



BOARD OF TRUSTEES
OF THE
PERALTA COMMUNITY COLLEGE DISTRICT
MINUTES
JANUARY 21, 2014

CALL TO ORDER (7:00 p.m.)

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, Anticipated/Potential Litigation (54956.9(b)-(c)) (6 cases). Public Employee Appointment - Employment, Performance, Evaluation, Discipline, Dismissal, Release - All Employees (Government Code § 54957). * Consider approval of Interim Deputy Chancellor and Chief Operating Officer, District Office * Consider approval of Dean, Workforce Development, College of Alameda * Consider approval of Interim Vice President of Student Services, Merritt College * Consider approval of Acting Vice President of Instruction, Berkeley City College * Consider approval of Acting Dean, Berkeley City College * Consider extension of Interim Vice President of Student Services, College of Alameda.

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_.

Present: Student Trustee Li, Student Trustee Clegg, Trustee Riley, Trustee Handy, Trustee Brown, Trustee Gulassa, Trustee Gonzalez Yuen, Trustee Withrow, and Trustee Guillen.

Absent: None.

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: Consider Recommendation to approve the appointment of John Hendrickson as the Interim Deputy Chancellor and Chief Operating Officer, District Office, effective January 22, 2014, through June 30, 2014, at \$144,458 annually. AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Gonzalez Yuen) Consider Recommendation to approve the appointment of Char Perlas as Dean, Workforce Development, College of Alameda, effective February 3, 2014, through June 30, 2016, at \$113,300 annually. AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Gonzalez

Yuen) Consider Recommendation to approve the appointment of Audrey Trotter as the Interim Vice President of Student Services, Merritt College, effective January 22, 2014, through June 30, 2014, or until the position is filled on a regular basis at \$144,200 annually. AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1
(Gonzalez Yuen) Consider Recommendation to approve the appointment of Carlos Cortez as the Acting Vice President of Instruction, Berkeley City College, effective January 22, 2014 through April 30, 2014, or sooner, upon the return of the incumbent from leave at \$ 133,900 annually. AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1
(Gonzalez Yuen) Consider Recommendation to approve the appointment of Maeve Katherine Bergman as Acting Dean, Berkeley City College, effective January 22, 2014 through April 30, 2014, or sooner, upon the return of the incumbent at \$113, 300 annually. AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0
Consider Recommendation to extend the appointment of Alexis Montevirgen as the Interim Vice President of Student Services, College of Alameda, from February 1, 2014 through April 30, 2014, or until the position is filled on a regular basis, at \$133,900 annually. AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

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.

[Agenda](#)

MOTION: Motion by Trustee Withrow, second by Trustee Handy to approve agenda, move items 16, 29 & 36 to the action calendar and remove items 6, 33-34 from the agenda.
AYES: Trustee Riley, Trustee Handy, Trustee Brown, Trustee Gulassa, Trustee Gonzalez Yuen, Trustee Withrow, and Trustee Guillen.
NOES: None
ABSTAIN: None
ABSENT: None

The motion passed.

[APPROVAL OF THE MINUTES \(7:03 P.M.\)](#)

1. Consider Approval of the Regular Board meeting Minutes of December 10, 2013. Consider approval of the regular Board meeting minutes of December 10, 2013. The minutes are posted on Granicus.

[Minutes](#)

MOTION: Motion by Trustee Withrow, second by Trustee Riley to approve the Regular Board meeting Minutes of December 10, 2013. The minutes are posted on Granicus.
AYES: Trustee Riley, Trustee Handy, Trustee Brown, Trustee Gulassa, Trustee Gonzalez Yuen, Trustee Withrow, and Trustee Guillen.
NOES: None
ABSTAIN: None
ABSENT: None

The motion passed.

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 Goldstein welcomed everyone back for spring term and wish everyone a happy new year. Some are asking reasonably in PFT view, why the District would create a position designed to keep the Chancellor away from the duties he was hired to handle. Although Peralta is viewing this as an experiment, he would argue that before we perform new experiments we should attend to the results of an already demonstrated set of facts. He hopes that the hiring of the Deputy Chancellor doesn't distract the District from what remains it's most pressing issue. PFT wants to acknowledge the Chancellor's desire to change the culture at Peralta, but Speaker Goldstein argues that the only way to change a culture is to build a solid foundation by ensuring adequate infrastructure.

Speaker Wilson was disappointed to be removed from this semester's flex day program. He would have like to be on the program to explain how integrated learning and ecology festival would be an opportunity for students, staff, faculty and administrators to work together on a project that would improve student success. It's been four months since he spoke to the Board about someone reversing his 2013 fee waivers but still cannot register for classes.

Speaker Blake hopes that with the hiring of the new Deputy Chancellor that with looking at a restructure that it would lead to a reallocation of resources to the colleges where those resources are needed. He also welcomed the Trustees to visit and see the experiences that students, faculties and staff at all four colleges.

