



PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, February 28, 2012

5:00 p.m. Closed Session

7:00 p.m. Public Session

333 East 8th Street
Oakland, CA 94606

Welcome to a meeting of the Peralta Community College District Board of Trustees. Meetings of the Peralta Community College District Governing Board are Broadcast Live on Peralta TV – Cable Channel 27 – Alameda and Berkeley, Cable Channel 28 – Oakland, Emeryville, and Piedmont. Listed agenda times are estimates. Live stream video of the meetings, agendas, minutes, and all open session meeting materials are available on Granicus:

New link on the Peralta Website: <http://web.peralta.edu/trustees/meetings-votelog/>

PLEASE TURN OFF YOUR CELL PHONES DURING THE MEETING - THANK YOU

AGENDA

CALL TO ORDER (5:00 p.m.)

CLOSED SESSION (5:01 p.m.)

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)), Abdur-Rasheed v. PCCD, United States District Court, Case No. CV 11-1744.
- Conference with Legal Counsel (54956.9(a)), Vogt v. PCCD, Alameda County Superior Court, Case No. RG11-573757.

- Conference with Legal Counsel (54956.9(a)), Abboud v. PCCD, Alameda County Superior Court, Case No. RG11-572374.
- Conference with Legal Counsel (54956.9(a)), Block v. PCCD, Alameda County Superior Court, Case No. RG11570116.
- Conference with Legal Counsel (54956.9(a)), In re Municipal Derivatives Antitrust Litigation, U.S. District Court, Southern District of New York, Case No. 1:08-cv-02516-VM-GWG.
- Conference with Legal Counsel (54956.9(a)), PCCD v. KYJ Associates, Alameda County Superior Court, Case No. RC08376707.
- Conference with Legal Counsel (54956.9(a)), Jackson v. PCCD, Alameda County Superior Court, Case No. RG11601534.
- Conference with Legal Counsel (54956.9(a)), Kogo v. PCCD et al., Alameda County Superior Court, Case No. RG12613106.
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (8 cases).

Conference with Real Property Negotiator (Government Code § 54956.8):

- Negotiator Ikharo, 2120 University Avenue, Berkeley, California, 94704.
- Negotiator Ikharo, 2025 Center St, Berkeley, California, 94704.
- Negotiator Ikharo, 1950 Addison Street, Berkeley, California, 94704.

Public Employee Appointment – Employment, Performance, Evaluation, Discipline, Dismissal, Release – All Employees (Government Code § 54957 and BP 3.62 Temporary Assignments - Interim and Acting definitions).

OPEN SESSION (7:00 P.M.)

PLEDGE OF ALLEGIANCE (7:00 P.M.)

ROLL CALL Trustees González Yuen Pr_ Ab_, Guillén Pr_ Ab_, Handy Pr_ Ab_, Hodge Pr_ Ab_, Riley Pr_ Ab_, Withrow Pr_ Ab_, and Gulassa Pr_ Ab_, Student Trustees Brumfield Pr_ Ab_ and Copenhagen Pr_ Ab_.

REPORT OF ACTION TAKEN IN CLOSED SESSION (7:01 P.M.)

APPROVAL OF THE AGENDA (Please state the Agenda Item Number and Identify the Issue) (7:02 P.M.)

At this time, Board members or the Chancellor may request to modify the agenda. Board members may request that items on the consent calendar be removed to be addressed separately on the Action Calendar. Subsequent to the approval of the consent calendar, the items removed from the consent calendar are discussed and voted on separately. Changes to the agenda are to be approved by a majority of the Board.

APPROVAL OF THE MINUTES (7:03 P.M.)

1. Consider Approval of the Regular Board meeting of February 14, 2012.

Consider approval of the regular Board meeting of February 14, 2012. The minutes are posted on Granicus.

PUBLIC COMMUNICATION (7:04 P.M.)

