



PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, July 16, 2013

3:45 p.m. Tour of Laney College Tower

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:

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

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

MINUTES

CALL TO ORDER (3:45 p.m.)

Tour of Laney College Tower

CLOSED SESSION (5:00 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)), Vogt v. PCCD, Alameda County Superior Court, Case No. RG11-573757.
- 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)), Kogo v. PCCD et al., Alameda County Superior Court, Case No. RG12613106.
- Conference with Legal Counsel (54956.9(a)), First National Insurance Co. v. PCCD, U.S. District Court, Northern District of CA, Case No. CV12-5943.
- Conference with Legal Counsel (54956.9(a)), Chop v. Peralta Community College District, etc., Case No. RG13681249.
- Conference with Legal Counsel (54956.9(a)), Emmanuel Tril v. Laney College et al., U.S. District Court, Northern District of CA, Case No. C131464 LB
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (5 cases).

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

Public Employee Appointment – Employment, Performance, Evaluation, Discipline, Dismissal, Release – All Employees (Government Code § 54957).

- Dean of Academic Pathways, Workforce Development and Student Success, Berkeley City College.
- Director of Special Projects, (grant funded), Berkeley City College.
- Director of Student Activities & Campus Life, Berkeley City College.
- EOPS Director, College of Alameda.
- Dean of Academic and Student Affairs, Laney College.
- Vice President of Instruction, Merritt College.
- Vice Chancellor of Educational Services, District Office.
- Interim Vice President of Instruction, Berkeley City College.
- Interim Dean of Enrollment, College of Alameda.
- Interim Director of Business and Administrative Services, Laney College.
- Interim Director of the TRIO SSS Programs, (grant funded), Laney College.
- Interim Director for Human Resources, District Office.

OPEN SESSION (7:00 P.M.)

PLEDGE OF ALLEGIANCE

ROLL CALL Trustees Brown, Pr_ Ab_, González Yuen Pr_ Ab_, Guillén Pr_ Ab_, Handy Pr_ Ab_, Riley Pr_ Ab_, Withrow Pr_ Ab_, and Gulassa Pr_ Ab_, Student Trustees Clegg Pr_ Ab_ and Li Pr_ Ab_.

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

(Any public employee contracts are subject to contractual agreement by the Chancellor, and provided salaries are for informational purposes only.)

At tonight's closed session:

The Board voted to approve the appointment of the following public employee contracts, which are subject to contractual agreement by the Chancellor. Salaries are for informational purposes only, and are not voted by the Board. All of the votes were unanimous with 7 AYES.

Dean of Academic Pathways, Workforce Development and Student Success, Berkeley City College, Dr. Carlos Cortez, \$110,000/year, July 29, 2013 through June 30, 2015.

Director of Special Projects, (grant funded), Berkeley City College, Maeve Katherine Bergman, \$90,000/year, July 17, 2013 through June 30, 2015.

Director of Student Activities & Campus Life, Berkeley City College, Mostafa Ghous, \$100,000/year, July 29, 2013 through June 30, 2015.

EOPS Director, College of Alameda, Toni Cook, \$90,000/year, July 1, 2013 through June 30, 2015.

Dean of Academic and Student Affairs, Laney College, Tina Vanconcellos, \$114,000/year, July 1, 2013 through June 30, 2015.

Vice President of Instruction, Merritt College, Dr. Elmer Bugg, \$140,000/year, August 26, 2013 through August 26, 2014.

Vice Chancellor of Educational Services, District Office, Dr. Michael Orkin, \$160,000/year, July 17, 2013 through July 1, 2015.

Interim Vice President of Instruction, Berkeley City College, Lilia Celhay, \$130,000/year, September 3, 2013 through June 30, 2014, or until the permanent position is filled, whichever occurs first.

Interim Dean of Enrollment, College of Alameda, Amy Lee, \$110,000/year, July 17, 2013 through July 17, 2014, or until the permanent position is filled, whichever occurs first.

Interim Director of Business and Administrative Services, Laney College, John Nahlen, \$112,000/year, July 17, 2013 through November 1, 2013, .

Interim Director of the TRIO SSS Programs, (grant funded), Laney College, Roxanne Rivas, \$90,000/year, July 16, 2013 through June 16, 2014, or until the permanent position is filled, whichever occurs first.

Interim Director for Human Resources, District Office, Natasha Spivey, \$110,000/year, July 16, 2013 through May 13, 2014, or until the permanent position is filled, whichever occurs first.

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. The Board may move to the Action Calendar items with public speakers.

Items 6 and 31 are removed from the agenda. Item 9 should read Resolution number 13/14-14. Item 25 has an added short-term hourly name of Shirley Fogarino, 7/17/13 through 6/30/14, Public Information Office, Berkeley City College. Items 23, 24, and 26 are moved to the action agenda.

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

1. Consider Approval of the Regular Board meeting Minutes of June 25, 2013. Consider approval of the regular Board meeting minutes of June 25, 2013. The minutes are posted on Granicus.

MOTION Trustees Withrow, second Guillen to approve the minutes.

PASSED

Trustee Gonzalez Yuen abstained.

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 (up to 3 minutes per individual) will be provided for speakers under this agenda section, at the Board President's discretion. 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 up to a limit of 6 additional minutes, with no more than 5 speakers on the issue, where both have completed a speaker's card, and the yielder must identify him/herself to the Board. Speakers 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.) Further direction is provided in Board Policy and Administrative Procedure 2345 Public Participation at Board Meetings. <http://web.peralta.edu/trustees/board-policies/>

Speaker Garcia from the Peralta Colleges Foundation thanked the Board for their support of the Foundation. He has passed his six month interim in his position, and looks forward to implementing the Board's vision at the Foundation. He thanked everyone who's already slated to support the upcoming golf tournament.

Speaker Brice had previously inquired about funding for instructional assistants. He looks forward to seeing the line items for these funds. He shared that the classified staff are thankful for our good accreditation rating and their jobs. He asked that any substandard work be addressed, and he thanked General Services for following through on their projects.

Speaker Thompson shared that she'll soon be leaving the area. Her journey started at Peralta 15 years ago, and she's since fed thousands of people on our campuses. She worked on the honoring our own program to honor women at Peralta. She thanked the Board all of their support.

Public speakers from the Berkeley City College tobacco-less club shared their survey results and some student comments. They are grateful for the Districtwide signage. They offered some suggestions of locations for future signage. They have a new grant from the County. 91 people were surveyed.

REPORTS (7:20 P.M.)

The Board requests that constituent group reports and presentations 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.)

Speaker Christian from the ASMC announced that they are planning a 4-day retreat. All student leaders are invited, and she requested funds for this event.

3. Chancellor's Reports

Chancellor's Report

Dr. José M. Ortiz

Vice Chancellor's Reports

Budget Update

Vice Chancellor Gerhard

Enrollment and

Interim Vice Chancellor Orkin

Student Services Update

General Services

Vice Chancellor Ikharo

Human Resources

Vice Chancellor Largent

College Reports

Berkeley City College

President Budd

College of Alameda

Interim President Gravenberg

Laney College

President Webb

Merritt College

President Ambriz-Galaviz

- Intent to Apply - NSF-ATE/Biotech Integration, CXO-Link, & De Novo Genomics.

The Chancellor welcomed Interim COA President Eric Gravenberg into his new position. He thanked the Board and all our staff for passing our accreditation review. VC Gerhard and his staff were thanked for all of their efforts with our finances, and all of the colleges were thanked for their successes in many areas. The public was thanked for our added funding from the parcel tax measure and Measure B support. We will have a comprehensive visit in spring 2015, which will include a self-study for each college.

President Ambriz-Galaviz reported that the City of Oakland Mayor has championed a new partnership with our police department, and the City of Oakland cadet program for student internships. They want to grow their own, and we anticipate a completed MOU in the fall. They are interested in a police academy with instructional courses. Trustee Guillen is happy to hear that this is proceeding, and he hopes to see more officer graduates from Oakland residents.

4. Board of Trustees' Reports

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.