Speaker Love spoke about Evolve that is organizing an attempt to reform Prop 13 and asking school Boards to support this. They would like to reform it because the greatest beneficiary of prop 13 is business interests and land owners.

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 McCarty, BCC, collaborating on hosting a government and civics day on February 5th to celebrate government institutions while also providing focus and various workshops to educate students on government processes. Through these events, they hope to encourage BCC students to run for elections.

Speaker Momodu, Laney College Council spoke of the different events such as welcome back week, club

rush, ecology fest and earth day. Black History month is coming up in February.

Speaker Chavez, secretary, ASLC, welcomed new VP of Student Services and also acknowledged all the hard work of adviser Tomoko Roudebush.

Speaker Wilson, communication officer for Peralta Student Council spoke about the ecology festival.

3. Chancellor's Reports Chancellor's Report Dr. José M. Ortiz Vice Chancellor's Reports Budget Update Interim Vice Chancellor Rinne Enrollment and Vice Chancellor Orkin Student Services Update General Services Vice Chancellor Ikharo Human Resources Vice Chancellor Largent College Reports

Chancellor Ortiz welcomed everyone back to the Spring 2014 semester and welcomed John Hendrickson who is serving as the Interim Deputy Chancellor. Speaker Karen Engels also spoke about AB 86 which is funding for Adult Education and Creating Pathways for our K-12 system to community colleges and on. Prop 39, the Sustainability Act was also discussed by President Webb and Peter Crabtree. We have submitted to the State Chancellor's Office a series of projects that will be implemented this fiscal year and in partnership with Emerald Cities, to identify the implementation of these projects between now and June 30th.

[AB 86 Presentation](#)

Berkeley City College President Budd

College of Alameda Interim President Gravenberg (5 minutes)

[Report](#)

Laney College President Webb (5 minutes)

Merritt College President Ambriz-Galaviz

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.

Student Trustee Clegg gave her condolences to student Brandon Clemmons who was murdered. Student Trustee Clegg also attended Mayor Quan's holiday party, flex day at Laney College and is looking forward to the new direction that the Chancellor is taking the District towards.

Trustee Handy attended a dinner with the Montclair Soccer Club. On January 22, Trustee Handy will also be facilitating a panel for the Black Elected Officials and Faith Based Leaders. It's about the state of education and our work to increase successful outcomes. This will be an opportunity for our community and faith based leaders to know what types of things are available to the community they serve.

Trustee Brown attended the Education Task Force for our State Assembly member and also attended the Montclair Soccer club dinner with Trustee Handy.

Trustee Gulassa will be attending the Legislative Conference in Washington DC in February and will also be attending a forum on Community College Forum at DeAnza.

Trustee Gonzalez Yuen attended a 4 day training with the New Organizing Institute which was a training of community college leaders working to implement democracy projects across the country in community

colleges.

Student Trustee Li visited Oakland Community Senior Center. She also went to the Chinatown Center and provided underprivileged teens with clothing.

Trustee Guillen attended the Chinatown Lunar Bizarre celebration. He's hoping to see Peralta have a larger presence at this festival. He also welcomed back students to the Spring semester.

5. District Academic Senate Report Presenter: DAS President Karolyn van Putten PRESENTATIONS (7:30 P.M.)
6. (Item removed from the agenda)
7. Review of June 30, 2013 Annual Audit Report (10 minutes) Presenter: Heidi White - Vavrinek, Trine, Day & Co., LLP There will be a review of the June 30, 2013 Annual Audit report.

Trustee Gulassa had questions concerning financial statement findings and the federal and state findings.

Trustee Handy had a question regarding the significant deficiencies surrounding federal inventories.

Trustee Gonzalez Yuen had a question regarding reporting issues and what corrective action we need to take at an institutional level so that next year we won't have these issues. Heidi White said that some of this was a result of staffing changes.

CONSENT CALENDAR (7:45 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.

BOARD MATTERS

Agenda item 16 and 36 were moved to the action calendar.

MOTION: Motion by Trustee Withrow, second by Trustee Riley to approve Agenda Items 8-15, 17-28, 30-32, 35, 37, 38 as amended and 39-52.

AYES: Trustee Riley, Trustee Handy, Trustee Brown, Trustee Gulassa, Trustee Gonzalez Yuen, Trustee Withrow, and Trustee Guillen.

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

8. Consider Approval of Resolutions 13/14-44 and 13/14-45, Excusing Trustee Absence Presenter: Trustee Guillén It is recommended that Trustees approve Resolution 13/14-44 excusing Trustee Guillén from the December 10, 2013 Board meeting due to a family matter and Resolution 13/14-45

excusing Trustee Withrow from the December 10, 2013 Board meeting due to business. The Chancellor recommends approval.

[Resolution - Trustee Guillen](#)

[Resolution - Trustee Withrow](#)

9. Consider Approval of Board Policy 5010 Admissions and Concurrent Enrollment Presenter: Chancellor Ortiz Consider approval of Board Policy 5010 Prohibition of Harassment. The Chancellor recommends approval.

