



PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, September 11, 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 reports and meeting materials are available for viewing 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)), 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 (54956.9(a)), PCCD v. JP Morgan Securities, LLP, Alameda County Superior Court Case No. RG12643254.
- Conference with Legal Counsel (54956.9(a)), Burk v. PCCD, Alameda County Superior Court Case No. RG12633720.
- Conference with Legal Counsel (54956.9(a)), PCCD v. Johnson Controls, Alameda County Superior Court Case No. RG12644402.
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (7 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).

- Consider *Ratification* of Interim Vice Chancellor for Educational Services, District Office.
- Consider Approval of TRIO Student Support/Success Director, Laney College, Grant Funded.
- Consider Approval of Acting Associate Vice Chancellor for Finance, District Office.
- Consider Approval of Interim Dean, Special Programs and Grants, College of Alameda.
- Consider Employee Discrimination Claims.

OPEN SESSION (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 Clegg Pr_ Ab_ and Cervantes 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 Minutes of July 17, 2012.
Consider approval of the regular Board meeting minutes of July 17, 2012. The minutes are posted on Granicus.

PUBLIC COMMUNICATION (7:05 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.

All open session reports and meeting materials have been submitted to the Board electronically, and are available for public viewing on 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

Chancellor's Report Dr. José M. Ortiz (7:45 P.M.)

Vice Chancellor's Reports

Budget Update Vice Chancellor Gerhard (30 minutes)
Enrollment Update Interim Vice Chancellor Orkin
Student Services and Easy Pass Update Vice Chancellor Ng (5 minutes)
General Services Update Vice Chancellor Ikharo

College Reports

Berkeley City College Interim President Budd
College of Alameda President Jackson
Laney College President Webb
Merritt College Interim President Stanley

BOARD COMMUNICATION (8:00 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. PUBLIC HEARING and ACTION ITEM: Conduct Public Hearing on Resolution 12/13-6, 2012 – 2013 Final Budget Presenter: Vice Chancellor Gerhard (8:10 P.M.)

The Peralta Community College District is required to hold a public hearing on the proposed 2012 - 2013 annual budget prior to its adoption. Included in Trustee materials is the final adopted budget for the Peralta Community College District for the fiscal year 2012 - 2013 which has been publically advertised and made available for public viewing at the District Finance and Administration office and is posted on the district's Business Services website at: <http://web.peralta.edu/business/finance-contacts/annual-adopted-budget/> After the public hearing, it is recommended that Resolution No. 12/13-6 be adopted, approving the Annual Budget. The Chancellor recommends approval.

5. District Academic Senate Report Presenter: DAS President Karolyn van Putten

CONSENT CALENDAR (8:00 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 MATTERS

6. Consider Approval of Resolution 12/13-7 Proposition 30 in Support of Community College System Budget Priorities and the Governor's November Ballot Initiative
Presenter: Trustee Gulassa

Consider approval of Resolution 12/13-7 Proposition 30 in support of community college system budget priorities and the Governor's November Ballot Initiative. The Chancellor recommends approval.

7. Consider Approval of Resolution 12/13-8 Opposing Proposition 32: Prohibition on Political Contributions by Payroll Deduction and on Contributions to Candidates
Presenter: Trustee Gulassa

Consider approval of Resolution 12/13-8 Opposing Proposition 32: Prohibition on Political Contributions by Payroll Deduction and on Contributions to Candidates. The Chancellor recommends approval.

8. Consider Approval of Board Policy 3430 Prohibition of Harassment (replaces BP 3.04 Sexual Harassment Policy) **Presenter: Chancellor Ortiz**

Consider approval of Board Policy 3430 Prohibition of Harassment (replaces BP 3.04 Sexual Harassment Policy). The Chancellor recommends approval.

9. Consider Approval of Board Policy 3501 Campus Security and Access (replaces BP 2.45 Crime Awareness and Campus Security) **Presenter: Chancellor Ortiz**

Consider approval of Board Policy 3501 Campus Security and Access (replaces BP 2.45 Crime Awareness and Campus Security). The Chancellor recommends approval.

10. Consider Approval of Board Policy 5130 Financial Aid (replaces BP 4.35)
Presenter: Chancellor Ortiz

Consider approval of Board Policy 5130 Financial Aid (replaces BP 4.35). The Chancellor recommends approval.

11. Consider Approval of Board Policy 5140 Disabled Student Programs and Services (replaces BP 5.24 Academic Accommodations for Students with Disabilities) **Presenter: Chancellor Ortiz**

Consider approval of Board Policy 5140 Disabled Student Programs and Services (replaces BP 5.24 Academic Accommodations for Students with Disabilities). The Chancellor recommends approval.

12. Consider Approval of Board Policy 6200 Budget Preparation (replaces BP 6.02)
Presenter: Chancellor Ortiz

Consider approval of Board Policy 6200 Budget Preparation (replaces BP 6.02). The Chancellor recommends approval.

