10/11-72, Excusing Trustee Absence Presenter: Trustee Riley It is recommended that Trustees approve Resolution 10/11-72, excusing Trustee Hodge from the March 29, 2011 Board meeting due to illness. The Chancellor recommends approval.

[Background Material](#)

- 7. Consider Approval of Resolution 10/11-73, Excusing Trustee Absence Presenter:

Trustee Riley It is recommended that Trustees approve Resolution 10/11-73, excusing Trustee Guillén from the March 29, 2011 Board meeting due to illness. The Chancellor recommends approval.

[Background Material](#)

**FINANCIAL SERVICES**

8. Consider Approval of Budget Transfer Report Presenter: Vice Chancellor Gerhard Consider approval of budget transfer report. Budget transfers shall be made in accordance with California Code of Regulations Section 58307. The Chancellor recommends approval.

[Background Material](#)

9. Consider Approval of the California Community Colleges Chancellor's Office, Quarterly Financial Status Report, CCFS 311Q Presenter: Vice Chancellor Gerhard Consider Approval of the California Community Colleges Chancellor's Office, Quarterly Financial Status Report, CCFS-311Q. Quarter Ended: (Q3) March 31, 2011. The Chancellor recommends approval.

[Background Material](#)

10. Consider Ratification of Purchase Order Report Presenter: Vice Chancellor Gerhard Consider ratification of purchase order report. This item is for informational purposes only. This report is being presented for review in accordance with Education Code section 81656 which states, "All transactions entered into by the District shall be reviewed by the governing board every 60 days". All Purchase Orders listed have been issued in accordance with the District's policies and procedures by an authorized officer of the District and have been budgeted. The Chancellor recommends ratification.

[Background Material](#)

11. Consider Ratification of the AP, Travel, and Consulting Contract Warrant Register Presenter: Vice Chancellor Gerhard Consider ratification of the AP, Travel, and Consulting Contract Warrant Register. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for ratification purposes only. The Chancellor recommends ratification.

[Background Material](#)

**EDUCATIONAL SERVICES**

12. Consider Approval of a Contract Amendment with Wisdom InfoTech Presenter: Vice Chancellor Budd Consider approval of a contract amendment with Wisdom InfoTech to provide consultant services to the District's Business Intelligence (BI) Project, pending the hiring of a permanent I.T. Applications Software Analyst, currently in progress. Funding Source: No new dollars are needed to finish this project. The amount shall not exceed \$40,000 from redirected Measure "A" funds, and \$20,000 from redirected General Funds. The Measure A expenditures are being redirected from funds approved by the Board on January 27, 2009 for the CIBER Project. An additional \$20,000 will be redirected from the General Fund. Thus, the total amount approved shall not exceed \$145,000 for services through June 30, 2011, to complete all work needed on the Business Intelligence (BI) Tool. The scope of work remains the same. Any contract approval is subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

13. Consider Approval of a Contract with the Alameda County WIB for Laney College for Medical Device Technology Displaced Workers' Contract Training Services Presenter: Vice Chancellor Budd Consider approval of a contract with the Alameda County Workforce Investment Board (WIB) for Laney College for medical device technology displaced workers' customized, contract training services, not to exceed \$125,000. Funding Source: No Fiscal Impact on the District - Workforce Investment Act (WIA). Laney College will provide customized training in electrical theory and electronics, SolidWorks with rapid prototyping, medical device engineering technology, computer literacy, and pre-employment training. Internships in industry, structured through Cooperative Education, will also be provided. The study program duration is from May 1, 2011 through December 31, 2011. Laney College will partner with the U.C. Berkeley Department of Bioengineering to provide access for students to advanced equipment, including molecular analytics and nanotechnology. Any contract approval is subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

14. Consider Approval of Independent Contractor Agreement Extension for Larry Chang for Laney College's National Science Foundation Project "Educating Technicians for Building Automation and Sustainability" Presenter: Vice Chancellor Budd Consider approval of an independent contractor agreement extension for Larry Chang in the amount not to exceed \$20,000 for specialized program and educational support services for Laney's National Science Foundation Project "Educating Technicians for Building Automation and Sustainability. Funding Source: No Fiscal Impact on the District - National Science Foundation, NSF Advanced Technology Education, categorical funds. The prior contract amount was \$24,980. Increasing the contract amount by \$20,000 brings the total contract amount for the fiscal year to \$44,980. Any contract approval is subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