Trustee Brown reported that she and Trustee Handy an AACCC student success program in Sacramento. They are working with Assemblymember Rob Bonta's office on adult education legislation.

Student Trustee Clegg announced the associated student training on August 6 – 9, and invited the Trustees to attend at the Bistro, Laney College 9 am – 5 pm. This will help to train student leaders to serve on the student counsel. Classified staff will be leading many of their session. She will volunteer at the Foundation golf tournament. She announced that the international student program will host a trip to Yosemite.

Trustee Handy reported on the AACCC conference to Sacramento. She invited the public to support the Foundation golf tournament on Monday.

Trustee Riley had lunch with the PRO retired employee group. They also offer scholarships yearly for each college. He and Trustee Guillen attended NALEO conference. The importance of students speaking dual languages was highlighted at the conference. Much federal and state private education funding are often not tapped into by students.

Trustee Guillen shared that one reason our students don't enroll in the police academy is because they don't have the required credit scores, and that good credit score impact future hiring opportunities. He enjoyed a NALEO report from Karen Avilla on Federal issues on tax-exempt bonds and the current fiscal climate. He learned about early learning child development, which has a 14-1 return on investment with quality early learning and pre-school, and this can help to close the achievement gap by 50%. He'd like to learn more about what we do at Merritt College in this area.

Student Trustee Li met with a business leader from Laney College's round table.

Trustee Gulassa emphasized the great success of the accreditation process at Peralta, and thanked everyone involved. He offered thanks for former Chancellor Wise Allen for his work on the parcel tax, and thanked VC Gerhard and his department for their very hard work. Dr. Ortiz brought this all together successfully, overseeing the process, and allowed the Board to review all of the documents prior to approval. He thanked the Board for their hard work on policy review, and thanked the administration for all of the administrative procedures now in place. He thanked the Chancellor for his year of service, and congratulated him on a rigorous evaluation process and successful outcome. He's been given a very strong evaluation, and the Board supports him in all that he's done. President Gulassa was thanked for his leadership brining the Board through this process.

The Board thanked Roxanne Epstein for her service to the District, and wished her well as she leaves her position.

5. District Academic Senate Report **Presenter: DAS President Karolyn van Putten** No report was received.

STUDY SESSION (7:30 P.M.)

6. Study Session on Contracting and Purchasing **Presenter: Director of Purchasing Marie Hampton** (30 minutes)

The Board will conduct a study session on contracting and purchasing matters. (This item was later removed from the agenda under approval of the agenda.)

PRESENTATION (8:00 P.M.)

7. No-Smoking Enforcement Presentation **Presenters: Vice Chancellor Ikharo and Lt. Craft** (10 minutes)

The presenters will review the enforcement of Administrative Procedure 3570 on Smoking.

Trustee Handy suggested that there be more signs indicating the permitted areas for people to smoke, and that people should be escorted to areas that are for smoking. She's glad that we're taking this issue seriously.

Trustee Gonzalez Yuen thanked General Counsel Nguyen for championing this issue into the education code and our lobbyist who made this legislation possible. Verbal warnings are given out periodically throughout the campuses. He's seen a lot of smoking and a lot of cigarette butts on our campuses. Tickets are now being developed. He's frustrated that we're not moving faster on this issue. He feels that smoking will stop once tickets are written. He'd like to see a report in the fall to see if our policy is being enforced, and he asked how this policy will be enforced on weekends and at BCC.

Vice Chancellor Ikharo shared that the implementation process proceeded right away. A survey was done among stakeholder about where signs would be installed, an architect hired to design signs, followed by bids for the signage, and the sign installation. Warnings have been given. The ticket has been developed and approved, and will be given if there's a repeat offender. BCC has security on weekends and during the week. Education is key to this process, with added information posted on our website. Trustee Riley asked the Chancellor to determine if more data is required, and he appreciates that education is emphasized first prior to citation. Electronic signature vapor does not apply to our policy. State Senator Corbett has a bill to include this in future tobacco use legislation.

8. Environmental Sustainability Presentation **Presenters: Vice Chancellor Ikharo and Charles Neal, Environmental Sustainability Manager** (15 minutes)

Vice Chancellor Ikharo and Charles Neal (Energy and Environmental Sustainability Manager), will give a presentation on the District-wide Sustainability Report.

Prop 39 hopes to receive over \$900,000/year for 5 years. Plans are being made to decide the plans to use such funds.

Trustee Brown asked about our irrigation system tie to the national weather service, and about our LEED certification. We have LEED technology guidelines and a comprehensive plan for existing building renovations. It costs funds to acquire LEED certification, and it needs to be maintained ongoing. Each guest introduced himself to the Board. Trustee Riley asked about the efficiency of solar panels, and if there are plans for more in the future. Energy reduction is a goal for the future, with projects planned for COA. Trustee Guillen feels it's a goal to engage our community partners with a PLA outcome to engage our student workforce. He's happy to see how Emerald Cities helps to expedite this process. He'd like a project identified where students can participate in community workforce development needs, especially with Prop 39 earmarked funds, possibly using bond dollars for up front pay then reimbursing the fund. He thinks we can do better with our energy needs. Students have been hired in projects, such as the Laney College solar panel. A side letter between the PLA and the District was needed to use student labor.

Trustee Gonzalez Yuen asked training programs, and what it might look like in the future working with Emerald Cities. Speaker Freeman shared that there is a pilot internship project with the City of Oakland and the East Bay Regional Park District. Trustee Withrow also expressed concern that we pursue prudent investments, as our primary purpose is education. He doesn't feel that a 44 year payback on solar panel installations is prudent, and wants to invest tax dollars on specific goals. Trustee Handy shared that the Board voted on the solar panels knowing the return, and that the Board thought it was worth the investment at the time.

CONSENT CALENDAR (8:25 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 Trustee Guillen, second Trustee Riley **PASSED**
Including agenda Items 9 – 22, 25 as amended, 27 - 30, 32 - 38.

BOARD MATTERS

9. Consider Approval of Resolution 13/14-11, Excusing Trustee Absence
Presenter: Trustee Gulassa

It is recommended that Trustees approve Resolution 13/14-11 excusing Trustee González Yuen from the June 25, 2013 Board meeting due to a hardship deemed acceptable by the Board. The Chancellor recommends approval. (This item should read Resolution number 13/14-14.)

EDUCATIONAL AND STUDENT SERVICES

10. Consider Approval of a Contract with Cynosure for Online Orientation at Berkeley City College, Merritt College, and the College of Alameda
Presenter: Vice Chancellor Orkin

Consider approval of a contract with Cynosure for online orientation at Berkeley City College, Merritt College, and the College of Alameda not to exceed \$99,351 for fiscal year 2013 - 2014. Laney College currently has a successful online orientation product that provides Laney College students with online orientation as mandated by the Accreditation Commission, ACCJC. This project will expand the current Laney College online orientation to the other three colleges. **Funding Source: Statewide Student Success and Support Program funds.** All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

11. Consider Contract Approval for Timothy Gibbon for Moodle Helpdesk Support
Presenter: Vice Chancellor Orkin

Consider contract approval for Timothy Gibbon not to exceed \$55,000 for fiscal year 2013 - 2014. Mr. Gibbon provides helpdesk support to International and other students taking online and hybrid courses using Moodle. He also provides support to faculty teaching these courses. He has been an excellent resource for the Peralta Distance Education coordinators. There is currently no staff available to assume these responsibilities. **Funding Source: Non-resident Student Fees.** All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

12. Consider Approval of a Contract Extension with Alameda Family Services at the College of Alameda **Presenter: Vice Chancellor Orkin**

Consider Approval of Contract Extension: Alameda Family Services at the College of Alameda from July 1, 2013 through June 30, 2014. **Funding Source: Student Health Fees.** Alameda Family Services is a reliable agency, with a broad scope of work to adequately provide necessary services. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

13. Consider Approval of a Contract Extension with Asian Health Services for the Peralta Wellness Center **Presenter: Vice Chancellor Orkin**

Consider approval of a contract extension with Asian Health Services (AHS) from July 1, 2013 through June 30, 2014 not to exceed \$500,000 for the Peralta Wellness Center

at Laney College. **Funding Source: Student Health Fees.** AHS provides a broad range of medical, mental health, and other individual student services. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