13. Consider Approval of Board Policy 6320 Investment (replaces BP 6.07)

Presenter: Chancellor Ortiz

Consider approval of Board Policy 6320 Investment (replaces BP 6.07). The Chancellor recommends approval.

14. Consider Approval of Board Policy 6600 Capital Construction (replaces BP 6.80, 6.81, & 6.83 on Capital Construction) **Presenter: Chancellor Ortiz**

Consider approval of Board Policy 6600 Capital Construction (replaces BP 6.80, 6.81, & 6.83 on Capital Construction). The Chancellor recommends approval.

15. Consider Approval of Board Policy 6740 Citizens Oversight Committee (new policy) **Presenter: Chancellor Ortiz**

Consider approval of Board Policy 6740 Citizens Oversight Committee (new policy). The Chancellor recommends approval.

16. Consider Approval of Board Policy 7100 Commitment to Diversity (new policy) **Presenter: Chancellor Ortiz**

Consider approval of Board Policy 7100 Commitment to Diversity (new policy). The Chancellor recommends approval.

EDUCATIONAL AND STUDENT SERVICES

17. Consider *Ratification* of an Amendment to Increase Allocation for the Career Advancement Academy (CAA) Memorandum of Understanding (MOU)

Presenter: Interim Vice Chancellor Orkin.

Consider *ratification* of an amendment to increase allocation for the Career Advancement Academy (CAA) Memorandum of Understanding (MOU) not to exceed \$1,145,000. The original amount was \$740,000, with the total increasing \$305,000.

Funding Source: Chancellor's Office, California Community Colleges. The Contra Costa Community College District (CCCCD) is the lead agency and fiscal agent in the East Bay Career Advancement Academies (EBCAA) consortium. The Peralta College's District is serving as a partner in this consortium. The Chancellor approved this item over Board recess, so it returns to the Board at this time for *ratification*. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

18. Consider Approval of Contract Extension for Roxanne Rivas to Render Workforce Development Services for Laney College's Green Jobs Training Program **Presenter: Interim Vice Chancellor Orkin**

Requesting Board action on a contract extension for Roxanne Rivas not to exceed \$60,120 for Laney College's Green Jobs Training Program. The original contract amount was \$9,000, which brings the total contract amount for the fiscal year to \$69,120. **Funding Source: California State Employment Development Department and Oakland Workforce Development Board.** The scope of work addresses the

objectives of the Green Jobs Training Programs grant, including Reporting, Outreach and Recruitment, Assessment and Enrollment, Training and Education, Work Activities, as well as significant Workforce Development and Professional Development services, including Job Placement, Retention and Tracking. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

19. Consider Approval of a Memorandum of Understanding and Agreement with The Unity Council (TUC) **Presenter: Interim Vice Chancellor Orkin**

Consider approval of a Memorandum of Understanding and a Contract Agreement with The Unity Council (TUC) not to exceed \$100,000 from January 1, 2012 through February 14, 2013. **Funding Source: Department of Labor Grant (DOL) as approved by the DOL Employment and Training Services.** The Unity Council will provide recruiting, training and job placement services for limited English speaking participants into the Alameda Transportation and Logistics Academic Service (ATLAS) program. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

20. Consider Approval of a Memorandum of Understanding and Agreement with The Academy of Truck Driving **Presenter: Interim Vice Chancellor Orkin**

Consider approval of a Memorandum of Understanding and a Contract Agreement with The Academy of Truck Driving not to exceed \$150,000 from July 1, 2012 through February 14, 2013. **Funding Source: Department of Labor Grant (DOL) as approved by the DOL Employment and Training Services.** Academy of Truck Driving agrees to provide Commercial Driving License training services, and the Peralta College's agrees to provide funding for job readiness training. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

21. Consider Approval of an Agreement with OD Network **Presenter: Interim Vice Chancellor Orkin**

Consider approval of a Memorandum of Understanding and a Contract Agreement with OD Network (**Add Principle's name here**) not to exceed \$133,000 from April 24, 2012 through February 14, 2013. **Funding Source: Department of Labor Grant (DOL) as approved by the DOL Employment and Training Services.** OD Network will provide recruitment and marketing into three industry-driven logistic training programs for dislocated workers for the Alameda Transportation and Logistics Academic Service (ATLAS) program at College of Alameda. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

22. Consider Contract Approval with the California Department of Education to Provide Child Care and Development Services, and to Authorize Resolution 12/13-10 **Presenter: Vice Chancellor Ng**

Consider contract approval with the California Department of Education to provide child care and development services not to exceed \$708,225, and to authorize Resolution 12/13-10 for the designated personnel to execute contract documents for Fiscal Year 2012-13. **Funding Source:** State of California, Department of Education Child Development Division. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

23. Consider Approval of a Childcare MOU with BANANAS, Inc., for Berkeley City College **Presenter: President Budd**

Consider approval of childcare MOU with BANANAS, Inc., to administer the voucher program for Berkeley City College for \$43,500 from July 1, 2012 through June 30, 2013. **Funding Source: CalWORKs.** BANANAS has been providing childcare for Berkeley City College students on a categorically funded voucher system since Berkeley City College does not operate a child care center. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

FINANCIAL SERVICES

24. 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*.