At this time, the Board of Trustees will listen to communication from the public on matters that are not on the agenda and are within the Board's jurisdiction. Under provisions of the Brown Act, the Board and District staff are prohibited from discussing or taking action on oral requests that are not part of the agenda, but may respond briefly. A maximum of 15 minutes (3 minutes per individual maximum) will be provided for speakers under this agenda section. A speaker's card must be completed to request to address the Board. Requests to speak which cannot be honored within the time limit will be scheduled for subsequent meetings in the order received. Persons addressing items included on the agenda will be heard at the time the item is considered, 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. A speaker may yield time to another speaker, where both have completed a speaker's card, and the yielder must identify him/herself to the Board. Written statements can be submitted for inclusion into the Board minutes to the Board Clerk, and members of the public are asked to submit any materials to the Board Clerk and shall not approach the dais during meetings. (Please line-up when your name is called.)

REPORTS (7:20 P.M.)

The Board requests that constituent group reports be brief and concise, and that only electronic copies be provided for posting onto Granicus.

2. Associated Student Government Reports

Representatives of the Associated Student Governments will be afforded an opportunity to address the Board. (Please provide your Name, College, and Position, and line-up to speak.)

3. Chancellor's Reports

Dr. Wise E. Allen (7:30 P.M.)

Vice Chancellor's Reports

Budget Update

Vice Chancellor Gerhard

Enrollment Update

Vice Chancellor Budd

Easy Pass, Financial Aid/Higher One, Student Health Fees, and Health Services Initiative Update

Vice Chancellor Ng (5 minutes)

General Services Update

Vice Chancellor Ikharo

College Reports

Merritt College

Interim President Herring

Laney College

President Webb

College of Alameda

President Jackson

Berkeley City College

President Inclan

BOARD COMMUNICATION (7:35 P.M.)

At this time, the Board of Trustees will report on matters related to attendance at conferences, professional affiliations, and community involvement directly related to their functions as Board members.

4. ACCJC Mid Term District and Four Colleges' Reports **Presenter: Vice Chancellor Budd** (30 minutes)
5. Presentation of Information Technology Strategy Plan (re: Item 24) (15 minutes)
6. District Academic Senate Report **Presenter: DAS President Karolyn van Putten**

CONSENT CALENDAR (8:30 P.M.)

All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.

Motion on the Consent Calendar

Public Comments on the Consent Calendar

Vote on the Consent Calendar

BOARD POLICIES

7. Consider Approval of Board Policy 3100 Organizational Structure (Replaces Board Policy 2.02) **Presenter: Chancellor Allen**
Consider approval of Board Policy 3100 Organizational Structure (Replaces Board Policy 2.02). The Chancellor recommends approval.
8. Consider Approval of Board Policy 3200 Accreditation (Replaces Board Policy 1.28) **Presenter: Chancellor Allen**
Consider approval of Board Policy 3200 Accreditation (Replaces Board Policy 1.28). The Chancellor recommends approval.
9. Consider Approval of Board Policy 3250 Institutional Planning (Replaces Board Policy 1.26) **Presenter: Chancellor Allen**
Consider approval of Board Policy 3250 Institutional Planning (Replaces Board Policy 1.26). The Chancellor recommends approval.

10. Consider Approval of Board Policy 3300 Public Records (new) **Presenter: Chancellor Allen**

Consider approval of Board Policy 3300 Public Records (new). The Chancellor recommends approval.

11. Consider Approval of Board Policy 4226 Multiple and Overlapping Enrollments (new) **Presenter: Chancellor Allen**

Consider approval of Board Policy 4226 Multiple and Overlapping Enrollments (new). The Chancellor recommends approval.

12. Consider Approval of Board Policy 4230 Grading and Academic Record Symbols (Replaces Board Policy 5.22) **Presenter: Chancellor Allen**

Consider approval of Board Policy 4230 Grading and Academic Record Symbols (Replaces Board Policy 5.22). The Chancellor recommends approval.

13. Consider Approval of Board Policy 6700 Civic Center and Other Facilities Use (Replaces Board Policy 6.64) **Presenter: Chancellor Allen**

Consider approval of Board Policy 6700 Civic Center and Other Facilities Use (Replaces Board Policy 6.64). The Chancellor recommends approval.

14. Consider Approval of Resolution 11/12-38 on Budget Shortfall Backfill **Presenter: Trustee Gulassa**

Consider approval of Resolution 11/12-38 to support backfill of \$149 million property tax and fee revenue shortfall statewide (\$3.259 million shortfall for the Peralta Colleges). The Chancellor recommends approval.