14. Consider Approval of a Contract with LifeLong Medical Care at Berkeley City College **Presenter: Vice Chancellor Orkin**

Consider approval of a contract with LifeLong Medical Care from July 1, 2013 through June 30, 2014 not to exceed \$50,000 for a student mental health counselor at Berkeley City College. **Funding Source: Student Health Fees.** LifeLong Medical Care is a reliable agency, with a broad scope of work to adequately provide necessary services. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

15. Consider Approval of a Contract with Roxanne Rivas for the Department of Energy (DOE) Green Energy Job Training Initiative in Advanced Lighting Solutions at Laney College **Presenter: President Webb**

Consider approval of a contract with Roxanne Rivas to render project management services for the Department of Energy (DOE) Green Energy Job Training Initiative in Advanced Lighting Solutions at Laney College not to exceed \$9,300 through July 31, 2013. **Funding Source: Department of Energy (DOE) Grant.** The contract will allow Laney College to successfully implement grant objectives as approved by the Department of Energy. Timely completion of all existing grant deliverables and reporting is critical to meeting all grant agreements' objectives. Roxanne Rivas' scope of work addresses the objectives of the Green Energy Job Training Initiative in Advanced Lighting Solutions, including reporting, outreach and recruitment, assessment and enrollment, training and education, work activities, as well as significant workforce 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.

16. Consider Approval of the Deputy Sector Navigator Grant for Advanced Manufacturing at Laney College **Presenter: President Webb**

Consider approval of the Deputy Sector Navigator Grant for Advanced Manufacturing at Laney College from July 9, 2013 through June 30, 2014 for \$300,000. **Funding Source: California Community College Chancellor's Office.** The grant is to be used to coordinate and collaborate regionally, and to develop effective sector partnerships with employers, regional consortium, community colleges, high schools, ROPs, Workforce Investment Boards (WIBS), and other regional organizations to ensure a skilled workforce in support of the regional economy and industry sector and to establish career pathways for the regional community into those regional economies. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

17. Consider Approval of the Deputy Sector Navigator Grant for the College of Alameda **Presenter: President Gravenberg**

Consider approval of the Deputy Sector Navigator (DSN) Grant for the College of Alameda. The College of Alameda has received funding from the California Community Colleges Chancellor's Office, Division of Workforce and Economic Development, to support a deputy sector navigator program under the global trade and logistics sector. The grant amount shall not exceed \$300,000 through June 30, 2014. **Funding Source: California Community Colleges Chancellor's Office.** The College of Alameda (COA) proposes to establish a Global Trade & Logistics (GT&L) Deputy Sector Navigator (DSN) for the Interior Bay Area with the goal of providing a network of training resources to assist in promoting a skilled regional GT&L workforce. The DSN will convene and coordinate key partners in industry, education, and workforce and economic development by facilitating the development of effective GT&L partnerships and career pathways. If the first year's pilot is successful, there is an opportunity for the funding for this program to be extended. It is then anticipated that by 2018, the DSN will oversee a system of structured and connected educational programs and support services that enable students to advance over time to better jobs and higher levels of responsibility in the growing GT&L sector. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

18. Consider Approval of the Alameda County Workforce Investment Board (ACWIB) One-Stop Career Centers Grant for College of Alameda **Presenter: President Gravenberg**

Consider approval of the Alameda County Workforce Investment Board One-Stop Career Centers Grant for College of Alameda shall not to exceed \$300,000 through June 30, 2014. **Funding Source: Alameda County Workforce Investment Board.** The Workforce Investment Act defines the nation's job training system and provides guidance for local workforce investment systems designed to increase the employment, retention and earnings of participants, and increase occupational skill attainment by participants. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

FINANCIAL SERVICES

19. Review of Purchase Order Report **Presenter: Vice Chancellor Gerhard**

The Purchase Order Report is being presented for review in accordance with Education Code Section 81656 which states, "All transactions entered into by the officer or employee (designated employees enumerated in AP 6330) shall be reviewed by the Board of Trustees every 60 days." This Purchase Order Report contains all orders issued from June 8, 2013 through June 28, 2013 which have been issued in accordance

with applicable policies, procedures and laws by an authorized officer of the District. The Purchase Order Report is brought to the Board for informational purposes only.

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 from June 8, 2013 through June 28, 2013. 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 covering the period from June 8, 2013 through June 28, 2013. California Code of Regulations Section 58307 limits the District's expenditures to the amount appropriated for each major expenditure classification as approved by the Board of Trustees through the adoption of the District's annual budget or as amended by subsequent budget transfers or revisions. Due to this statutory control language, budget transfers that move budget authority between major object codes or classifications must be approved by the Board of Trustees. The budget transfers presented are requests originating from the Colleges' or District's departments during the ordinary course of operations and do not significantly alter the final budget that was approved by the Board of Trustees on September 11, 2012. The Chancellor recommends approval.

22. Consider Approval of Resolution No. 13/14-12 Appointing Retirement Board Members and Alternate **Presenter: Vice Chancellor Gerhard**

Approval of Retirement Board Resolution No. 13/14-12 appointing Retirement Board members and creating a new Board of Trustee alternate member. At its March 29, 2011 meeting, the Board of Trustees approved resolution number 10/11-62 recognizing the obligations associated with other post-employment benefits (OPEB) and establishing a Retirement Board whose charge is to oversee the investment activities of the District's OPEB Trust. Included in this resolution, the Board appointed five members to serve on the Retirement Board. Resolution 13/14-12 reappoints the original five members and establishes and alternate member. The members include Mr. Bill Withrow, Mr. Cy Gulassa, Dr. William "Bill" Riley, Ms. Meredith Brown (alternate), Ms. Trudy Largent, and Mr. Ronald Gerhard. **Funding Source: Not Applicable.** The Chancellor recommends approval.

MOTION to approve agenda Items 23 and 24 Trustee Gonzalez Yuen, second Trustee Riley. **PASSED**

Trustee Gonzalez Yuen is pleased to see us move forward with these items that have historically plagued the District. He asked about the implementation issues of this project. He feels the Board has been promised this in the past, and asked how the Board will be kept apprised. The Board will be kept apprised of this progress through regular Board updates. We have a great team of staff led by Associate Vice Chancellor Madlock, and it will be closely monitored.

The communication plan includes regular updates to the Chancellor, and monthly updates to the Board. Financial aid has an academic year, starting in January. Data should be loaded in February or March, with parallel systems operating as a failsafe measure. The Chancellor will provide timely updates. Trustee Handy asked about hiring outside technical support to run the system for \$700,000. It will be maintained by internal staff, and the process was explained. The vendor needed CCLC reporting experience, and experience in a multi-college district.

Trustee Brown asked what portion is for implementation. There is no license fee, since we own the module. The process and scope of services were explained. Staffing of 4-5 consultants is needed. Trustee Gonzalez Yuen feels that a reference back to the planning document timeframe and budget would be helpful, on page 56 of the IT strategic plan, to provide comfort to the Board. He suggested that specific pages be referenced in the future. Trustee Handy asked why we can't use previously used fit-gap data. It is relevant and is used, and will be included in the process. However, some is no longer relevant. Trustee Gonzalez Yuen feels we should revisit the Higher One system to ensure that it's the best, least expensive vendor for our students.