25. 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*.

26. 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.

27. Consider Approval of the California Community Colleges Chancellor's Office Quarterly Financial Status (CCFS-311Q) Report **Presenter: Vice Chancellor Gerhard**

Consider approval of the District's fiscal year 2011-12 4th quarter CCFS 311Q report. The CCFS-311Q is the State Chancellor's Office Quarterly Financial Status Report summarizing and communicating the results of the budgetary decisions and transactions made by the District through the fourth quarter of fiscal year 2011-12. The Chancellor recommends approval.

28. Consider Approval of Surplus Equipment Disposal **Presenter: Vice Chancellor Gerhard**

Consider approval to designate equipment and materials as surplus and obsolete. When it has been determined that there is no further need, for use or for trade-in, within the District for equipment or materials, such equipment or materials will be designated as either salvage or scrap by the District's chief fiscal officer. Purchasing will coordinate the removal of the surplus and obsolete equipment and materials through an approved State of California Collector and Recycler at no cost to the District. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

29. Consider Approval of the Chancellor's Office Tax Offset Program (COTOP) **Presenter: Vice Chancellor Gerhard**

Consider approval of contract between the Peralta Community College District and the Chancellor of the California Community College for the District to participate in the Chancellor's Office Tax Offset Program (COTOP). **Funding Source: General Fund Unrestricted.** All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

30. Consider Approval for Blanket Purchase Order for Official Payments Corporation **Presenter: Vice Chancellor Gerhard**

Consider approval of an open purchase order for Official Payments Corporation in the amount not to exceed \$300,000. **Funding Source: General Fund Unrestricted.** The contract is needed to pay for student credit card processing fees until the end of this Fiscal Year, June 30, 2013. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

31. Consider Ratification of eVerge Contract Addendum **Presenter: Vice Chancellor Gerhard**

Consider *ratification* of contract with eVerge Consulting Group that will assist the District with upgrading its existing versions of the HR and Student Administration modules within PeopleSoft to the most recent version available. **Funding Source: Measure E.** This involves moving from versions 8.9, which were the initial versions adopted in 2005, to versions 9.1. Our current version, 8.9, is scheduled to lose support from Oracle by 12/31/2012. The second component of this agreement will assist the District with planning, preparing, and implementing the PeopleSoft Student Financial Aid module. The District purchased this module in 2005 but has not implemented it. The contract

includes an hourly rate of \$150 with a not-to-exceed amount of \$188,000. The term of the contract is August 10, 2012 – February 28, 2013. The Chancellor approved this contract addendum during Board recess under his authority, and it returns to the Board at this time for *ratification*. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends *ratification*.

32. Consider Approval of Bid Number 11-12/20 Purchase of Personal Computer Desktops and Laptops for the District **Presenter: Vice Chancellor Gerhard**

Consider approval to accept bid from EDX Information Systems Personal to provide Computer Desktops and Laptops for a one year period. **Funding Source: General Fund Unrestricted.** All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

HUMAN RESOURCES

33. Consider *Ratification* to Approve a Contract between Association of Community College Trustees and the District for the Interim Services of Dr. Patricia Stanley as the Interim President for Merritt College **Presenter: Vice Chancellor Trudy Largent**

The District requests Board *ratification* to approve an agreement between the Association of Community College Trustees (ACCT) and the Peralta Community College District for the interim services of Dr. Patricia Stanley as the Interim President of Merritt College. This interim appointment shall be ratified for the period commencing August 27, 2012 through December 31, 2012, while the District conducts a recruitment for a new President for Merritt College. The consultant services fee for Dr. Stanley will be \$14,417 per month and the retainer fee for ACCT will be \$1,375 per month over the term of the agreement. This contract was approved by the Chancellor under his authority during Board recess, so returns to the Board at this time for *ratification*. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

34. Request Board Authorization to Increase Independent Contractor's Agreement for Professional Services for Renne, Sloan, Holtzman & Sakai, LLP **Presenter: Vice Chancellor Largent**

District administration requests Board authorization to increase an existing professional services agreement with Renne Sloan Holtzman & Sakai, LLP for neutral fact finding reports and investigations for the Office of Human Resources and Employee Relations. The District is required by state and federal law to conduct fair, neutral, and impartial investigations into complaints of alleged discrimination and sexual harassment filed by employees and students. This firm does not provide legal services to the District. The current contract approaches its limit of \$25,000, therefore, the District requests an increase by an additional \$125,000 for a contract not to exceed \$150,000 limit for fiscal

year ending June 30, 2013. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

35. Sunshine of a Proposed Contract Revision for the Inclusion of Short-term Employees to the Memorandum of Understanding by the International Union of Operating Engineers Local 39 to the Peralta Community Colleges District
Presenter: Vice Chancellor Largent