EDUCATIONAL AND STUDENT SERVICES

15. Consider Approval of an Agreement between Peralta Community College District at Merritt College and the Superior Court of California, County of Alameda **Presenter: Vice Chancellor Budd**

Consider approval of an agreement between Peralta Community College District, Merritt College and the Superior Court of California, County of Alameda for the "Educational Services at Merritt College for Parolees" agreement not to exceed \$97,520.00.

Funding Source: State of California. The Parolee Reentry Court Program (PRCP) is a collaborative effort between the Superior Court of California, County of Alameda, the Alameda County District Attorney and Public Defender, CDCR Division of Adult Parole Operations, and local community based organizations. The contractor will operate under supervision of Dr. Eric Gravenberg, Vice President of Student Services.

Contractor will assign Mr. Carlos McLean, who will serve as the Project Manager who will have responsibility for: activities including establishing standardized intake and data collection and management tools; liaison with the Superior Court to furnish quarterly reports; and overall oversight of program implementation, including working with partners to review the achievement of benchmarks, milestones and outcomes. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

16. Consider Approval of a City of Berkeley Earmark for College of Alameda Green Diesel Technology **Presenter: Vice Chancellor Budd**

Consider approval of a City of Berkeley earmark for College of Alameda green diesel technology not to exceed \$80,000. **Funding Source: City of Berkeley.** The key objective of the East Bay Green Jobs Project is to manage and implement education and job training programs to teach applicable skills in the energy efficiency, alternative energy, clean technology and other emerging green industry sectors through the College of Alameda ATLAS program. This project will serve Berkeley, Oakland, Richmond and Emeryville residents. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

17. Consider Approval of Intent to Apply with Area Consortium for Pathways to Shared Prosperity/Workforce Innovative Fund Grant **Presenter: Vice Chancellor Budd**

Consider approval of Intent to Apply with area consortium for Pathways to Shared Prosperity/Workforce Innovative Fund Grant. **Funding Source: Department of Labor.** The total amount of the nationwide grant is \$98.5 million, with an estimated \$1 million per region per year for up to three years. The three target regions chosen for this statewide application are the Bay Area, Sacramento, and Los Angeles. The purpose of the grant is to support innovative approaches to the design and delivery of employment and training services that generate long-term improvements in the performance of the public workforce system, both in terms of outcomes for job seekers and employer customers. The grant focuses on expanding and building career pathway programs geared toward advanced manufacturing, health care, or energy. Peralta will be part of a consortium applying for the grant that includes Career Ladders, regional community colleges, adult education programs, Workforce Investment Boards, CBO's, and cities. Peralta's planned contributions would be Advanced Manufacturing (Laney), Health Care (Merritt), and Alternative Fuel Technologies (College of Alameda). All Board-approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

18. 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 – February 2012" contains course and program additions, changes and deactivations as approved by the colleges' curriculum committees and CIPD. The Chancellor recommends approval.

FINANCIAL SERVICES

19. 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*.

20. 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*.

21. 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.

22. Consider Approval of the Multifunction Color Copiers Lease for Peralta Community College District **Presenter: Vice Chancellor Gerhard**

Consider approval of to Award Bid No. 11-12/13, Multifunction Color Copiers Lease for Peralta Community College, to Ricoh Business solutions, in the amount of \$88,083.24. **Funding Source: General Funds.** A formal bid was conducted for the lease of five (5) new multifunction color copiers for Peralta Community College District. The five (5) copiers put out to bid were to replace current copiers which have been in use for five (5) years or more years and are no longer functioning at a level required by Peralta Staff. The District established minimum standards for the new copiers up for bidding. The District received six (6) formal bids from responsive and responsible bidders, and recommends that the bid be awarded to Ricoh Business Solutions, who was the lowest, responsive and responsible bidder. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