23. Consider Approval of a Contract with Highstreet IT Solutions Presenter: Vice Chancellor Gerhard

Consider approval of a contract with Highstreet IT Solutions to implement the District's PeopleSoft Financial Aid System and provide technical support during implementation, in the amount of \$696,640. Project 3.7 of the District's Information Technology Strategy, Student Financial Aid System, calls for the implementation of the PeopleSoft Financial Aid module to increase efficiency of operations and reduce operating costs. A formal Request for Proposals (RFP 12-13/18) was released seeking assistance for the implementation of the Student Financial Aid System. Five firms attended the pre-proposal meeting and three responded to the RFP. A panel was convened to evaluate the proposals based on: vendors' submitted responses to bidder qualifications/experience; company and project team qualifications/approach; ability to meet the general, functional and technical system requirements; and costs. After detailed analysis and review, Highstreet IT Solutions was the highest-ranking responsive and responsible vendor. The average scores are summarized below:

Vendors	Average Score
Highstreet IT Solutions	568
ERP Analysts, Inc.	556
Ciber	519

The current Student Financial Aid System (SAFE) is a mainframe product running on our existing legacy mainframe. Peralta is the last remaining client for this 3rd party mainframe system by EMAS Pro and all annual update costs now fall solely on Peralta, rapidly escalating our cost. The prospects for EMAS Pro maintaining this system over the long term (at a reasonable cost) are unlikely. Additionally, the hardware on which we run the system is well past its lifespan and programming support must come from Peralta retirees whose willingness and ability to continue in this role are uncertain.

Peralta should implement the PeopleSoft Student Financial Aid module because we already own it. There are design problems with the delivered module that we will need to engage PeopleSoft to overcome. We were assured by PeopleSoft that this can be done. A formal Request for Proposal (RFP 12-13/18) was conducted for the Financial Aid Student System. Highstreet IT Solutions was the bidder that best met the evaluation criteria and had the highest average score. After further review of all proposals, the three companies who responded to the bid were invited to participate in the demonstration phase of the bid. Of the three bidders, Highstreet IT Solutions and ERP Analysts, Inc. met the criteria as established in their bid response, demonstration, timeline and costs, with Highstreet IT Solutions being the only one who presented a timeline/schedule for the whole project. However, CIBER did not include a total price for the project, instead they used the sample stated on the RFP. Whereby, Highstreet IT Solutions was the only responsive bidder whose submittal, based on product and costs, best serves the interest of the District. Mac Slingerland is the President/CEO of Highstreet IT Solutions. **Funding Source: Measure E.** All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

24. Consider Approval of Contract with Hicks Consulting Group **Presenter: Vice Chancellor Gerhard**

Project 3.7 of the District's Information Technology Strategy, Student Financial Aid System, calls for the implementation of the PeopleSoft Financial Aid module. A vendor has been selected to start working on the implementation of this module, but in the meantime Peralta still needs to maintain the current SAFE Financial Aid System in order to disburse financial aid to students. The District has contracted with Hicks Consulting Group since to 2005 to support the legacy SAFE Financial Aid System. Hicks was retained, at that time, because existing staff did not have the programming knowledge necessary to keep the SAFE system functioning. It is expected that at the conclusion of the PeopleSoft Financial Aid module implementation project (Spring 2014) Hick's

services will be no longer necessary. This contract with Hicks Consulting Group will ensure maintenance to our SAFE Financial Aid System during the implementation of the PeopleSoft Financial Aid module in order to streamline verification of eligibility determination and issue financial aid checks. The contract costs will also include, but are not limited to, the implementation of the financial aid system for the District, submission of FISAP and BFAP reports, as well as reporting management information systems (MIS) data for FY 2013-14. The not to exceed cost for this contract is \$190,000. The term of the contract is through June 30, 2014. All Board approved contracts are subject to final negotiation and execution by the Chancellor. **Funding Source: Measure E.** The Chancellor recommends approval.

HUMAN RESOURCES

25. 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. The Chancellor recommends approval.

Last Name	First Name	Date of Hire	End Date	Position Title	Site
Afful	Henry	8/16/13	6/30/14	Interpreter I	All
Attaran	Cameron	7/17/13	6/30/14	Inst Asst/English	B
Baker	Bret	8/16/13	6/30/14	Interpreter II	All
Balogh	Adam	8/19/13	6/30/14	Inst Asst/Machine Tech	L
Berger	Rachel	7/17/13	6/30/14	Instructional Asst/English	B
Brown	Alfred	7/17/13	6/30/14	Food Service Worker	L
Bruni	Michael	7/17/13	6/30/14	Science Lab Tech/Phy Sci	M
Bryant	Marguerite	7/17/13	6/30/14	Clerical Assistant I	D
Burton	Jovan	7/17/13	6/30/14	Staff Asst/Business Svcs	L
Calcagno	Stephanie	7/17/13	6/30/14	Inst Asst/English	B
Carroll	Linda	8/20/13	5/29/14	Inst Asst II/DSPS	M
Casey	Gerald	7/17/13	6/30/14	Computer Network Tech	L
Cha	Joseph	8/5/13	6/27/14	Inst Asst III/DSPS	L
Chan	Cindy	8/19/13	6/30/14	Inst Asst/EMT	M
Chong	Micah	8/19/13	6/30/14	Inst Asst/Machine Tech	L
Cohen	Jana	8/20/13	5/29/14	Inst Asst III/DSPS	M
Cowan	Joshua	8/19/13	6/30/14	Inst Asst/EMT	M
Currie	Stacy	8/19/13	6/30/14	Inst Asst/EMT	M
DeSaussure	Laura	7/17/13	6/30/14	Inst Asst/English	B
Diouf	Madiou	7/17/13	6/30/14	Inst Asst/Accompanist	L
Doan	Lan	8/12/13	6/30/14	Inst Asst/Culinary Arts	L

Dorsainvil	Djems	7/17/13	6/30/14	Inst Asst/Accompanist	L
Drakes	Daniel	7/17/13	6/30/14	Clerical Assistant II/Typing	D
Engel	Mariel	8/16/13	6/30/14	Interpreter I	All
Fedorova	Natalia	7/17/13	6/30/14	Science Lab Tech/Bio Sci	B
Fink	Matthew	7/17/13	6/30/14	Laundry Service Worker	L
Glasscock	Brian	7/17/13	6/30/14	Stage & Production Asst	L
Guessoum	Hayat	7/22/13	10/18/13	Clerical Assistant II	L
Haldeman	Christina	8/16/13	6/30/14	Interpreter, Fully Certified	All
Hall	Curtis	8/19/13	5/30/14	Food Service Worker	L
Hernandez	Alegria	8/19/13	12/11/13	Inst Asst/ADN Prog Skills Lab	M
Holland	Cherese	8/16/13	6/30/14	Interpreter I	All
Hopkins	Monique	8/16/13	5/23/14	Cashier	L
Horrell	Nichola	8/1/13	6/30/14	Master Interpreter	All
Hutchin	Christian	7/17/13	6/30/14	Instructional Asst/English	B
Ingle	Harris	7/17/13	6/30/14	Staff Asst/Admin (Grants)	M
Jones	Donna	7/17/13	10/18/13	Assistant Buyer	D
Jones	LeKeisha	7/17/13	6/30/14	Staff Asst/Employee Relations	D
Jones	Myeisha	8/20/13	12/13/13	Inst Asst/Child Development	M
Jones	Ronald	8/19/13	6/30/14	Inst Asst/Machine Tech	L
Laiche	Nacira	7/17/13	6/30/14	Inst Asst/Biotechnology	B
Lara	Diana	7/17/13	6/30/14	District Telecomm. System Coordinator	D
Le	Connie	8/12/13	6/30/14	Inst Asst/Culinary Arts	L
Lewis	Azul	7/17/13	6/30/14	Inst Asst/Biotechnology	B
Lyons	Jeffrey	8/19/13	6/30/14	Inst Asst/Machine Tech	L
Marquez	Anel	7/17/13	6/30/14	Science Lab Tech/Bio Sci	B
McGinn	Martin	8/19/13	1/31/14	Library Technician II	M
Meier	Philip	7/17/13	6/30/14	Inst Asst/Multimedia	B
Miraflor	Mark	7/17/13	6/30/14	Inst Asst/Wood Technology	L
Mujahid	Taheera	7/29/13	12/20/13	Clerical Assistant II	B
Murphy	Marcella	7/17/13	6/30/14	Instructional Asst/English	B
Myles	Darnell	7/17/13	2/28/14	Toolroom Keeper I/Aviation	A
Nyce	Dominique	8/16/13	6/30/14	Interpreter II	All
Orozco	Jonathan	7/17/13	6/30/14	Inst Asst/Wood Technology	L
Ottley	Alexander	7/17/13	6/30/14	Inst Asst/English	B
Perez	Salvador	7/17/13	12/20/13	Clerical Assistant II	M
Pharr	Phasasha	8/8/13	6/30/14	Financial Aid Specialist	M
Phillip	Vanessa	8/16/13	6/30/14	Interpreter I	All
Pursley	George	7/17/13	6/30/14	Inst Asst/English	B
Riley	Jesse	7/17/13	6/30/14	Inst Asst/Accompanist	L
Rippberger	Bonnie	8/20/13	12/13/13	Inst Asst/Child Development	M
Saechao	Katie	7/17/13	6/30/14	Financial Aid Specialist	A
Seraphine	Raymond	7/17/13	6/30/14	Inst Asst/English	B
Shubin	Rebecca	8/1/13	6/30/14	Staff Assistant/Admin	M
Smith	Brian	7/17/13	8/13/13	Inst Asst/EMT	M
Solomon	Felix	7/17/13	6/30/14	Inst Asst/Journalism	L