[Board Policy 5010](#)

10. Consider Approval of Board Policy 5700 Athletics Presenter: Chancellor Ortiz Consider approval of Board Policy 5700 Athletics. The Chancellor recommends approval.

[Board Policy 5700](#)

11. Consider Approval of Board Policy 3410 Nondiscrimination Presenter: Chancellor Ortiz Consider approval of Board Policy 3410 Nondiscrimination. The Chancellor recommends approval.

[Board Policy 3410](#)

12. Consider Approval of Board Policy 3811 Liability Claim Payments for Money and Damages Presenter: Chancellor Ortiz Consider approval of Board Policy 3811 Liability Claim Payments for Money and Damages. The Chancellor recommends approval.

[Board Policy 3811](#)

13. Consider Approval of Board Policy 6110 Worker's Compensation Claim Settlement Authority Presenter: Chancellor Ortiz Consider approval of Board Policy 6110 Worker's Compensation Claim Settlement Authority. The Chancellor recommends approval.

[Board Policy 6110](#)

14. Study Session on Proposed Board Policies Presenter: Chancellor Ortiz The Board will conduct a study session on the Board Policies. The following policy is presented for review, and will return to a future Board meeting for adoption: * BP 2510 Participation in Local Decision Making This policy was revised to add new language under the Academic Senate(s) section (Title 5 Sections 53200-53206). The language added is highlighted in yellow.

[Board Policy 2510](#)

EDUCATIONAL AND STUDENT SERVICES

15. Consider approval of Independent Contractor/Consultant Agreement with the MAAS Companies, Inc. in the amount of \$57,500 Presenter: Chancellor Ortiz Consider approval of Independent Contractor/Consultant Agreement with the MAAS Companies, Inc. for Project Planning Review studies for the Laney Student Center Renovations, Library and LRC, Merritt College Allied Health Center and College of Alameda Building C & D in the amount of \$57,500 from January 22, 2014 to March 10, 2014. Serving in its capacity for the past twenty-six years, MAAS Companies Inc. is a multi-faceted, planning, development and management company specializing in services to educational

institutions, including community colleges, four-year colleges and universities, elementary and secondary districts, cities and counties. The Company is highly regarded by the California Community Colleges Chancellor's Office, State Department of Finance and the California Post-Secondary Education Commission. MAAS Companies, Inc. has experience working with the District in various capacities which includes updating of the Educational and Facilities Master Plan, preparing IPP's, FPP's, Five-year Capital Construction Plans and the annual space inventory report.

[Background Materials 1](#)

[Background Materials 2](#)

16. Consider Approval of contract for Partners In Leadership for a three-year Peralta Culture Track Training Program Presenter: Chancellor Ortiz Consider Approval to enter into a contract with Partners In Leadership (PIL) to change the culture throughout the Peralta Community College District. The PIL Culture of Accountability Process will enable Peralta to define and create needed shifts in the way administrators and staff go about achieving results and create a Culture of Accountability. The total investment for the three-year process will not exceed \$315,500. The Chancellor has identified an organizational need to change the culture throughout the District, affecting the image of the District among its employees, community and students. The list of projects include: The Developing of the Peralta Cultural Beliefs; three Senior Leadership integration/implementation meetings; one-day Present the Cultural Beliefs workshop; one day Train The Facilitator workshop to internally certify various members of the Peralta staff and build internal capacity; and entering into a non-exclusive three year license to train all employees at Peralta. Under the contract, PIL's project team will facilitate the above-described activities, as well as add continued consultative help to retain and sustain the training over time. Timing of the above activities will be coordinated with the District, as well as strategies around organizational roll out. The scope of the project includes the entire Peralta District, including all organic growth and turnover during the course of the three-year process. PIL has been identified by the Chancellor based on the work it has already done with the various leaders throughout Peralta, as well as their reputation as the premier providers of accountability and culture management training services in the country. The Chancellor recommends approval. Funding Source: Fund 1 monies will initially be used for the contract, but other sources, including grants, are being sought.

[Board Agenda Report](#)

[Background Materials](#)

Trustee Handy is excited about the culture change at Peralta Community College District. The only concern she had with the contract is that there is no leverage since this item is for a three year contract approval and spoke on cultural competence.

Chancellor Ortiz addressed the contract negotiation and diversity issue.

Trustee Gonzalez Yuen raised issues on educational sensitivity.

MOTION: Motion by Trustee Gulassa, second by Trustee Withrow to approve.

AYES:	Trustee Riley, Trustee Handy, Trustee Brown, Trustee Gulassa, Trustee Gonzalez Yuen, Trustee Withrow, and Trustee Guillen.
NOES:	None
ABSTAIN:	None
ABSENT:	None

The motion passed.