Pursuant to Article 29 of the Collective Bargaining Agreement and the Educational Employment Relations, Section 3575, the International Union of Operating Engineers (IUOE) Local 39 gives public notice of its proposed contract revision regarding the inclusion of short-term employees to the Memorandum of Understanding (MOU). In order to satisfy the Sunshine requirements the Union wishes to open and negotiate the following articles of the MOU: 1) Article 26, Pay and Allowances. The Union will propose fair and equitable wage increases for all short-term employees; and 2) Article 24, Health and Welfare Benefits. The Union will propose fair and equitable benefits for all short-term employees. All Board recommended contracts are subject to negotiation and execution by the Chancellor.

36. Consider Approval and Ratification 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. The Chancellor approved the first list of names under his authority during Board recess, so it now returns to the Board for *ratification*. The second list requires Board approval. The Chancellor recommends approval.

Requires Board Ratification:

Last Name	First Name	Date of Hire	End Date	Position Title	Site
Chong	Micah	8/20/12	6/30/13	Instructional Assistant/Machine Technology	L
Glasscock	Brian	8/20/12	6/30/13	Stage and Production Assistant	L
Guessoum	Hayat	8/15/12	10/12/12	Clerical Assistant II	L
Holt	Audrey	8/20/12	6/30/13	Instructional Assistant/Biomedical Engineering	L
Huynh	Hue	8/17/12	6/30/13	Clerical Assistant II	B
Lehman	Michi	8/20/12	6/30/13	Lifeguard	L
Lyons	Jeffrey	8/20/12	6/30/13	Instructional Assistant/Machine Technology	L

Roisen	Kathi	8/20/12	6/30/13	Instructional Assistant/Basic Skills	L
Rojas	Liliana	8/17/12	6/30/13	Clerical Assistant II	B
Roriz	Julia	8/20/12	6/30/13	Lifeguard	L
Sammel	Chelsea	8/17/12	6/30/13	Instructional Assistant/Welding	L
Tran	Kevin	9/4/12	12/21/12	Senior Clerical Assistant/Typing	A

Requires Board Approval:

Last Name	First Name	Date of Hire	End Date	Position Title	Site
Fauerskov	Helle	9/12/12	6/30/13	Interpreter, Fully Certified	All
Glaim	Darleen	9/12/12	6/30/13	Interpreter III	All
Harper	Virginia	9/12/12	6/30/13	Staff Assistant/Admin (Grants)	M
Harshaw	Dolores	10/1/12	12/14/12	Instructional Assistant I/DSPS	B
Hedberg	Sheri	9/12/12	6/30/13	Instructional Assistant II/DSPS	A
Hernandez	Alegria	9/12/12	12/12/12	Instructional Assistant/ADN Program Skills Lab	M
Ingle	Harris	9/12/12	6/30/13	Science Lab Tech/Bio Science	M
Lee	Tammy	9/17/12	6/30/13	Senior Clerical Assistant	A
Ly	Mai	10/1/12	6/30/13	Account Clerk I	L
Nelson	Ronald	10/15/12	6/30/13	Instructional Assistant III/DSPS	M
Rehman	Uzma	9/12/12	12/14/12	Instructional Assistant III/DSPS	B
Rippberger	Bonnie	9/12/12	12/14/12	Instructional Assistant/Child Development	M
Thaxton II	Levon	9/12/12	12/14/12	Instructional Assistant/EMT	M
Ward	James	9/12/12	6/30/13	Instructional Assistant/Math	B

FACILITIES

37. Consider Ratification of Contract Award, District-Wide Drinking Fountain Project (Bid No. 11-12/24), JUV Inc. Presenter: Vice Chancellor Ikharo

Ratification is requested of the contract award to JUV Inc. for the District-Wide Drinking Fountain Project (Bid No. 11-12/24), in the amount of \$483,700. **Funding Source: Bond Measures A and E.** The project replaces 35 drinking fountains on 4 campuses, using the District standard of Haws Hi/Low drinking fountains and El Kay Bi-Level drinking fountains with bottle filling stations. The scope of work includes:

- Provide and install 16 exterior and 19 interior replacement drinking fountains in new or existing locations
- Provide and install stainless steel ADA compliant handrails at each location as designed on the drawings
- Remove and dispose of existing drinking fountain fixtures
- Modify piping and install new ADA compliant drinking fountains with bottle fillers
- Modify existing, or extend from existing nearest available source as required to provide power to drinking fountains
- Provide structural backing and modification to existing wall framing to support wall-hung drinking fountains
- Construct metal stud framing with structural backing and gypsum board finish furred walls at existing concrete walls to support wall-hung drinking fountains
- Concrete saw cutting/trenching and repair where necessary to extend plumbing and electrical utilities