15. Consider MOU Approval between Peralta Community College District and Las Positas Community College Presenter: Vice Chancellor Budd Consider MOU approval between Peralta Community College District (College of Alameda) and Las Positas College in the amount not to exceed \$28,000. Funding Source: No Fiscal Impact on the District - Chancellor's Office, California Community Colleges, Economic and Workforce Development Program. In order to support the goals and objective of the Direct Support Workers Career Ladder Training and Employment Project, Economic and Workforce Development Program, Job Development Incentive Fund Grant, 10-336, Las Positas will act as the primary training provider for two cohorts of incumbent workers in supervisor skills upgrade training, participate in ongoing activities of the project steering committee and the community advisory board to ensure consistent achievement of grant objectives, and work with the Career Ladders Project, Consumer Directed Services Network, and other project partners to develop a career ladder and training map for the developmental disabilities sector. Any contract approval is subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

16. Consider Approval of Course and Program Additions, Deactivations and Changes  
Presenter: Vice Chancellor Budd Included for approval are proposed curriculum actions as recommended by the Council for Instruction, Planning and Development (CIPD). The packet entitled "Curriculum and Instruction Recommendations - April 2011" contains course and program additions, changes and deactivations as approved by the colleges' curriculum committees and CIPD. The Chancellor recommends approval.

[Background Material](#)

17. Consider Approval of Independent Contractor Agreement for Full Capacity Marketing, Inc. to the California Community Colleges State Chancellor's Office, Economic Workforce Development Data Collections Grant  
Presenter: Vice Chancellor Ng Consider approval of independent contractor agreement for Full Capacity Marketing, Inc. for consulting services to the California Community Colleges State Chancellor's Office, Economic Workforce Development Data Collections Grant in the amount of \$25,385.40. Funding Source: No Fiscal Impact on the District - California Community Colleges State Chancellor's Office. This will bring the total contract amount to \$50,385.40 for this fiscal year. The Board had previously approved up to \$200,000 in grant funds on February 24, 2009 for the program. Any contract approval is subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

**PERSONNEL**

18. Item Removed from the Agenda.
19. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified Short-Term Employees on an Emergency Basis  
Presenter: Vice Chancellor Largent Pursuant to AB500, attached is a report that contains the name, classification, and date of hire, assignment end date, hourly rate, classification, position title, location, background and experience department, and fund source of candidates recommended for short-term assignments in non-academic classified positions. Below are the names, and classifications of these candidates. Each candidate's assignment will not exceed the category in which hired. The Chancellor recommends approval. Last Name First Name Date of Hire End Date Position  
Title Site Gowan Ann 4/27/11 6/30/11 Senior Library Technician B

**FACILITIES**

20. Consider Naming the Laney Theater the Odell Johnson Performing Art Center  
Presenters: Vice Chancellor Ikhara and President Webb In appreciation and recognition of President Emeritus Odell Johnson's contributions to Laney College and the Peralta Community College District, Board of Trustees' approval is requested to name the Laney Theater the "Odell Johnson Performing Art Center" in his honor. The Laney College community made this decision through a vigorous participatory governance process that included a unanimously approved Faculty Senate resolution that was supported by the College Council and approved by the College President. In accordance with Board Policy 6.87, Board approval of this action is required. Funding Source: Laney Discretionary Funds. President Emeritus Johnson led Laney College successfully for eighteen years. As President, he guided the efforts of a team of architects to redesign the Laney Theater and was central to the construction of the Laney Art Center. He has serviced on the National Endowment for the Arts & Humanities Commission, the Purple Silk Foundation Board in support of the Chinese

Orchestra at Laney, and helped establish the Odell Johnson Endowed Fund in the Arts through the Peralta Community College Foundation. He continues to support Peralta as a member of the Measure A Oversight Committee. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

President Webb thanked the Laney College faculty leaders who voted to name the facility in honor of Past College President Odelle Johnson, who led the college for 18 years with distinction, focusing on academic excellence. He was also passionate about the arts and improving the beauty of the campus, such as with the art center. He was an activist in the community and holds many other positions of honor, and is still very involved on the Measure A oversight committee.

21. Consider Approval of Resolution 10/11-74, Accept Bid and Award Contract, PCCD Smart Classroom Security Implementation Project (Bid No. 10-11/27), Convergent Technologies Presenter: Vice Chancellor Ikharo Approval is requested to accept the bid and award a contract to Convergent Technologies, in the amount of \$334,228.00, for the PCCD Smart Classroom Security Implementation Project (Bid No. 10-11/27). Funding Source: Bond Measure E. This project will provide access security to each smart classroom District-wide through electronic keying of each main entry door, thereby enabling a record of opening and closing (daily locking and unlocking) of these renovated classrooms with expensive audio-visual equipment content. Under this contract provision, furnishing, configuring, programming and installation of these access wireless locks, gateways and associated devices in each of the 130 smart classrooms at all four colleges will occur. The project is scheduled to begin on May 2, 2011 and be completed within sixty-five (65) days. A formal bid was conducted for this project (Bid No. 10-11/27), and a bid opening was held on April 7, 2011. A total of seven vendors participated during the bid walk, but only two vendors submitted bids, as follows: Contractor Location Total Bid Convergent Technologies Hayward, CA \$344,228.00 Netronix Integration San Jose, CA \$414,163.27 The lowest responsible and responsive bid was submitted by Convergent Technologies, in the amount of \$344,228.00. A post-bid interview was conducted with Convergent Technologies and the Smart Classroom Project construction manager (Olive Construction Management), the security access consultant (Catalyst Consulting Group), and Department of General Services staff on April 12, 2011, and acceptance of Covergint Technologies' bid was recommended. This resolution formally accepts the bid and authorizes the contract award to Convergent Technologies for the PCCD Smart Classroom Security Implementation Project (Bid No. 10-11/27). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