17. Consider Approval of Independent Contractor Agreement Extension for Michael Lok to render services for Laney College's Asian American Native American Pacific Islander Serving Institution (AANAPISI) Grant Program. Presenter: President Webb Consider approval of independent contractor agreement extension for Michael Lok to render services for Laney College's Asian American Native American Pacific Islander Serving Institution (AANAPISI) Grant Program until June 30, 2014 in the amount of \$60,000 for a total of \$66,000.

[Board Agenda Report](#)

[Background Materials](#)

18. Consider Approval of Course and Program Additions, Deactivations and Changes Presenter: Vice Chancellor Orkin Included for approval are proposed curriculum actions as recommended by the Council for Instruction, Planning and Development (CIPD). The spreadsheet entitled "CIPD December 2013" contains course and program additions, changes and deactivations as approved by the colleges' curriculum committees and CIPD. The Chancellor recommends approval.

[Board Agenda Report](#)

[Background Materials 1](#)

[Background Materials 2](#)

19. Consider Approval of a contract addendum for Stephanie Green in the amount of \$17,850. Presenter: President Budd Consider approval of a contract addendum for Stephanie Green in the amount of \$17,850, (total contracted amount increased to not exceed \$30,600 for the 2013-14 fiscal year ending June 30, 2014) for workforce and professional development services for Berkeley City College's Public Health and Services Learning Community in fulfillment of the project objectives of the Career Advancement Academy grant. This addendum was required by the receipt, approval, and loading of the Career Advancement Academy grant after the creation of the original contract in late Fall 2013 with Carl D. Perkins CTE grant funding. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Career Advancement Academy Grant, no impact on General Fund.

[Board Agenda Report](#)

[ICC](#)

20. Consider Approval of Independent Contractor Agreement Extension for SHM Communications to render professional outreach services at Merritt College and Berkeley City College. Presenter: Presidents Ambriz-Galaviz and Budd Consider Board approval on independent contractor agreement extension for SHM Communications in the amount of \$24,000 in support of Merritt's outreach efforts and \$8,000 in support of BCC's efforts. The initial contracted amounts totaled \$24,950. Merritt College is requesting to increase the amount by \$24,000 and Berkeley City College is requesting \$8,000 to bring the total contracted amount for these various projects to \$56,950. Additional District contracts for SHM Communications have been approved in the amount of \$27,000, for a total contracted amount for SHM Communications in the amount of \$83,950. The scope of work for SHM Communications provides outreach support to all programs. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding

Source: General Unrestricted and Restricted Funds.

[Board Agenda Report](#)

21. Consider Approval of Independent Contractor Agreement Extension for Walnut Creek Steno Captioning -- Real Time Captioning for DSPS/Merritt Deaf Students Presenter: President Ambriz-Galaviz Consider approval of independent contractor agreement extension for Walnut Creek Steno Captioning to render real time captioning services at Merritt College in the amount of \$21,000 in support of services provided to our DSPS students. The initial contracted amount totaled \$12,263. The college is requesting to increase the amount by \$21,000 to bring the total contracted amount for these services to \$32,263. The scope of work for Walnut Creek Steno Captioning provides transcribing of college lectures for our hearing impaired students. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: General Restricted Funds.

[Board Agenda Report](#)

22. Consider Approval of an Independent Contractor Agreement for Dr. Mark Martin for Project Management Services for the Deputy Sector Navigator (DSN) grant. Presenter: President Webb Consider approval of an independent contractor agreement for Dr. Mark Martin (doing business as Design4X, Inc.) in an amount not to exceed \$151,250 to act as regional director for the State of California Chancellor's office Deputy Sector Navigator (DSN) grant for advanced manufacturing until 12/31/2014. The \$300,000 funding for the Deputy Sector Navigator grant is made available through the SB 1402 (Lieu), Economic and Workforce Development Program (\$200,000) and SB1070 (Steinberg) the Career Technical Education Pathways Program funding (\$100,000). The role of the Deputy Sector Navigator regional director is to coordinate and collaborate regionally among the twenty-eight (28) Bay Area community colleges, workforce organizations and industry within the advanced manufacturing sector. The DSN works to develop effective sector partnerships with employers, regional consortium, community colleges, high schools, ROPs, Workforce Investment Boards (WIB), and other regional organizations to ensure a skilled workforce in support of the regional economy and industry sector and to establish career pathways. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: State of California Community College Chancellor's Office.

[Board Agenda Report](#)

23. Consider approval of In-Kind Donation of Furniture by The Clorox Company to Berkeley City College Presenter: President Budd Consider approval of in-kind donation of furniture by The Clorox Company to Berkeley City College. The Clorox Company contacted BCC to provide a donation of furniture, which helped to reduce a furniture purchase for the South Campus from \$120,000 to \$17,000. The donation allowed BCC to avoid spending \$100,000 to renovate the South Campus to accommodate additional space for traditional instruction, tutoring programs, and various student services.