23. Consider Approval of the Contract Addendum for TBWB Strategies **Presenter: Vice Chancellor Gerhard**

Consider approval of the Contract Addendum for TBWB Strategies. The District is gathering information and collecting data to assist with the decision of requesting the voters to approve a parcel tax at an upcoming election that would support the District in fulfilling our institutional mission of serving the community and students. **Funding Source: General Funds.** Under the initial contract approved by the Board of Trustees in July 2011, TBWB would provide the District with a feasibility assessment, voter demographic analysis, assist with the development of the ballot measure, and general advice with regard to the parcel tax. The previous contract amount was \$50,000. Since that time, the District has conducted a second voter demographic analysis during December 2011 and sent literature and information to constituents informing them of the current economic environment and the related impact upon sections and services to students. At no time did TBWB Strategies provide campaign advocacy services under

the initial contract nor this contract addendum. We are requesting an additional \$47,000 that covers these additional services provided. The new not to exceed amount is \$97,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

24. Consider Approval of the Information Technology Strategy Plan; **Presenter: Vice Chancellor Gerhard**

Consider approval of the District Information Technology Strategy Plan. The Strategy Plan is a culmination of three months of work by members of the District Technology Committee members and an adhoc committee. It represents the best thinking of the Peralta community's most technologically-engaged members and will be used to guide the District's investments in technology for the next three years. The Chancellor recommends approval.

25. Consider Approval of Contract with Oracle Consulting **Presenter: Vice Chancellor Gerhard**

Consider approval of contract with Oracle Consulting that will assist the District with implementing an upgrade to the PeopleSoft ERP system. **Funding Source: Measure E.** The current version of the District's Student Administration and Human Resource modules within PeopleSoft is outdated and will no longer be supported by Oracle as of 12/31/2012. Additionally, through the use of the District's Information Technology Strategy Plan, additionally functionality has been identified that is only available in more up-to-date versions of these modules. The not to exceed cost of this contract is approximately \$375,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

26. Consider Approval of Contract with Everge **Presenter: Vice Chancellor Gerhard**

Consider approval of contract with eVerge Consulting Group that will assist the District with implementing a BI repository for financial reporting and upgrading the existing BI repository used for institutional research and enrollment management. **Funding Source: Measure E.** These BI tools will be used to gather, report, and communicate data that will assist with decision making and improve the operations of programs and services. The not to exceed cost of the contract is \$100,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

27. Consider Approval of Contract with EB5C **Presenter: Vice Chancellor Gerhard**

Consider approval of contract with EB5C that will provide the District with information technology project management services for three projects. **Funding Source: Measure E.** The District will be embarking upon three IT project for which project management services are required as these skill sets are currently not available with internal resources. The three projects are: implementation of the electronic disbursement of student financial aid awards (Higher One project), implementation of electronic document management system, and implementation of an electronic Personnel Action (PA) form. The not to exceed cost of this contract is approximately

\$300,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

28. Consider Approval of Resolution Authorizing the Refunding of Outstanding District General Obligation Bonds **Presenter: Vice Chancellor Gerhard**

Consider approval of resolution no.11/12-37 authorizing the refunding of outstanding general obligation bonds that will result in savings to tax payers. Due to historically low interest rates, the District has an opportunity to refund some of the outstanding bonds sold as part of Measures A, E and B. If the District were to refund today, estimated savings to tax payers would be approximately \$21 million (in today's dollars) dollars or 12.92% of the bonds to be refunded. A common benchmark used to evaluate if a district should refund is if the present value of the savings to the taxpayers would be greater than 3%. As conditions currently stand, we would be able to save the taxpayers more than three times this amount. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

29. Receive and file quarterly report from the Retirement Board to the Board of Trustees **Presenter: Vice Chancellor Gerhard**

This report is being provided to the Board of Trustees of the Peralta Community College District in accordance with article 2.16 of the Other Post-Employment Benefits (OPEB) Retirement Board Bylaws, which states, "The Board (Retirement Board) shall provide information and copies of investment statements and other similar reports regarding the Trust and its applicable investment performance to the governing body on a not-less-than quarterly basis."

HUMAN RESOURCES

30. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified Short-Term Employees **Presenter: Vice Chancellor Largent**

Pursuant to California Education Code Section 88003, the below list contains the name, date of hire, assignment end date, position title, and site location of candidates recommended for short-term assignments in non-academic classified positions. Each candidate's assignment will not exceed the position title into which the candidate is assigned.