Tam	Hokman	7/17/13	6/30/14	Staff Asst/Occupational Ed	L
Thaxton	Levon	7/17/13	6/30/14	Inst Asst/EMT	M
Thomas	Keomi	7/17/13	6/30/14	Inst Asst/Cosmetology	L
Wagner	Daraja	7/17/13	6/30/14	Staff Svcs Spec/Spec Proj	A
Wan	Libby	8/16/13	6/30/14	Interpreter I	All
Ward	James	7/17/13	6/30/14	Inst Asst/Mathematics	B
Washington-Diouf	Naomi	7/17/13	6/30/14	Inst Asst/Accompanist	L
Werner	Peter	7/17/13	6/30/14	Science Lab Tech/Bio Sci	M
White	Margo	7/17/13	6/27/14	Inst Asst I/DSPS	L
Wortz	Dorcas	7/17/13	6/30/14	Food Service Supervisor	L

(An added short-term hourly name was read into the agenda: Shirley Fogarino, 7/17/13 through 6/30/14, Public Information Office, Berkeley City College.)

FACILITIES

APPROVALS

26. Consider Approval of Resolution 13/14-6, Accept Bid and Award Contract, Merritt College Learning Resource Center / Library Renovation Phase 2 (Bid No. 12-13/23), Bay Construction Co. Presenter: Vice Chancellor Ikharo

Approval is requested to accept the bid and award a contract to Bay Construction, in the amount of \$195,000, for the Merritt College Learning Resource Center / Library Renovation Phase 2 (Bid No. 12-13/23). Under this contract, Bay Construction Company will perform all work per the contract documents prepared by NBBJ Architects. Yong Kay and Mark Lee are the principals of Bay Construction Company, and the business has a current and active contractor’s license in California with good standing. The firm is registered with the California Department of Consumer Affairs – Contractors State License Board.

The construction scope of work will include but not be limited to the following:

- Minor renovations and finish work to existing 3-story Learning Center and Library Building.
- Cleaning and encapsulation of existing interior lined mechanical ducts, sealant repairs on existing storefront windows.
- Installing new security barriers and detection gates, some new nonstructural, non-rated partitions and doors for security, and minor electrical / lighting work.
- Refinishing of existing cabinetry, installation of some classroom accessories, painting of walls, and other minor cosmetic work.

A formal request for Bids (12-13/23) was conducted for this project, and a bid opening was held on July 1, 2013. Four (4) bids were received, as follows:

CONTRACTOR	LOCATION	TOTAL BID
Bay Construction Company	Oakland, CA	\$195,000
Rodan Builder	Burlingame, CA	\$303,000

West Bay Builders	Novato, CA	\$291,800
Angotti & Reilly	San Francisco, CA	\$237,968

The lowest responsible and responsive bid was submitted by Bay Construction Company, in the amount not-to-exceed \$195,000. The project is anticipated to be completed by December 2013. **Funding Source: Measure A.** All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

MOTION Trustee Gonzalez Yuen, Trustee Withrow **PASSED**

Trustee Guillen asked about the vendor’s cost which is 20% lower than other firms. He’s concerned, and he wants to ensure that they are paying their employees appropriately. They working on phase 2 for the Laney Tower, which included a reasonable change order. They are paying the correct wage, and we are confident that they will perform.

Trustee Guillen abstained

27. Consider Approval of One (1) Bond Measure Budget Transfer and Appropriation (No. 48) **Presenter: Vice Chancellor Ikharo**

Approval is requested for one (1) bond measure budget transfer and appropriation (Number 48). The Administration will obtain approval from the College President, Vice Chancellor of General Services, Vice Chancellor of Finance & Administration and the Chancellor for this budget transfer and appropriation. With the intent of full disclosure, this budget transfer is now presented to the Board of Trustees for approval. On June 23, 2009, the Board of Trustees approved the Bond Measure (A and E) Spending Plan, which included budget appropriations, cash flow projects 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 of Trustees 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 net projects have been created.

In accordance with the Board approved Bond Measure Spending Plan, a budget transfer form will be completed for the budget transaction. The transaction indicates 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).

Budget Transfer No. 48 of \$2,622,740 project budget is to accommodate the entire project costs for the District-wide Track and Field Replacement Project (also known as the District-Wide Athletic Fields Renovation) for Laney College, Merritt College, and College of Alameda. The \$2,622,740 estimated project budget will cover soft costs and the following construction project phases: programming, schematic design, design

development, construction documents, bidding, construction, and occupancy. Soft costs consist of architectural design, Department of State Architect (DSA) inspection services, DSA review and plan check, advertising and contingency allowance for unanticipated items.

Originally, this project budget was approved under Measure E funds. Instead, the Chancellor recommended for the project budget to come from Measure A bond funds. On April 9, 2013, the Board of Trustees approved for Gould Evans to provide architectural design services for the project, in the amount not-to-exceed \$100,000.

Measure A: Budget Transfer Summary No. 48

#	Project Name	Current Budget	Revised Budget	Transfer Amount
Transfer To:				
2704	District-Wide Athletic Fields Renovation	-	\$2,622,740	\$2,622,740
Transfer From:				
Laney College				
2322	Laney Beginners Inn	\$395,698	-	\$395,698
2392	Laney Stair Repair	\$44,798	-	\$44,798
2348	Laney ADA Barrier Removal	\$4,728,955	\$3,714,787	\$1,014,168
			Subtotal:	\$1,454,664
Merritt College				
2324	Merritt Library/Learning Center	\$7,900,000	\$7,237,181	\$662,819
2428	Merritt Unallocated Funds	\$806,800	\$753,492	\$53,308
			Subtotal:	\$716,127
College of Alameda				
2320	COA Sidewalk Replacement	\$2,742,556	\$2,636,779	\$105,777
2347	COA Access Road	\$1,069,500	\$723,328	\$346,172
			Subtotal:	\$451,949
Total Budget Transfer From				
			Subtotal:	

				\$2,622,740
Description: This summary shows the close-out funding in older projects and the fund set up and transfer for design and construction work on Tracks and Fields at Laney College, Merritt College and College of Alameda.				

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

28. Consider Approval of Resolution 13/14-11, Accept Bid and Award a Contract to FieldTurf for the Laney College Field Refurbishment Project **Presenter: Vice Chancellor**

Approval is requested to enter into an agreement with FieldTurf, for the Laney College Field Refurbishment (RFP No. 13-14/04), in the amount not to exceed \$814,105.00.

FieldTurf will provide construction services for the Laney College Field Refurbishment according to the specifications and drawings in Request for Proposal (RFP No. 13-14/04). A formal RFP was issued on July 11, 2013 and advertised in a publication of general circulation on June 12 and 18, 2013. This project welcomed bids from general contractors and product manufactures. All bidders were notified that this project is subject to the District's Project Labor Agreement (PLA). A copy of the District's PLA was provided to potential bidders.