[Board Agenda Report](#)

24. Consider approval of In-Kind Donation of Digital Video Editing Software by Autodesk, Inc. to Berkeley City College Presenter: President Budd Consider approval of in-kind donation of Digital Video Editing Software by Autodesk, Inc. BCC Multi-Media Arts faculty member, Rachel Mercy-Simpson, worked with Autodesk, Inc. to secure a significant donation of Smoke, the professional video editing software for Apple Macintosh computers. Smoke is cutting edge, industry standard software that provides highly sophisticated 3D video editing tools. Autodesk's donation of software

and licenses will provide faculty and students with access to Smoke in all of BCC's MMART video labs. The final value of Autodesk's donation will readily exceed \$100,000.

[Board Agenda Report](#)

FINANCIAL SERVICES

25. Consider Ratification of Purchase Order Report Presenter: Interim Vice Chancellor Rinne Consider ratification of Purchase Order Report. 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 October 5, 2013 through January 21, 2014 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.

[Board Agenda Report](#)

[Background Materials](#)

26. Consider Ratification of the AP, Travel, and Consulting Contract Warrant Register Presenter: Interim Vice Chancellor Rinne Consider ratification of the AP, Travel, and Consulting Contract Warrant Register from November 16, 2013 through January 21, 2014. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for ratification purposes only. The Chancellor recommends ratification.

[Background Materials](#)

27. Consider approval to enter into a Six-Month Agreement for Office Supplies District-Wide with OfficeMax of Menlo Park, California Presenter: Interim Vice Chancellor Rinne Consider approval to enter into a six-month agreement for office supplies with OfficeMax of Menlo Park, California. During the month of September 2013, an analysis and review of the Purchasing Department best practices and strategic processes revealed the district-wide office supplies program had not been let to formal bid. A review of the dollar spent for office supply during FY 2012-2013 exceeded the bid threshold. Thereby, purchasing staff met with the three largest office supply carriers: Staples Advantage, Office Depot, and OfficeMax to submit piggyback contracts and/or cooperative agreements to discuss ways to improve the efficiency and consistency of the purchasing process to customize an office supply program that best fits the needs of the District, while providing volume discounts and cost savings. Staples Advantage provided a comprehensive work plan that would be feasible under the terms and conditions of the NJPA (National Joint Powers Agreement) cooperative agreement as it relates to office supplies. However, a review of the agreement determined that although the collective purchasing powers of the NJPA members nationwide offered the opportunity for volume pricing discounts, no volume pricing is ever guaranteed only anticipated.

[Board Agenda Report](#)

Speaker Martin O'Connor, Staples Sales Manager asked that the Office Max board item be tabled.

28. Consider Approval of Budget Transfer Report Presenter: Interim Vice Chancellor Rinne Consider approval of budget transfer report covering the period from November 16, 2013 through January 21, 2014. 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 10, 2013. The Chancellor recommends approval.

[Board Agenda Report](#)

[Background Materials](#)

29. Receive and File Peralta Community College District's June 30, 2013 Annual Audit Report Presenter: Interim Vice Chancellor Rinne Receive and File Peralta Community College District's June 30, 2013 Annual Audit Report Presenter: Interim Vice Chancellor Rinne The June 30, 2013 annual audit report is being presented to the board of trustees for acceptance. This annual financial and compliance audit is a requirement under Education Code 84040 and provides for an examination of the District's annual financial statements to assess their fairness and reliability. The audit will be posted on the Budget and Finance website. The Chancellor recommends approval.

[Financial Report](#)

MOTION: Motion by Trustee Gulassa, second by Trustee Riley to approve.

AYES: Trustee Riley, Trustee Handy, Trustee Brown, Trustee Gulassa, Trustee Gonzalez Yuen, Trustee Withrow, and Trustee Guillen.
NOES: None
ABSTAIN: None
ABSENT: None

The motion passed.

30. Consider Approval of the Nonresident Tuition Fee Increase Presenter: Interim Vice Chancellor Rinne Consider approval of Resolution # 13/14-38 for the 2014-15 Nonresident Tuition Fee. Education Code Section 76140 requires the Board of Trustees to annually adopt the nonresident tuition fee for the next year by February 1st. Determination of this fee is based on the District's 2012-13 expense of education as prescribed under the Education code. It is recommended that the Board of Trustees approve the 2014-15 Nonresident Tuition Fee of \$215.00 per semester unit. The current fee has been \$213. The worksheet used to arrive at the nonresident fee is attached. A statement noting that this fee will not be waived is included in the resolution. The Chancellor recommends approval.

[Board Agenda Report](#)

[Background Materials](#)

Speaker Oliver spoke on the tuition fee increase and raised concerns over the increase.

31. Consider Approval of the Nonresident Capital Outlay Fee Presenter: Interim Vice Chancellor Rinne Consider approval of Resolution #13/14-39 for the 2014-15 Nonresident Capital Outlay Fee. In addition to the nonresident student tuition fee, it is recommended that an additional \$6.00 per semester unit for capital outlay as allowed by Education Code 76141 (A). The Chancellor recommends approval.