#### [Background Material](#)

22. Consider Approval of Resolution 10/11-75, Acceptance and Retention, and Ratification of Deductive Change Order No. 1, Building E Improvements at Merritt College, BHM Construction, Inc. Presenter: Vice Chancellor Ikharo On May 25, 2010, this Board awarded a contract to BHM Construction, Inc. for the Building E Improvements at Merritt College. Funding Source: Bond Measure A. The work has now been completed, a Notice of Completion has been filed with the County of Alameda, and the Merritt College President and Business Manager have signed the Project College Acceptance Form. This resolution accepts the work as complete and provides for a retention payment of \$69,309.50, which is 10% of the contract price less the amount of deductive Change Order No. 1. Ratification is also requested for Change Order No 1, a deduction in the amount of (\$34,614.00), which is a reduction of 4.7% to the original contract amount of \$727,709.00. The change order provides a credit to the contract amount for an unused concrete subfloor repair allowance. The complexity of the existing substructure was less than anticipated, allowing the project to

realize cost savings. It is in the best interests of the District and financially prudent to authorize this change order. Approval to accept the project as complete and ratification of deductive Change Order No. 1 are recommended. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

23. Consider Approval of Resolution 10/11-76, Acceptance and Retention, Building D Modernization at Merritt College, BHM Construction, Inc. Presenter: Vice Chancellor Ikharo On May 11, 2010, this Board awarded a contract to BHM Construction, Inc. for the Building D Modernization at Merritt College. The work has now been completed, a Notice of Completion has been filed with the County of Alameda, and the Merritt President and Business Manager have signed the Project College Acceptance Form. Board of Trustees' acceptance is recommended. This resolution accepts the work as complete and provides for a retention payment of \$41,734.10, which is approximately 5% of the contract price. Funding Source: Bond Measure A. The Board previously approved a change order to this contract in the amount of \$23,809.00, which is 2.9% of the original contract amount (\$815,730.00). All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

24. Consider Approval of Resolution 10/11-77, Acceptance and Retention, Building A Swing Space at Merritt College, Cumiskey Construction Corporation Presenter: Vice Chancellor Ikharo On April 13, 2010, this Board awarded a contract to Cumiskey Construction Corporation for the Building A Swing Space at Merritt College. The work has now been completed, a Notice of Completion has been filed with the County of Alameda, and the Merritt President and Business Manager have signed the Project College Acceptance Form. Board of Trustees' acceptance is recommended. This resolution accepts the work as complete and provides for a retention payment of \$53,441, which is 10% of the contract price. Funding Source: Bond Measure A. The Board previously approved two change orders to this contract in the total amount of \$48,505, which is 9.98% of the original contract amount (\$485,901). All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

25. Consider Ratification of Change Order Nos. 1 and 2, Improvements to 860 Atlantic Avenue, Alameda, Cal-Pacific Construction Inc. Presenter: Vice Chancellor Ikharo Ratification is requested for Change Order Nos. 1 and 2 to the contract with Cal-Pacific Construction Inc. for the Improvements to 860 Atlantic Avenue project in Alameda. The change orders total \$124,079.55, which is 2.9% of the original contract amount (\$4,260,000.00). Funding Source: Bond Measure A. Change Order No. 1, in the amount of \$50,667.79, was necessary to address unforeseen conditions. The suspended ceiling and lighting fixtures in the corridor had to be removed to install new sheet metal heating ducts. Additional glued laminated beams had to be added for structural support at the request of the structural engineer and DSA (Department of the State Architect). Change Order No. 2, in the amount of \$73,411.76, was also necessary due to unforeseen conditions. It was discovered during demolition that the existing insulation at the roof did not comply with current Title 24 requirements and needed to be replaced. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and the items are now brought before the Board for ratification. It is in the best interests of the District and financially prudent to authorize

these change orders. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends ratification.