A formal Request for Bids (Bid No. 11-12/24) was conducted for this project, and a bid opening was held on July 30, 2012. Five (5) bids were received, as follows:

CONTRACTOR	LOCATION	TOTAL BID
JUV Inc.	Oakland, CA	\$483,700
BHM Construction, Inc.	Vallejo, CA	\$490,700
Calstate Construction, Inc.	Oakland, CA	\$549,600
Bay Construction Co.	Oakland, CA	\$673,000
Rodan Builders, Inc.	Burlingame, CA	\$696,000

The lowest responsible and responsive bid was submitted by JUV Inc., in the amount of \$483,700. The contract award was approved by the Chancellor during the Board recess, permitted under the Chancellor Authorization to Sign (Resolution 99/00-5). This was necessary so that the work could commence during the Board recess period, allowing the project construction to begin on schedule and provide chilled drinking water bottle fillers to each campus. Board *ratification* of the contract award is now requested. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends *ratification*.

38. Consider *Ratification* of Contract Award, Electrical Connection to Building – L at Merritt College (Bid No. 11-12/22), Dan Electric **Presenter: Vice Chancellor Ikharo**

Ratification is requested of the contract award to Dan Electric for the Electrical Connection to Building – L at Merritt College (Bid No. 11-12/22), in the amount of \$1,000,000. **Funding Source: Bond Measure A.** The project consists of the alteration of electrical infrastructure for service to the renovated Building L (Library/Learning Resource Center) and the future Merritt College Science and Allied Health Building. The scope of work includes:

- Provide and install underground conduit and cabling to provide electrical power to Building L, and provide and install conduit pathways and pullboxes for future service to the upcoming Merritt College Science and Allied Health Building.
- Provide and install manholes and switches for medium voltage distribution.
- Provide and install Unit Substation E for electrical service to Building L, including support structure, security/sight wall with access and lighting, high voltage section, transformer and low voltage distribution section.
- Provide an underground electrical and telecommunications survey to include underground locator services that will document existing active electrical and telecom services and distribution within the areas of work and as shown on the contract drawings. Provide marked-up site plan to engineer showing locations of all electrical and telecom duct banks in designated area and identifying service of each duct bank (electrical or telecom).
- Work includes extensive trenching and earthwork for the installation of duct banks, manholes, foundations and equipment pads. Site conditions are considered extremely rocky, and trenching/digging operations were considered and priced accordingly.

A formal Request for Bids (Bid No. 11-12/22) was conducted for this project, and a bid opening was held on July 9, 2012. Three (3) bids were received, as follows:

CONTRACTOR	LOCATION	TOTAL BID
Dan Electric	San Leandro, CA	\$1,000,000
Steiny and Company	Vallejo, CA	\$1,142,000
Central Sierra Electrical	Jackson, CA	\$1,196,242

The lowest responsible and responsive bid was submitted by Dan Electric, in the amount of \$1,000,000. The contract award was approved by the Chancellor during the Board recess, permitted under the Chancellor Authorization to Sign (Resolution 99/00-5). This was necessary so that the work could commence during the Board recess period, allowing the project construction to begin on schedule and not impact the work to be performed on the renovated existing Library/Learning Resource Center and new Science Building on the Merritt College campus. Board *ratification* of the contract award is now requested. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends *ratification*.

39. Consider *Ratification* of Change Order No. 6, Laney Tower Modernization Project, AJF/BHM, A Joint Venture **Presenter: Vice Chancellor Ikharo**

Ratification is requested for Change Order No. 6 to the contract with AJF/BHM, A Joint Venture for the Laney Administration Tower Renovation Project, in the amount of \$70,012. Including the previously Board approved Change Orders No. 1, 2, 3, 4 and 5, the cumulative change order total to date is \$370,068, which is 9.3% of the original contract amount of \$3,997,351. **Funding Source: Bond Measure A.**

The change order items are primarily due to the following reasons:

- Division of the State Architect (DSA) requests to ensure code compliance required the addition of added smoke dampers
- The result of architect/engineer omissions requiring the installation of additional light fixtures, control valves, filler racks and condensate pumps
- Owner request for the deletion of window film from a number of windows, resulting in a deduction to the contract price of (\$43,000)

In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and Change Order No. 6 is now brought before the Board for *ratification*. It is in the best interests of the District and financially prudent to authorize this change order. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends *ratification*.