[Board Agenda Report](#)

[Resolution](#)

32. Consider Approval of the Fiscal Year 2014-15 Budget Development Calendar Presenter: Interim Vice Chancellor Rinne Consider Approval of the Fiscal Year 2014-15 Budget Development Calendar. The proposed budget development calendar has been created in accordance with Board Policy 6200 and Administrative Procedure 6200 and is now being presented to the Board of Trustees for review and approval. The Chancellor recommends approval.

[Background Materials](#)

33. (Item removed from the agenda)
34. (Item removed from the agenda)
35. Consider Approval of Highstreet IT Solutions contract amendment in the Amount of \$134,360 Presenter: Associate Vice Chancellor Calvin Madlock Consider approval of an amendment to the contract with Highstreet IT Solutions for FY 2013-14 to augment their contract in the amount of \$134,360.00. This amount will cover travel expenses and the service fee for an additional consultant, which were not included in the original request. 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 the operating costs. Highstreet IT Solutions was the vendor selected through an RFP process and their contract was approved at the July 16, 2013 Board meeting. The augmentation of the contract is needed to cover for travel expenses of the 4 consultant already working on this project and to add one additional consultant that will be assisting with testing and business analysis of the Campus Solution modules due to the loss of Sheryl Queen. The project costs will be covered by Measure E funds. The addition of these funds will bring the total contract amount to \$831,000. Funding Source: Measure E. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Board Agenda Report](#)

[Background Materials 1](#)

[Background Materials 2](#)

[Background Materials 3](#)

36. Consider approval of an amendment to the contract with Perceptive Software for FY 2013-14 to augment their contract in the amount of \$31,500. This amount will cover travel expenses which were not included in the original request Presenter: Associate Vice Chancellor Madlock Approval is requested to augment the original contract to cover travel expenses incurred for 15 onsite visits total for design, delivery and project kickoff. Project 3.2 of the District's Information Technology Strategy, Document Management, which calls for the acquisition and adoption of a document management platform to increase efficiency of operations and reduce operating costs. A formal Request for Proposals (RFP 11-12/25) was conducted for Electronic Content Management Services. Nine firms attended the pre-proposal meeting, and six responded to the RFP. A panel was convened to evaluate the proposals based on: their submitted responses to bidder qualification and experience; company and project team qualifications/approach; ability to meet the general, functional and technical system requirements; and costs. After detailed analysis and review, Perceptive Software, Inc. was the highest ranking responsive vendor and selected through an RFP process and their contract was approved at the May 14, 2013 Board meeting. The addition of these funds will bring the total contract amount

to \$580,196. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding source: Measure E.

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[Background Materials 1](#)

[Background Materials 2](#)

Trustee Handy raised concerns over expenses such as travel expenses that were not included in the original request.

Trustee Gonzalez Yuen added that the issues of travel and itemized expenses have been raised and corrective action will be taken in the future to avoid this mistake.

MOTION: Motion by Trustee Gulassa, second by Trustee Withrow to approve.

AYES: Trustee Riley, Trustee Brown, Trustee Gulassa, Trustee Gonzalez Yuen, Trustee Withrow, and Trustee Guillen.
NOES: None
ABSTAIN: and Trustee Handy.
ABSENT: None

The motion passed.

37. Consider Approval to update a District-Wide Standard for purchasing Personal Computer Desktops and Laptops by utilizing a WSCA piggyback contract from CDW-G. Presenter: Associate Vice Chancellor Madlock Approval is requested for standard brand purchases for all major hardware and software, such as computers (desktops, laptops, and accessories), based on an agreed upon configuration by the colleges and district. The purchases will be provided through CDW-G utilizing a piggyback-able contract through the Western States Contracting Alliance (WSCA). Project 2.1 of the District's Information Technology Strategy, Sustainable IT Infrastructure, calls for the implementation of a Standards Based Procurement opportunity to increase efficiency of operations and reduce the operating costs. The original 1 year contract with EDX (Bid Number 11-12/20) was accepted and approved at the September 11, 2012 board meeting. This contract has since expired; however there is a need for district and colleges to continue with the Lenovo product standardization of IT hardware and software equipment purchases, which can be obtained through CDW-G.