On July 3, 2013, the Purchasing Department received two (2) competitive proposals from qualified firms, Hellas and FieldTurf, each of which have general contracting license. On July 8, 2013, the selection committee comprised of stakeholder representatives from the college, the project design team, a Purchasing Department observer and the Department of General Services staff made a final recommendation to the Vice Chancellor of General Services. Each qualified firm was assessed according to the following evaluative criteria: turf installation, project team, safety and injury data, synthetic track product information and performance, project schedule, and financial strength of the business. Based on this assessment, FieldTurf received the highest points of 275, whereas Hellas scored 128.

Following are the total scores from the two (2) firms:

VENDORS	LOCATION	SCORE
Hellas	Austin, TX	128
FieldTurf	Montreal, Quebec, CAN	275

Pursuant to the Public Contract Code (PCC), the District can award this contract to the bidder whose proposal is determined to be the best value to the District based solely on the criteria set forth in the RFP. **Source: Measure A Bond Funds.** All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

29. Consider Approval of Resolution Nos. 13/14-1, 13/14-2, 13/14-3, 13/14-4 and 13/14-5 for Board Approved Construction Projects **Presenter: Vice Chancellor**

Approval is requested of Resolution Nos. 13/14-1, 13/14-2, 13/14-3, 13/14-4 and 13/14-5 for Board approved construction projects. As a formal practice, resolution numbers are established and assigned to construction projects to indicate that the Secretary of the Board of Trustees have authorized and directed administrators to enter into a contract in accordance with the law, Board Policy and Administrative Procedures for doing facilities business with the District. To abide by the District's formal practice, assignment of resolution numbers for construction contracts, the Administration requests for Board approval and adoptions of the following resolution numbers for previously Board approved projects.

Resolution No:	Project Names (Bid Nos.)	Contractors (Contract Amount)	BOT Approval Dates
13/14-1	Electrical Distribution Panel Replacement Project at Laney College Administration Tower (Bid No. 12-13/21)	BBJ Electric Inc. (\$63,400)	June 25, 2013
13/14-2	Fire Pump system Replacement Project at Laney College Administration Tower (Bid No. 12-13/13)	Value Fire Protection Inc. (\$95,000)	March 12, 2013
13/14-3	Rehabilitations to the Administrative Tower-Phase 2 (Bid No. 12-13/17)	Bay Construction Company (\$520,000)	March 12, 2013
13/14-4	Awning Project at Laney College (Bid No. 12-13/10)	Bay Construction Company (\$59,900)	January 22, 2013
13/14-5	Building 'A' Heating Upgrade at Merritt College (Bid No. 12-13/07)	Environmental Systems, Inc. (\$195,000)	January 22, 2013

Funding Source: No expenditure of funds is involved in this action. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

30. Consider Approval to Re-Appoint the Following Individuals to Serve on the Measure A Oversight Committee **Presenter: Vice Chancellor Ikharo**

Consider approval for re-appointments of individuals listed below to serve on the Measure 'A' Citizen's Bond Oversight Committee. The Citizen's Bond Oversight Committee By-Laws, Section 5 - Membership, 5-1 Number, states that the committee shall consist of a minimum of seven (7) members appointed by the Board of Trustees from a list of candidates submitting written applications and based on the following criteria established by Prop 39 to wit:

- One (1) member active in a business organization representing the business community located in the District.
- One (1) member active in a senior citizen's organization.
- One (1) member active in a bona-fide taxpayer's organization.
- One (1) member shall be a student who is both currently enrolled in the District and active in a community college group, such as student government.
- One (1) member shall be active in the support and organization of the community college or the community colleges of the district, such as a member of an advisory council or foundation.
- Two (2) members of the community at-large, appointed by the Board of Trustees.

RE-APPOINTMENTS: Nyeisha DeWitt representing the Community-at-Large, Eduardo Jimenez representing the Business Organization, Chantal Reynolds (alternate), Miguel A. Rodriguez (alternate) and Brian Cervantes (alternate) are considered for re-appointment to serve another 2-year term (7/1/13 – 6/30/15).

CONTINUED APPOINTMENTS: Odell Johnson representing the Senior Citizen's Organization, Arthur Kurrasch representing the Tax Payers' Organization, Don Sherratt representing the Community-at-Large, Sharon Clegg representing the Student College Group, Karen Friedman representing the Peralta College Foundation and Michael Mills (alternate) are currently serving a 2 year term, which will end on June 30, 2014.

NEW APPOINTMENTS: No new appointments at this time.

Funding Source: No fiscal impact. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

31. Consider Approval to Enter an Agreement for District-Wide Security Services (RFP No. 12-13/19), First Alarm Security & Patrol, Inc. (First Alarm) Presenter: Vice Chancellor Ikharo

Approval is requested to enter into an agreement with First Alarm Security & Patrol Inc. for District-Wide Security Services (RFP No. 12-13/19), in the amount not-to-exceed \$568,463.84. As required by Public Contract Codes (PCC), the Administration conducted a competitive Request for Proposal (RFP No. 12-13/19) on April 12, 2013. Proposals were received on May 15, 2013.

A total of ten (10) vendors submitted proposals. A steering committee of college presidents from College of Alameda, Laney College, Merritt College, Berkeley City College and the Vice Chancellor for General Services was set up to review proposals and make a recommendation to the Chancellor. In awarding the contract, the steering committee evaluated potential vendors based on a number of factors: references, resources and key personnel, knowledge and experience, response time and

maintenance plans, proposed costs and Small Local Business Enterprise (SLBE). Based on these factors, First Alarm received the highest score of 253.5.

The following are the total scores for the ten (10) companies:

EVALUATORS	Vendors					
	CSC	ANI	A1	IBA	OKLYNZ	Allied Barton
College of Alameda and Berkeley City College	N/A	N/A	N/A	N/A	N/A	N/A
	65	42	83	61	32	80
Laney College	75	70	70	40	45	80
Department of General Services	92	89	93	58	66	86
TOTAL	232	201	246	159	143	246

EVALUATORS	Vendors			
	American Guard	National	First Alarm	Cypress
College of Alameda and Berkeley City College	N/A	N/A	N/A	N/A
Merritt College	72	75	74	82
Laney College	70	85	89	69
Department of General Services	91	89.25	90.5	92.25
TOTAL	233	249.25	253.5	243.25

Pursuant to the Public Contract Code (PCC), the District can award this contract to the bidder whose proposal is determined to be the best value to the District based solely on the criteria set forth in the Request for Proposal. First Alarm’s corporate headquarters is located in San Jose, California; the business is a sister company to First Alarm Security Services located in Aptos, California. First Alarm is a sole proprietorship owned by Jarl E. Saal. Today, First Alarm and First Alarm Security & Patrol, Inc., have a team of more than 700 security professionals who help protect homeowners, businesses, school districts, government facilities, and industrial complexes in communities throughout California. The company is located in various cities in California: Oakland, Berkeley, San Jose, Santa Rosa, San Francisco, Santa Cruz, Monterey, Salinas and San Mateo. As a business practice, First Alarm does not have a Collective Bargaining Agreement between management and their employees.

The term of this contract awarded with First Alarm will be for a three (3) year contract subject to an annual review for performance by the Administration and brought before the Board of Trustees for approval. Fire Alarm provided a proposal worksheet to include the hourly fee charged per each unarmed security officer. The vendor provided a maximum estimated annual costs for each fiscal year as outlined below:

Estimated Annual Costs

Colleges	Fiscal Year #1 2013-14	Fiscal Year #2 2014-15	Fiscal Year #3 2015-16
Berkeley City College	\$213,134.24	\$215,812.96	\$222,099.86
Berkeley City College Annex	\$79,042.88	\$80,233.16	\$80,233.16
Laney College	\$161,736.96	\$163,579.68	\$168,264.00
Merritt College	\$35,409.92	\$35,942.24	\$36,840.96
College of Alameda	\$35,409.92	\$35,942.24	\$36,840.96
PCCD Roving Supervisor with vehicle	\$43,729.92	\$44,395.52	\$45,510.40
Annual Total Costs:	\$568,463.84	\$575,905.80	\$589,789.34

Billing Rate Proposal Worksheet			
Positions	Fiscal Year #1 2013-14 Bill Rate	Fiscal Year #1 2014-15 Bill Rate	Fiscal Year #1 2015-16 Bill Rate
Security Officer	\$21.28	\$21.60	\$22.14
Site Supervisor	\$24.83	\$25.21	\$25.84
Night-Shift Differential	N/A	N/A	N/A
Roving Supervisor with Vehicle	\$26.28	\$26.68	\$27.35
Overtime	\$29.36	\$29.81	\$30.56
Holiday	\$29.36	\$29.81	\$30.56

First Alarm shall provide comprehensive security services at the District Administrative Center, Laney College, College of Alameda, Merritt College, and Berkeley City College. Security personnel will patrol the campus at each location unarmed with two-way communication radio. First Alarm will provide security services on Saturdays, Sundays, and holidays from 7:00 a.m. until 11:00 p.m. at all four (4) campuses, including the District Administrative Center (DAC). They will also provide a "grave yard" shift for services at Laney College from 11:00 p.m. to 7:00 a.m. on a daily basis.