40. Consider Approval of Change Order No. 3, District-Wide Security and Safety Camera Project, Increment 2 (Cameras, Servers & Infrastructure), Central Sierra Electric Company Inc. **Presenter: Vice Chancellor Ikharo**

Approval is requested for Change Order No. 3 to the contract with Central Sierra Electric Company Inc. for the District-Wide Security and Safety Camera Project, Increment 2 (Cameras, Servers & Infrastructure). This change order provides for a time extension of 87 days, at no cost. **Funding Source (for the project): Bond Measures E (30%) and Measure A (70%).** The time extension is necessary for the installation of the AT&T GigaMAN loop required for the final uplink and connections for the surveillance system integration. Additional time required by AT&T is approximately nine (9) weeks for the service to be installed and tested prior to final uplink and integrations to the Peralta's (Sheriff) Police Command Center and security and safety cameras. Previously Board approved Change Order Nos. 1 and 2 total \$211,759.47, which is 4.0% of the original contract amount (\$5,282,849.00). This Change Order No. 3 is at no cost and will not change the total contract amount. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

41. Consider Approval of Amendment No. 1 to Agreement with Anthonio, Inc. for DSA Certified Inspection Services for the District-Wide Security and Safety Camera Project **Presenter: Vice Chancellor Ikharo**

Approval is requested for Amendment No. 1 to the agreement with Anthonio, Inc. for DSA (Division of the State Architect) certified inspection services for the District-Wide Security and Safety Camera Project, in the not-to-exceed amount of \$26,625. **Funding Source: Bond Measures E (30%) and Measure A (70%).** This amendment is

required because the project schedule was extended to November 9, 2012, due to the six-week schedule delay for the installation of the AT&T GigaMAN loop. Installation of the GigaMAN loop will require additional inspection services. The amendment also covers inspection services performed during weekends and nights to work around college class schedules. These additional services were not included in the original agreement. The original agreement with Anthonio, Inc. is dated July 18, 2011, in the amount of \$59,250. Including Amendment No. 1, the total amount of the agreement with Anthonio, Inc will be \$85,875. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

42. Consider Approval of Amendment No. 4 to Agreement with The Consulting Group (TCG) for District-Wide Security and Safety Camera Project **Presenter: Vice Chancellor Ikharo**

Approval is requested for Amendment No. 4 to the agreement for professional services with The Consulting Group (TCG) for the District-Wide Security and Safety Camera Project, in the amount of \$61,200. **Funding Source: Bond Measure A.** The increased fee is due to:

- Additional construction support of the project change orders
- Coordination and negotiation of the AT&T GigaMAN loop
- The project punch list
- Close-out documentation
- Training of the Sheriff's Command Center staff

The above services are based on an extended project completion date of November 9, 2012, due to the six-week schedule delay for the installation of the AT&T GigaMAN connectivity loop. The remaining scope of work for TCG includes construction management support, contract administration, project acceptance and coordination of AT&T services between campus locations.

The original agreement with TCG, in the amount of \$280,000, was approved at the Board meeting of May 20, 2008. The original scope included design and preparation for the wireless security and safety camera system and construction management services during construction.

Amendment No. 1, in the amount of \$309,046, was approved at the Board meeting of January 26, 2010. It included an increase of 119 additional cameras from the original contract and the addition of the design work required for the Police Services Control Center renovations.

Amendment No. 2, in the amount of \$35,750, was approved at the Board meeting of January 18, 2011. It included the addition of security cameras for the Smart Classroom project and construction administration for that scope of work.

Amendment No. 3, in the amount of \$180,177, was approved at the Board meeting of September 27, 2011. It included a major expansion of the bid and re-bid pre-qualification process, additional design work, and an increase in the project duration due to the smart classroom implementation. Including Amendment No. 4, the total amount of the agreement with The Consulting Group will be \$866,173. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

43. Consider Approval of Amendment No. 3 to the Agreement for Consulting Design Services with Carrier Johnson + Culture for the District-Wide Wayfinding and Room Identification Signs, Phase II **Presenter: Vice Chancellor Ikharo**

Approval is requested for Amendment No. 3 to the Agreement for Consulting Design Services with Carrier Johnson + Culture for the design of the District-Wide Wayfinding and Room Identification Signs, Phase II, in the amount of \$24,280. **Funding Source: Bond Measure A.** Under this amendment, Carrier Johnson + Culture will provide the additional design services for four (4) electronic media marquee signs to be located at College of Alameda, Laney College, Merritt College and Berkeley City College. The scope of work will include:

- Response to initial Division of the State Architect (DSA) review comments
- Bid support services
- Construction administration support services
- DSA close-out support services

The original agreement, in the amount of \$98,000, was approved at the Board meeting of January 21, 2008. Amendment No. 1, in the amount of \$95,000, approved at the Board meeting of October 14, 2008, was necessary due to additional scope changes and design services at four campus locations. Amendment No. 2, in the amount of \$12,000, approved at the Board meeting of January 12, 2010, was necessary to provide structural calculations for the Berkeley City College sign installation and structural support design for the marquee signs at College of Alameda, Laney and Merritt Colleges. Including Amendment No. 3, the total amount of the agreement with Carrier Johnson + Culture will be \$229,280. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