[Board Agenda Report](#)

[Background Materials 1](#)

[Background Materials 2](#)

HUMAN RESOURCES

38. 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
Aganon James 1/22/14 6/30/14 Program Specialist/Outreach B Anding Nygia

1/22/14 5/22/14 Inst Asst I/DSPS M Beasley Corina 1/22/14 6/30/14 Food Service Worker L Bell Darynell 1/22/14 6/30/14 Lifeguard L Brewer Paulette 1/22/14 5/23/14 Library Technician II A Brown Kevin 1/22/14 5/30/14 Inst Asst II/DSPS L Brown Yolanda 1/22/14 6/27/14 Food Service Worker L Cahn Lisa 1/22/14 6/30/14 Interpreter III All Cerda Alejandra 1/22/14 4/25/14 Staff Asst/Facilities Services M Chan Cynthia 1/22/14 6/30/14 Inst Asst III/DSPS L Crawford Michelle 1/22/14 6/30/14 Interpreter, Fully Certified All Cussary Colette 1/22/14 6/30/14 Staff Services Spec/Fiscal B Day Carol 1/22/14 6/30/14 Master Interpreter All Dixon Linda 1/23/14 6/30/14 Staff Asst/Admin (Grants) M Dorham Dana 1/22/14 6/30/14 Library Technician II L Galbraith Aaron 1/22/14 6/30/14 Inst Asst/Multimedia B Grey Markeda 1/22/14 5/22/14 Clerical Asst II/Typing B Harper Virginia 1/22/14 3/25/14 Staff Asst/VP Office A Harshaw Dolores 1/22/14 6/30/14 Inst Asst I/DSPS B Higginbotham Erin 1/22/14 6/2/14 Inst Asst/Psychology L Houang Thu 2/26/14 6/30/14 Senior Clerical Assistant A Jones Myiesha 1/27/14 3/28/14 Inst Asst/Child Development M Kelley-Yurdin Mera 1/27/14 6/30/14 Interpreter, Fully Certified All Knight Jacinda 1/22/14 6/30/14 Inst Asst/Cosmetology L Levy Tracy 1/22/14 6/4/14 Inst Asst/Child Development M Li Tianyu 1/27/14 6/30/14 Inst Asst/Machine Technology L Ma Jacqueline 1/27/14 6/30/14 Staff Asst/EOPS L Mariscal Cecelia 1/22/14 6/30/14 Interpreter, Fully Certified All Matthews Leilani 1/22/14 6/30/14 Instructional Asst III/DSPS L Phillips Joann 1/22/14 6/30/14 Research & Systems Tech Ana D Rippberger Bonnie 1/22/14 6/12/14 Inst Asst/Child Development M Rodriguez Manuel 2/22/14 5/10/14 Inst Asst/Diesel Mechanics A Saechao Chai 1/22/14 6/30/14 Program Specialist/EOPS L Taing Christina 1/22/14 6/30/14 Program Specialist/Outreach B Wilson Caitlin 1/22/14 6/30/14 Interpreter I All Sara Rehman 1/22/14 6/30/14 Instructional Assistant III/DSPS

FACILITIES

39. Consider Ratification to Enter into an Agreement with Quantum Energy Services & Technologies, Inc. (QuEST) for Professional Engineering Services on the District-wide Proposition 39 Energy Retrofit Projects (RFP No. 13-14/17) Presenter Vice Chancellor Ikharo Ratification is requested to enter an agreement with QuEST (Quantum Energy Services & Technologies, Inc.) for professional engineering services, in the amount not-to-exceed \$205,000 for a three (3) year term. On December 20, 2013, the Chancellor approved for the District to enter into an agreement with QuEST. As permitted under the chancellor Authorization to do urgent business while the governing Board of Trustees are on recess (Resolution 99/00-5). Approval was requested from the Chancellor to enter into an agreement with QuEST so they can start work during the Board recess. The approval of this contract was urgent and time sensitive because the administration needed QuEST to start work by January 2, 2014, in order to submit the application to the California Community College State Chancellor's Office (CCCCO) for the energy projects by January 15, 2014. Now this agreement is brought before the Governing Board of Trustees for ratification. It is in the best interests of the District and financially prudent to authorize this agreement. In compliance with the Public Contract Code (PCC) Section 20651 and the District's Purchasing Procedures, a formal bid was completed and the RFP No. 13-14/17 was advertised in newspaper publications of general circulation on Tuesday, November 19, 2013 and Tuesday, November 26, 2013. Additionally, on December 13, 2013, a technical screening committee consisting of three (3) evaluators was used to assess and score all proposal submissions according to the scoring criteria described in the Request For Proposal.

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40. Consider Ratification of Amendment No. 2 to Agreement for Architectural Services with NBBJ, LP for the College of Alameda Swing Space (Expansion of Cougar Village) Presenter Vice Chancellor Ikharo Ratification is requested for Amendment No. 2 to the agreement for architectural services with

NBBJ, LP for services related to the College of Alameda Swing Space (Expansion of Cougar Village) project, in the amount not-to-exceed \$141,510. In accordance with Board Policy 6600, an approval of this Amendment No. 2 was requested from the Chancellor on December 17, 2013, during the Board recess to get the vendor to continue working immediately to meet the project construction schedule. As permitted under the Chancellor Authorization to Sign (Resolution 99/00-5), the Chancellor approved Amendment No. 2 on January 8, 2014. Now Amendment No. 2 is brought before the Governing Board of Trustees for ratification. The College of Alameda Swing Space (Expansion of Cougar Village) project is a swing space to service humanities classes and offices that will be displaced during the construction of the new C & D Buildings. Under Amendment No. 2, NBBJ will provide extensive revisions to plans, specifications as well as Department of the State Architect, (DSA) approvals and coordination as required to reduce the estimated construction costs by \$2 million dollars to meet a desired construction cost for increments 1 and 2 of \$2.3 million.