Last Name	First Name	Date of Hire	End Date	Position Title	Site
Chan	Judy	2/29/12	6/30/12	Account Clerk II	L
Cromer	James	2/29/12	6/30/12	Interpreter/Fully Certified	All campuses
Dulaney	Rachel	2/29/12	6/30/12	Interpreter, Fully Certified	All campuses
Huang	Jian	2/29/12	6/30/12	Interpreter I	All campuses

Pearson	Ariel	2/29/12	6/30/12	Master Interpreter	All campuses
Taing	Cynthia	3/1/12	6/30/12	Clerical Assistant II	M
Tran	Ben	2/29/12	6/22/12	Instructional Asst IV/DSPS	L
Turner	Alonzo	3/3/12	5/19/12	Instructional Asst/Diesel Mechanics	A
White	Donald	2/29/12	6/30/12	Facilities Services Specialist	L

FACILITIES

31. Consider Approval of Resolution 11/12-34, Acceptance and Retention, and Ratification of Deductive Change Order No. 1, PCCD Smart Classroom Electrical & Low Voltage Project, Ray’s Electric **Presenter: Vice Chancellor Ikharo**

On September 28, 2010, this Board awarded a contract to Ray’s Electric for the PCCD Smart Classroom Electrical & Low Voltage Project at all four campuses—College of Alameda, Laney College, Merritt College and Berkeley City College. This project provided for the installation of electrical and low voltage infrastructure that was required for the PCCD Smart Classroom Systems throughout the District. The work has now been completed and a Notice of Completion has been filed with the County of Alameda. This resolution accepts the work as complete and provides for a retention payment of \$183,550.65, which is 5% of the contract price as adjusted by the deductive change order. **Funding Source: Bond Measure A.** *Ratification* is also requested for Change Order No. 1, a deduction in the amount of (\$293,263.00), which is a **reduction of 13.4%** to the original contract amount of \$2,194,247.00. Because of the nature of the project, it was decided to include unit pricing and alternatives so that the colleges could participate in the final design of the audiovisual equipment. Some of the unit prices, alternates and allowance amounts were not needed or only partially used. Costs were tracked throughout the project, and this deductive change order is a credit for the unused portions of allowances or alternates that were included in the contract price. Change Order No. 1 also extended the contract completion date to December 31, 2011. This deductive change order returns \$293,263.00 to the District. It is the only change order for this project. 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.

32. Consider Approval of Resolution 11/12-35, Acceptance and Retention, Peralta TV Site Package, Beliveau Engineering Contractors, Inc. **Presenter: Vice Chancellor Ikharo**

On September 28, 2010, this Board ratified the contract award to Beliveau Engineering Contractors, Inc. for the Peralta TV Site Package project. **Funding Source: Bond Measure A.** The project provided for site preparation and connection of two modular structures to house Peralta TV at the District Administrative Center site. The work has

now been completed and the Notice of Completion has been filed with the County of Alameda. Approval by the Board of Trustees is recommended. This resolution accepts the work as complete and provides for a retention payment of \$27,532.26, which is 10% of the contract price. The Board previously ratified two change orders to this contract totaling \$12,122.53, which is 4.6% of the original contract amount (\$263,200.00). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

33. Consider Approval of Resolution 11/12-36, Acceptance and Retention, Peralta TV Building Package, Enviroplex, Inc. **Presenter: Vice Chancellor Ikharo**

On September 28, 2010, this Board ratified the contract award to Enviroplex, Inc. for the Peralta TV Building Package. **Funding Source: Bond Measure A.** The project provided two modular structures to house Peralta TV at the District Administrative Center site. The work has now been completed and the Notice of Completion has been filed with the County of Alameda. Approval by the Board of Trustees is recommended. This resolution accepts the work as complete and provides for a retention payment of \$23,765.63, which is 10% of the contract price. The Board previously ratified one change order to this contract in the amount of \$13,995.26, which is 6.3% of the original contract amount (\$223,661.00). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