First Alarm will provide equipment and all necessary labor during the time indicated and provide additional security services for special assignments or events as requested. Further, the company will be responsible for maintaining a pool of substitutes and/or reserve of security personnel. This company will furnish all the materials, equipment, labor and supervision needed to fulfill the contract.

Security personnel will be responsible for the following:

- Ensuring main doors are opened and disarmed
- Classrooms are opened as needed
- Provides student / visitor information
- Patrol buildings and provide escort service to parking lot as needed
- Shall wear uniforms provided by the company
- Maintain log and report of all criminal activity to the appropriate law enforcement agencies
- Responsible for providing training in the appropriate response to unsafe conditions, emergency situations and/or criminal activity
- Secure the building in the event of damage and destruction, such as broken windows
- Provide security services until an administrator/designee arrives to secure the property

Funding Source: General Fund. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. (This item was later removed from the agenda under approval of the agenda.)

32. Consider Approval to Enter into an Agreement with Panaguiton Construction Inspections for Division of the State (DSA) Certified Inspection Services for the College of Alameda Cougar Village Expansion Modular Bid Submittal Package 1 and 2 **Presenter: Vice Chancellor Ikharo**

Approval is requested to enter into an agreement with Panaguiton Construction Inspections for Division of the State (DSA) certified inspection services for the College of Alameda Cougar Village Expansion Modular Bid Submittal Package 1 and 2, in the amount not-to-exceed \$62,400. The Cougar Village Expansion Package is needed to provide appropriate interim housing, (Swing Space) for the educational non-science programs, faculties, and staffs when the construction of the new Buildings ‘C’ and ‘D’ begins.

For each project subject to DSA review, a qualified and certified inspector must be hired by the District and approved by DSA. Panaguiton Construction Inspections is a DSA certified inspector. Panaguiton Construction Inspections will bill for services at a total amount not-to-exceed \$62,400 for this service. Pursuant to the Public Contract Code (PCC) section 20657 and the District’s Purchasing Procedures, the District conducted an informal competitive bid by requesting price quotations from three (3) firms: Panguiton Construction Services, Bench Mark Inspections, and Marvin Saltzburg. The lowest bidder, Marvin Saltzberg’s firm was disqualified due to lack of compliance to District’s contract provisions.

The following are the results:

CONTRACTOR	LOCATION	TOTAL BID
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Panguiton Construction Services (Romer B. Panaguiton-Owner)	217 Hidden Creek Court Martinez, CA 94547	\$62,400
Bench Mark Inspections (Matthew C. Brown-Owner)	4475 Windflower Court Concord, CA 94518	\$64,350
Marvin Saltzburg (Owner)	106 Nautical Cove Hercules, CA	Disqualified

The lowest responsible and responsive bid was submitted by Panguiton Construction Services, in the amount of \$62,400.00. Romer Panaguiton is the owner of the company. The anticipated completion date of this project is March 20, 2014. **Funding Source: Measure A.** All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

33. Consider Approval to Renew an Agreement with Padilla & Associates to Provide Prevailing Wage Compliance Monitoring Services **Presenter: Vice Chancellor Ikharo**

Approval is requested for the Chancellor to renew an agreement with Padilla & Associates to provide prevailing wage compliance monitoring services for a one year period starting July 1, 2013 to June 30, 2014, in the not-to-exceed amount of \$175,000. Under an existing Agreement, Padilla & Associates has been providing prevailing wage compliance monitoring services for the District, which expired June 30, 2013. Prevailing wage compliance monitoring is required to comply with the California Department of Industrial Relations' prevailing wage regulations. Previously Padilla & Associates was selected and Board of Trustees approved for the Chancellor to renew prevailing wage compliance monitoring services for three (3) years with an option to renew annually with Padilla & Associates at the April 26, 2011 meeting. Approval to renew an Agreement with Padilla & Associates to continue providing prevailing wage compliance monitoring services for a one (1) year period starting July 1, 2013 to June 30, 2014, in the amount not-to-exceed \$175,000 is now requested.

Padilla & Associates has provided excellent services by monitoring and enforcing compliance with applicable prevailing wage requirements for any public works project for the District in accordance to the State Department of Industrial Relation regulation for compliance. Padilla & Associates was established in 1993 Patricia K. Padilla, who is a minority women owned enterprise. Padilla & Associates has offices located in Santa Ana, Emeryville, Sacramento and San Diego, California. The firm's President, managers and professionals possess over 60 years of experience as former public administrators, within large regional, federal and state agencies and School and Community College Districts.

Funding Source: Measure A Bond Funds. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

34. Consider Approval to Enter into an Agreement with Mondo USA, Inc. (Mondo) to Mitigate the Deterioration of District-wide Tracks at Laney College, College of Alameda and Merritt College **Presenter: Vice Chancellor Ikharo**

Approval is requested to enter into an agreement with Mondo USA, Inc. to mitigate the deterioration of district-wide tracks at Laney College, College of Alameda and Merritt College, in the amount not-to-exceed \$1,400,000. This agreement is an exception to competitive bidding that is allowable pursuant to *Shore v. Central Contra Costa Sanitary District* (1962) 208 Cal.App.2d 465 and *Graydon v. Pasadena Development Agency* (1980) 104 Cal.App.3d 631.

The District and Mondo entered into mediation, since all three tracks in the District suffered a production defect because Mondo used a red dye (a non-Mondo product), which when mixed with the Mondo surface material created a chemical reaction that was deleterious to the tracks. This reaction caused the untimely deterioration of all track surfaces. The premature deterioration consisting of brittleness, dryness, and substantial chipping of the surface layers occurred within the Mondo five-year warranty period. Additionally the defect affected the college's track and training program and caused a complete alteration of the college's training program.

Peralta and Mondo mediated the dispute and reached the following agreement effective June 19, 2013, subject to the approval of the Chancellor and Board of Trustees. Under the Settlement Agreement and Mutual General Release, Mondo's scope of work shall include but is not limited to the following:

- Removal of the existing track surface, and manufacture, supply and install a new track surface, track and field line and event marking using a minimum 13.5 mm thick Super-X Performance track surfacing system with hexagonal backing.
- Installation shall be performed by expert specialized proprietary certified installers assisted by general laborers.
- Removal and disposal of the existing track surfacing and preparation/leveling of the exposed asphalt base suitable to receive the new track surfacing.
- All concrete slabs to receive track surfacing must be installed, on a minimum 12-mil polyethylene moisture barrier membrane, in accordance with accepted industry standards to protect the concrete from infiltration of water from the sub-grade.
- Install a topical moisture reduction barrier (TMRB) to protect the concrete from infiltration of water from natural or artificial causes.
- Use Aquafin Vaportight Coat SG2 applied at a rate of 160 sq. ft. per 2.1 gallon kit.
- Commence resurfacing work on the tracks by Mondo as soon as possible. The critical path for the work at each school is four weeks. The track resurfacing project for each school, including the track and field line and event marking, shall be completed no later than the dates stipulated in the agreement.

- Comply with all applicable California project labor agreement (PLA) and prevailing wage requirements.
- Mondo's standard limited/specified warranty conditions, five years on the synthetic surface and one year on the line markings, will be extended to ten years on the synthetic surface at all three colleges.