44. Consider Approval of Amendment No. 1 to Independent Contractor/Consultant Services Contract with Inspection Services, Inc. for Testing and Inspection Services for the Photovoltaic (PV) System at Merritt College **Presenter: Vice Chancellor Ikharo**

Approval is requested for Amendment No. 1 to the independent contract with Inspection Services, Inc. (ISI) for Division of the State Architect (DSA) required testing and inspection services for the Photovoltaic (PV) System project at Merritt College, in the not-to-exceed amount of \$6,310. **Funding Source: Bond Measure A.** Independent Contractor/Consultant Services Contract 14117, in the not-to-exceed amount of \$9,728,

was issued to ISI for special inspection and material testing services for the Photovoltaic System project. ISI based their original estimate in part on the anticipated use by the contractor of local metal fabricators. The actual metal fabricator was located in Fresno, thus increasing the cost of materials testing and inspection services provided by ISI. The testing was performed December 9 and 10, 2011, but invoices were not received by the District until now and exceeded the balance remaining in the independent contract. Board approval of this amendment is required because the amount of the total purchase orders issued to ISI exceeds the annual threshold. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

45. Consider *Ratification* of Agreements for District-Wide Security Services with Securitas Security Services USA, Inc. and American Guard Services **Presenter: Vice Chancellor Ikharo**

Ratification is requested for the District to enter into the following two agreements for District-wide security services:

- Agreement with Securitas Security Services USA, Inc. (Securitas) for Berkeley City College in a not-to-exceed amount of \$152,672.00 for the period from October 1, 2012 to June 30, 2013
- Agreement with American Guard Services for College of Alameda, Laney College, Merritt College and the District Administrative Center in a not-to-exceed amount of \$169,487.56 for the period from October 1, 2012 to June 30, 2013

Funding Source: District General Funds. A formal request for proposals (RFP No. 11-12/16) for District-Wide Security Services was issued, and proposals were due June 20, 2012. Proposals were received from six vendors. Interviews were conducted between July 11 and July 17, 2012, by a committee of five representatives from the District Administrative Center (DAC) and other colleges, with the following results:

SUMMARY OF EVALUATORS SCORES
District-Wide Security Services

INTERVIEWS
Interviews Conducted on July 11 - July 17, 2012

	Evaluators					Total	Average
	SS	JP	AT	MM	CN		
American Security Management	55	50	51	60	51	267	53.40
Guard Enforcement	45	65	62	68	55	295	59.00
ABC Security Services, Inc.	90	90	90	77	74	421	84.20
ANI Security	85	90	90	87	86	438	87.60
American Guard Services	95	95	95	80	75	440	88.00
Securitas	95	93	95	81	81	445	89.00

The highest scores were received by Securitas Security Services USA, Inc. (Securitas) and American Guard Services. Securitas has performed security services at Berkeley City College since 2007. In November 2009, Securitas began providing security services on weekends and holidays at College of Alameda, Laney College, Merritt College and the District Administrative Center (DAC). In an effort to safeguard life and property, the administration is augmenting Peralta's police services with trained security guards to minimize the cost of security.

The performance of Securitas at Berkeley City College has been outstanding. Securitas staff assigned to work at Berkeley City College also did very well in the evaluation. Based on the interview results and performance evaluation, it is recommended that the District enter into an agreement with Securitas for security services at Berkeley City College.

However, Securitas' performance at the other colleges was rated as deficient and less than ideal. As a result, the administration is recommending American Guard Services to provide security on weekends and holidays for College of Alameda, Laney College, Merritt College and the DAC.

The estimated costs for Securitas and American Guard Services are broken down as follows:

AMERICAN GUARD SERVICES

BREAKDOWN FOR LANEY, MERRITT, COLLEGE OF ALAMEDA & DISTRICT ADMINISTRATIVE CENTER ONLY

	2013	2014	2015
	October 1, 2012 to June 30, 2013	June 30, 2013 to July 1, 2014	June 30, 2013 to July 1, 2015
Standard Coverage (PER MONTH)			
Security Officer	\$ 4,915.20	\$ 4,915.20	\$ 5,063.68
Security Officer (Annex)	\$ 5,529.60	\$ 5,529.60	\$ 5,696.64
Site Supervisor	\$ 7,522.44	\$ 7,522.24	\$ 7,747.52
Subtotal - Standard Coverage (MONTHLY)	\$ 17,967.24	\$ 17,967.04	\$ 18,507.84
Holiday Coverage (PER YEAR)			
Security Officer	\$ 3,686.40	\$ 3,686.40	\$ 3,796.48
Security Supervisor	\$ 4,096.00	\$ 4,096.00	\$ 4,226.56
Subtotal - Holiday Costs (YEARLY)	\$ 7,782.40	\$ 7,782.40	\$ 8,023.04
Yearly Cost for Standard Coverage	\$ 161,705.16	\$ 215,604.48	\$ 222,094.08
Yearly Cost for Holiday Coverage	\$ 7,782.40	\$ 7,782.40	\$ 8,023.04
Total Yearly Costs for Laney, Merritt & COA	\$ 169,487.56	\$ 223,386.88	\$ 230,117.12