34. Consider Approval of Amendment No. 1 to the Independent Consultant Contract with B-G Consulting Company for Additional Construction Oversight for Capital Projects **Presenter: Vice Chancellor Ikharo**

Approval is requested for Amendment No. 1 to the independent consultant contract for B-G Consulting Company for additional construction oversight for capital projects, in the not-to-exceed amount of \$45,000. **Funding Source: Bond Measure A.** Under this amendment, the following services will be provided for the period from January 24, 2012 to June 30, 2012:

- Contract negotiations and execution
- Budget cost/budget transfer process
- Assistance with the College of Alameda C & D Building design-build project including:
 - Preparation of Request for Qualifications (RFQ)
 - Pre-qualification process
 - Interviews and selection
- Legal interface on contract issues
- Budget transfers between projects
- Modifications required to consolidate the PeopleSoft budgets with those approved by the Board of Trustees
- Bi-monthly budget/cost reports
- Team member on reconciliation of the Merritt Science and Allied Health design-build contractor to the District budgets
- Assistance with the semi-annual presentation on bond activities
- Other assignments as required by the District

B-G Consulting Company has been providing consulting services under an independent contract in the amount of \$78,500 for the current fiscal year. The original estimate for the year of \$78,500 will be exceeded due to additional consultant hours required in working with the District Finance staff to reconcile project budgets and to prepare reports for the Measure A Bond Oversight Committee. This consultant also provided interim services after the former Director of Capital Projects resigned. The time period until the new director was hired was longer than originally estimated, thus incurring additional hours. Including this Amendment No. 1, the total not-to-exceed contract amount will be \$123,500. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

35. Consider Approval to Accept Proposal from SimplexGrinnell for Upgrades to Fire/Life Safety System in the District Sheriff's Office **Presenter: Vice Chancellor Ikharo**

Approval is requested to accept a proposal from SimplexGrinnell for upgrades to the fire/life safety system in the District Administrative Center Sheriff's Office, in the amount of \$36,750. **Funding Source: District General Funds.** The District utilizes a SimplexGrinnell fire/life safety system. In addition, SimplexGrinnell is under contract to maintain this system. In this latter capacity, recent inspections advise that the fire system hardware and software in the Sheriff's Office require an upgrade to operate properly and to accommodate new buildings. The SimplexGrinnell District Master Network Display Unit is saturated with information from existing and recently added buildings and has no additional capacity. This situation will not permit additional buildings (860 Atlantic Avenue, Laney Field House, Merritt Science and Allied Health, etc.) to be monitored by the Sheriff's Office. In addition, the present number of devices/points reporting to the master unit exceeds the number recommended, resulting in intermittent corruption of incoming data. SimplexGrinnell has provided the District with a proposal to eliminate these problems through replacement of these degraded and inundated devices with new modern, higher capacity systems at the two critical communication locations (Nodes #1 and #42) in the Sheriff's Office. Their proposal has been evaluated by staff and deemed comprehensive and reasonable. The SimplexGrinnell fire system is proprietary. The hardware and software required for this upgrade can only be supplied and installed by SimplexGrinnell. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

36. Consider Approval of Bond Measure Budget Transfers and Appropriations (Nos. 35 and 36) **Presenter: Vice Chancellor Ikharo**

Approval is requested for two bond measure budget transfers and appropriations (Nos. 35 and 36). The budget actions have been approved by the appropriate College President, Vice Chancellor for General Services, Vice Chancellor for Finance & Administration, and the Chancellor. With the intent of full disclosure, they are now presented to the Board of Trustees for approval. **Funding Source: Bond Measures A and E.** On June 23, 2009, the Board of Trustees approved the Bond Measure (A and E) Spending Plan, which included budget appropriations, cash flow projections and

budget transfer procedures. The Measure A budget included all current and future projects totaling the \$390 million bond amount. At that time the Board also approved the process for future budget transfers from one project to another, which included District and College approvals and subsequent approval by the Board of Trustees. Since that time, project scopes have been refined, and some new projects have been created. In accordance with the Board approved Bond Measure Spending Plan, a budget transfer form has been prepared for each budget transaction. The two transactions indicate the current budget, revised or new budget and the transfer amount, for both the budget that is being increased (credit) and the budget that is being decreased (debit). Following are the budget transfer summaries:

Transfer Number	Project/Budget Name	Current Budget	Revised Budget	Transfer Amount
35 (Measure E)	To: Project #2359— Merritt Bldg A Heating Renovations	\$0	\$ 273,500.00	\$273,500.00
	From: Unallocated Meas. E Funds	\$5,752,529.00	\$5,479,029.00	(\$273,500.00)
	Description: Create a project for design and construction of heating system renovations in Building A at Merritt College.			