Mondo U.S.A. Inc. was incorporated in 1989 and is based in Conshohocken, Pennsylvania. Federico Stroppiana is the president of the corporation. Mondo will commence the track resurfacing work as soon as possible and the critical path for work at each college is four weeks. The track resurfacing project for each college, including the track and field line and event parking, shall be complete by the following dates:

Colleges	Completion Dates
Laney College	October 14, 2013
Merritt College	September 27, 2013
College of Alameda	November 20, 2013 (flexible)

Funding Source: Measure A. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Approval of Change Orders

35. Consider Approval of Change Order No. 1 for the Rooftop Solar Photovoltaic Project at Laney College and Berkeley City College (Bid No. 11-12/15), Cupertino Electric Inc. Presenter: Vice Chancellor Ikharo

Approval is requested for Change Order No. 1 to the contract with Cupertino Electric Inc., in the amount of \$18,073. John Boncher is the President / CEO of Cupertino Electric Inc. and the business has a current and active contractor's license in California. They are registered with the California Department of Consumer Affairs – Contractors State License Board. There was one (1) approved Change Order to date in the amount of \$18,073, which is 0.4% of the original contractual amount (\$4,192,407.00).

Change Order No. 1 scope of work includes the following:

- Repair the spud gravel at the top membrane along the entire length of the tie in of damaged membrane locations.
- Remove locations of existing roof and insulation, as determined by the District's Project Manager.
- Install 1 layer of 1-1/2" ISO (International Organization for Standardization) and 1 layer of 1/2" fiberboard insulation set in low rise adhesive.
- Install 1 ply composite base sheet and 2 plies of #28 type G ply sheet in cold adhesive.

- Apply adhesive at a rate of 2 gallons/squares per ply. First composite ply lap will cover over open cut by 6", set in adhesive, 3 course lap with asphalt mastic on to existing membrane.
- Install second and third ply of #28 type G to lap 6"-8" past lower sheet in adhesive.
- Install 1 cap sheet, PowerPly Plus smooth in adhesive
- Apply flood coat of cold adhesive at 4 gallon/100 s.f. and re-install granite aggregate surfacing to cove existing roofs.

Approval is requested for Change Order No. 1, in the amount of \$18,073.00. In accordance with the Board Policy 6600, approval was requested for the change order work as it was necessary to undertake the work, which is on the crucial path of the project scope of work. Now the Change Order No. 1 is brought before the Board for approval. It is in the best interests of the District and financially prudent to authorize this change order. Source: Measure A Bond Funds. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

36. Consider Approval of Change Order No. 1 for the Electrical Connection to Building 'L' at Merritt College (Bid No. 11-12/22), Dan Electric Inc.
Presenter: Vice Chancellor Ikharo

Approval is requested for Change Order No. 1 to the contract with Dan Electric Inc. for Electrical Connection to Building 'L' Project at Merritt College, in the amount not-to-exceed \$81,952.84. Rayo Michovich is the owner of Dan Electric; the company has a current and active license with California Department of Consumer Affairs – Contractors State License Board. They are registered with the California Department of Consumer Affairs – Contractors State License Board. There was one (1) approved Change Order to date in the amount of \$81,952.84, which is 8.19% of the original contract amount (\$1,000,000.).

The District initiated Change Order No. 1 items for Electrical Connection to Building 'L' and they are primarily due to the following reasons:

- Unforeseen site utility issues and non-compliant aspects of the existing project site that were not included in the Contract Documents, but are required for correct execution of the project scope, safe occupancy of the site, and correct functioning of the various systems were added.
- These items included: thin site paving section and unsafe site drainage.
- Extension of project schedule 15 days from April 15, 2013 to May 3, 2013.

Change Order No. 1 scope of work includes the following:

- Install and tie-in storm drain line to new catch basin.
- Additional concrete slurry mix under Substation E located adjacent to Building 'L' to stabilize the footing and secure the area.
- Additional electrical work in the Electrical room of Building 'L' because

the existing conditions were not as stipulated in the Contract Documents.

- Additional paving work in the parking area between Buildings 'A' and 'D' and Building 'E'.
- Additional underground and excavation work because the Contract Documents did not show all of the unforeseen utilities that were later found during the trenching and excavation
- The project duration went beyond the original schedule due to unforeseen issues encountered in the trenching, inclement weather, and due to required soils compaction information that was not included in the Contract Documents.

Approval is requested for Change Order No. 1, in the amount of \$81,952.84. In accordance with the Board Policy 6600, approval was requested for the change order work as it was necessary to undertake the work, which is on the crucial path of the project scope of work. Now the Change Order No. 1 is brought before the Board for approval. It is in the best interests of the District and financially prudent to authorize this change order. Source: Measure A Bond Funds. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Approval of Resolution Nos. for Completed Work and/or Release of Retention

37. Consider Approval of Resolution No. 13/14-13, Acceptance of Completed Work for the Laney College ADA Improvements Project (Bid No. 09-10/24), IMR Construction Corporation **Presenter: Vice Chancellor Ikharo**

Approval is requested for Resolution No. 13/14-13 for completed work of the Laney College ADA Improvements Project (Bid No. 09-10/24), IMR Construction Corporation. On June 10, 2010, the Board of Trustees approved Bid No. 09-10/24, awarding a contract to IMR Construction Corporation for the Laney College ADA Improvements Project. The final completion date was on February 6, 2013 for the entire project. A Notice of Completion (NOC) has been filed with the County of Alameda, and project acceptance is recommended. This resolution accepts the project as complete.

There were seven (7) change orders implemented on this project that totaled \$200,388 or 8.6 % of the contract price (\$2,318,000), which were approved by the Board of Trustees. However, \$52,579 of the contract changes were court ordered and are not subject to the 10 % change order limit imposed by the Public Contract Code Section 20659. Therefore, for purposes of calculating compliance with Public Contract Code Section 20659, the net change order amount is \$147,809 or 6.4 %. Funding Source: Measure A Bond Funds. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

38. Consider Approval of Resolution No. 13/14-9, Acceptance of the Completed work and Release of Retention for the Fire Pump System Replacement Project at Laney College Tower (Administration Building) (Bid No. 12-13/13), Value Fire Protection, Inc. (VFP) Presenter: Vice Chancellor Ikharo

Approval is requested for Resolution No. 13/14-9 for completed work and release of retention for the Fire Pump System Replacement Project at Laney College Tower (Administration Building) (Bid No. 12-13/13), Value Fire Protection, Inc. (VFP). On March 12, 2013, the Board of Trustees approved Bid No. 12-13/13, awarding a contract to Value Fire Protection, Inc. (VFP) for the Fire Pump System Replacement Project. A Notice of Completion (NOC) has been filed with the County of Alameda and project acceptance is recommended. This resolution accepts the project as complete and provides a retention payment of \$9,500 to Value Fire Protection, Inc., which is 10% of the contract price. There were no change orders implemented on this project. The original contract amount was \$95,000. An approval by the Board of Trustees is recommended to authorize the release of retention amount. The project completion date was June 20, 2013. Source: Measure A Bond Funds. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

ACTION CALENDAR ITEMS

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 may move to the Action Calendar items with public speakers, and Board-sponsored Resolutions. The Board will hear public comments prior to taking any action on these items.

ANNOUNCEMENTS

1. The next regular Board meeting will be held on September 10th here in the District Offices Boardroom. The Board is in recess during the month of August
2. The District and Colleges will be on a summer 4-10 day work schedule and closed on Fridays and weekends through July 26th.
3. Please check the Peralta Foundation website for details about the upcoming Golf Tournament on July 22nd, and Scholarship information.
4. The Board sends sympathy to the family and friends of:
 - a. Retired Peralta employee James Harding upon his passing.
5. The Board wishes a fond farewell to:
 - a. Yvonne Thompson, former Student Trustee and Board dinner caterer, as she relocates out of the area.
 - b. Roxanne Epstein, Board Clerk, as she assumes a new position out of the area.

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.

Jose' M. Ortiz, Chancellor
Secretary to the Board of Trustees
PERALTA COMMUNITY COLLEGE DISTRICT