#### Background Material

26. Consider Ratification of Change Order Nos. 2 and 3, Laney Tower Swing Space Package #2, JUV Inc. Presenter: Vice Chancellor Ikharo Ratification is requested for Change Order No. 2, a deduction in the amount of (\$95.61), and Change Order No. 3, in the amount of \$2,483.95. Including the previously Board approved Change Order No. 1, the cumulative total of change orders for this project is \$7,201.69, which is 1.4% of the base contract amount (\$507,700.00). Funding Source: Bond Measure A. Change Order No. 2, a reduction to the contract in the amount of (\$95.61), includes: Resilient flooring in A152 Sliding door hardware at the Financial Aid counter Additional grommets at the Financial Aid and Cashier's counters Mailboxes in EV-9 Shelving modification in the Cashier's Office A credit for trenching work that was not necessary Change Order No. 3, in the amount of \$2,483.95, includes: Window shades at the Cashier's Office Replacement of fabric for existing shades at the Cashier's Office Removal and disposal of laminate panel in A201 The scopes of work for Change Order Nos. 2 and 3 were college requested items necessary for the operational needs of the Cashier's and Financial Aid Offices in upper "A" Building, and the operational swing space needs for Laney IT and mailroom staff, in addition to addressing unforeseen conditions. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and the items are now brought before the Board for ratification. It is in the best interests of the District and financially prudent to authorize these change orders. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends ratification.

#### Background Material

27. Consider Approval to Negotiate an Agreement with Padilla & Associates to Provide Prevailing Wage Compliance Monitoring Consulting Services Presenter: Vice Chancellor Ikharo Approval is requested for the Chancellor to negotiate an agreement with Padilla & Associates to provide Prevailing Wage Compliance Monitoring Consulting Services for a three-year period, with an option to renew annually. Funding Source: Bond Measure A. A formal Request for Qualifications was advertised on July 16, 2010. On August 13, 2010, the Department of General Services (DGS) received eight proposals from firms to provide Prevailing Wage Compliance Monitoring Consultant Services. The selected firm will provide prevailing wage compliance monitoring as required to comply with Department of Industrial Relations' prevailing wage regulations that community college districts must follow. The eight proposals were reviewed by a DGS staff committee, and three firms were selected for further evaluation. The three firms with the highest average score were as follows: Davillier-Sloan, Inc. Evaluator 1 84 Evaluator 2 85 Evaluator 3 67 Total Score 8236 Padilla & Associates Evaluator 1 93 Evaluator 2 97 Evaluator 3 91 Total Score 281 Parsons Brinkerhoff Services, Inc Evaluator 1 74 Evaluator 2 89 Evaluator 3 73 Total Score 236 Based on the scores and subsequent interviews with the three firms, the selection committee recommended Padilla & Associates. Approval is requested for the Chancellor to negotiate an agreement (which will involve the cost) with Padilla & Associates to provide Prevailing Wage Compliance Monitoring Consulting Services. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

#### Background Material

28. Consider Approval of Amendment No. 3 to the Independent Contract for Architectural

Consulting Services with Grossmann Design Group for the Repair of Waterproofing Assemblies at the Building P Tunnel and Building D Plaza Decks at Merritt College Presenter: Vice Chancellor Ikharo Approval is requested for Amendment No. 3 to the Independent Contract for Architectural Consulting Services with Grossman Design Group for waterproofing repairs at Merritt College, in the amount of \$13,500. Funding Source: Bond Measure A. The original Independent Contractor/Consultant Services Contract with Grossman Design Group dated March 13, 2008, provided for services for the repair and waterproofing systems at Buildings P and Q exterior concrete walkways. After removing the concrete topping slab to replace the existing waterproof membranes below, significant cracks were found in existing concrete structural support members at the stairs between Buildings P and Q. At the Building P deck, three damaged locations were also found. Because the cracks may indicate the beginning of structural failure posing a life safety issue, it was decided that a structural review and remediation of the areas were required. The modifications proposed under this amendment include the following scopes of work: Structural review of the existing compromised structural areas Structural specifications and drawings of requirements to repair and make the areas structurally sound Revisions to the architectural drawings to show required revision to complement the structural revisions and details as required for completion of the work The original Independent Contractor/Consultant Services Contract with Grossman Design Group was in the amount of \$32,600. Amendment No. 1, in the amount of \$29,500, was approved on June 8, 2009. Amendment No. 2, in the amount of \$31,250, was approved by the Board of Trustees at the meeting of January 12, 2010. Including this Amendment No. 3, in the amount of \$13,500, the total contract amount will be \$106,850. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

#### [Background Material](#)

#### [Announcements](#)

President Jackson and the COA staff were thanked for hosting the meeting. The meeting was adjourned in memory of the Fruitvale merchant Jesus "Chuy" Campos.

**ADJOURNMENT OF THE REGULAR BOARD MEETING Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours prior to the meeting to the Board Clerk 466-7203.**

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Wise E. Allen, Chancellor  
Secretary to the Board of Trustees  
PERALTA COMMUNITY COLLEGE  
DISTRICT