**SECURITAS SECURITY INC.
BREAKDOWN FOR BERKELEY CITY COLLEGE ONLY**

	2013	2014	2015
	October 1, 2012 to June 30, 2013	June 30, 2013 to July 1, 2014	June 30, 2013 to July 1, 2015
Standard Coverage (PER MONTH)			
Security Officer	\$ 9,525.00	\$ 9,811.20	\$ 10,103.20
Security Officer (Annex)	\$ 4,175.50	\$ 4,301.00	\$ 4,429.00
Site Supervisor	\$ 3,134.50	\$ 3,229.00	\$ 3,326.50
Subtotal - Standard Coverage (MONTHLY)	\$ 16,835.00	\$ 17,341.20	\$ 17,858.70
Holiday Coverage (PER YEAR)			
Security Officer	\$ 922.60	\$ 958.00	\$ 986.00
Security Supervisor	\$ 235.00	\$ 242.20	\$ 249.50
Subtotal - Holiday Costs (YEARLY)	\$ 1,157.60	\$ 1,200.20	\$ 1,235.50
Total Yearly Cost for Standard Coverage:	\$ 151,515.00	\$ 208,094.40	\$ 214,304.40
Total Yearly Cost for Holiday Coverage:	\$ 1,157.60	\$ 1,200.20	\$ 1,235.50
Total Yearly Costs for BCC :	\$ 152,672.60	\$ 209,294.60	\$ 215,539.90

TOTAL ESTIMATED COSTS FOR SECURITY GUARD SERVICES, DISTRICT-WIDE

	2013	2014	2015
	October 1, 2012 to June 30, 2013	June 30, 2013 to July 1, 2014	June 30, 2013 to July 1, 2015
College of Alameda, Laney, Merritt & District Admin Ctr.	\$ 169,487.56	\$ 223,386.88	\$ 230,117.12
Berkeley City College	\$ 152,672.60	\$ 209,294.60	\$ 215,539.90
GRAND TOTAL:	\$ 322,160.16	\$ 432,681.48	\$ 445,657.02

Each initial agreement will be effective for the period of October 1, 2012 to June 30, 2013, with a provision for two additional annual renewals at the rates identified. The renewals will be contingent upon favorable performance evaluations. This will give the District the opportunity to terminate services if the vendors are not performing satisfactorily.

The agreement with Securitas for District-Wide security services ended June 30, 2012, and Securitas has been performing security services on a month-to-month basis since July 1, 2012. The Chancellor's approval, as permitted under the Chancellor Authorization to Sign (Resolution 99/00-5), to negotiate the new agreements during the Board recess was requested to allow the administration to send the required thirty-day notification to the existing vendor, Securitas, by September 1, 2012. Board *ratification* of the agreements is now requested. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends *ratification*.

46. Consider *Ratification* of an Independent Contractor/Consultant Services Contract with WLC Architects to Provide an Architectural Property Evaluation for the 2015 Shattuck Avenue Property in Berkeley **Presenter: Vice Chancellor Ikharo**

Ratification is requested of an Independent Contractor/Consultant Services Contract with WLC Architects to provide an architectural property evaluation for 2015 Shattuck Avenue in Berkeley, in the amount of \$4,077.50. **Funding Source: Bond Measure A.**

WLC Architects, in collaboration with Thornton Tomasetti structural engineers, performed the following services:

- Visited the building site with District representative
- Performed visual and non-intrusive investigation
- Researched city governing agencies
- Researched property ownership and documentation history
- Provided existing building assessment binder
- Summarized findings and estimated cost for forensic investigation, with the intent to determine if the property meets the Field Act

The property evaluation report provided critical decision making information to the District. The Chancellor's approval, as permitted under the Chancellor Authorization to Sign (Resolution 99/00-5), was requested to enter into this independent contract. Board approval is necessary because the current purchase orders to WLC Architects exceed the threshold amount for this fiscal year. Board *ratification* of the independent contract is now requested. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends *ratification*.

HUMAN RESOURCES

47. Consider Approval of a Reduced Workload by Faculty Member Katherine Kocel, Psychology Instructor at Berkeley City College **Presenter: Vice Chancellor Largent**

District Administration Requests Board Authorization to Approve a Request by Faculty Member Katherine Kocel, Psychology Instructor at Berkeley City College, to Participate in the Reduced Workload Program in Accordance with California Education Code Section 87483. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

ACTION CALENDAR ITEMS (8:20 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. The Board will hear public comments prior to taking any action on these items.

Motion on each Action Calendar Item

Public Comments on each Action Calendar Item

Vote on each Action Calendar Item

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.