Transfer Number	Project/Budget Name	Current Budget	Revised Budget	Transfer Amount
36 (Measure A)	To: Project #2353 – Merritt Science/Allied Health Bldg.	\$46,247,038. 00	\$49,826,090. 00*	\$3,579,052.0 0
	From: Project #2425 – Child Care Center	\$ 2,268,352.00	\$0	(\$2,268,352. 00)
	Trade Project #2427 – “A” Tech	\$ 60,000.00	\$0	(\$ 60,000.00)
	Unallocated Project 2428 – Measure E Funds	\$ 2,200,000.00	\$1,000,000.0 0	(\$1,200,000. 00)
	Space Project 2342 – Swing	\$ 62,000.00	\$ 11,300.00	(\$ 50,700.00)
	Total:			(\$3,579,052. 00)
	Description: Increase the scope and budget to accommodate the Merritt College Science and Allied Health Building.			

*In addition to this Measure A budget, there is \$9,195,150 from Measure E committed to this project. The total budget including the Measure E commitment is \$59,021,240.

All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

37. Consider Approval to Purchase Furniture for College of Alameda, 860 Atlantic Avenue Swing Space through Piggyback Contracts with KI **Presenter: Vice Chancellor Ikhara and Vice Chancellor Gerhard**

Approval is requested to purchase furniture for College of Alameda, 860 Atlantic Avenue Swings Space through piggyback-able contracts with KI in the estimated amount of \$125,008.57. **Funding Source: Bond Measure A.** The furniture purchased will complement the major remodel of College of Alameda, 860 Atlantic Swing Space. The furniture will be purchased for science laboratories and classrooms (i.e. biology, chemistry, etc.). The furniture is necessary to provide a habitable working space for the college staff, faculty and students. Under Public Contract Code Section 20652, the governing board of any community college district without advertising for bids, and when that board has determined it to be in the best interest of the District, may authorize purchase of materials and equipment utilizing piggyback-able contracts. Two furniture vendors who have competitively bid piggyback-able contract were requested to provide quotes for the required furniture for College of Alameda, 860 Atlantic Avenue Swing Space. Both vendors met with users and the College Furniture Selection Committee to determine which furniture best met the college’s needs. Following are the resulting quotes:

VENDOR	LOCATION	TOTAL BID
KI	San Francisco	\$ 125,008.57
Commercial Services Group/ Sam Clar	San Francisco	\$ 125,285.26

The lowest quote was submitted by KI in the amount of \$125,008.57. KI quoted under the National Joint Powers Alliance Contract (NJPA #102098-KII) and TCPN/Allsteel, Contract #RR971, CMAS/WorkRite, Contract #4-05-71-0041A and CMAS/WorkRite Contract #4-08-01-0067B. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

ACTION CALENDAR ITEMS (8:45 P.M.)

The Action Calendar lists non-routine items that the Board of Trustees may wish to discuss and/or debate. The list below may be supplemented by items removed from the Consent Calendar.

Motion on each Action Calendar Item

Public Comments on each Action Calendar Item

Vote on each Action Calendar Item

38. Consider Approval of Board Policy 3900 Speech: Time, Place, and Manner (Replaces Board Policy 2.30) **Presenter: Chancellor Allen**

Consider approval of Board Policy 3900 Speech: Time, Place, and Manner (Replaces Board Policy 2.30). The Chancellor recommends approval.

ADJOURNMENT

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, Chancellor's Office, 333 East 8th Street, Oakland, CA, (510) 466-7203, repstein@peralta.edu at least 48 hours prior to the meeting.