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41. Consider Ratification of Change Order No. 2 for CHW Infrastructure Project at Merritt College (Bid No. 12-13/03), Taber Construction Inc. Presenter Vice Chancellor Ikharo Ratification is requested on Change Order No. 2 to the contract with Taber Construction Inc., in the amount of \$89,547.00. In accordance with Board Policy 6600, an approval of this change order work from the Chancellor was requested on December 11, 2013 during the Board recess to get the vendor paid in a timely manner. As permitted under the Chancellor Authorization to Sign (Resolution 99/00-5), on December 12, 2013 the Chancellor approved Change Order No. 2. Now Change Order No. 2 is brought before the Governing Board of Trustees for ratification. Change Order No. 2 in the amount of \$89,547.00 is 2.2% of the original contract amount of \$4,076,000. Including the previously Board approved Change Order #1, the cumulative Change Order total to date is \$146,018; 3.58% of the original contract amount of \$4,076,000. Change Order No. 2 is based on field changes required due to underground unforeseen conditions. The change order items are primarily due to the following reasons:

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42. Consider Approval to Enter into an Agreement for Architectural Design Services with Gelfand Partners Architects for the Modernization of the Laney College Child Development Center. Presenter Vice Chancellor Ikharo Approval is requested to enter into an agreement with Gelfand Partners Architects for architectural design services for the Laney College Child Development Center Modernization Project, in the amount not-to-exceed \$63,260. Architectural services are needed for design, development of construction drawings and specifications, prepare scope of work and manage project administration. Under this agreement, Gelfand Partners shall provide architectural services to include but not limited to the following scope: work with the college staff to set the criteria to evaluate the existing facility; identify and prioritize existing facility deficiencies; assist the District with complying with the regulating agencies, such as Title 24 DSA; develop design and construction drawings for public bidding; and provide construction administration services. In compliance with the District's Purchasing Procedures and California Public Contract Codes, the Department of General Services (DGS) conducted an informal bid by selecting three firms from the Board's pre-approved architectural list. A selection committee was formed with representatives from the Laney College Child Development Center, DGS and the Purchasing Department to interview and evaluate the firms, and score the proposal submissions according to the evaluative criteria. On December 12, 2013, the committee evaluated proposal submissions according to the following evaluative criteria: 1) Vendor's qualifications and experience, 2) Fee for Architectural Services, 3) Project Approach, 4) Submittal Requirements for Product Recommendation, and 5) Environmentally Sustainable Procurement. The firms selected have demonstrated previous design experience with child development center projects. The three firms selected from the Board pre-approved listings were: Byrens-Kim Design Works,

Gelfand Partners and Murakami-Nelson. Each firm was given the opportunity to make a short presentation during the interview. Gelfand Partners was selected based on their creativity and experience with child development facilities. Lisa Gelfand, Chris Duncan, James Fagler, Lawrence Schadt, and Tobin Kendrick are principals at Gelfand Partners Architects. The company has two (2) offices located in San Francisco and San Diego, California. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Child Development Fund (Find 68).

[Board Agenda Report](#)

43. Consider Approval to Enter into an Agreement with Tyco/SimplexGrinnell for the District-wide Fire System Testing, Inspection, Repair and Maintenance (RFP No. 13-14/15). Presenter Vice Chancellor Ikharo Approval is requested to enter an agreement with Tyco/SimplexGrinnell for the District-wide Fire System Testing, Inspection, Repair and Maintenance (RFP No. 13-14/15), in the amount not-to-exceed \$410,391.00 for a three (3) year term. The Purchasing Department and the Department of General Services (DGS) issued RFP No. 13-14/15 for the District-wide Fire System Testing, Inspection, Repair and Maintenance. A formal Request for Proposal (RFP) was advertised in newspaper publications of general circulation on Tuesday, November 12, 2013 and Tuesday, November 19, 2013. A technical screening committee comprising of three (3) evaluators were established to evaluate and score all proposal submissions according to the scoring criteria defined in the Request for Proposal (RFP). Based on the evaluations, approval is requested for Tyco/SimplexGrinnell to be awarded the contract Under this agreement, SimplexGrinnell will provide all labor, materials, equipment and supervision necessary to perform inspection, testing, maintenance and repairs to fire alarm systems based on time and materials as needed, sprinkler/standpipe systems, fire hose cabinets, kitchen fire suppression systems to the satisfaction of the College and in accordance with applicable laws, codes and standards, and specifications outlined in the Request for Proposal (RFP No. 13-14/15).The District may elect to renew this contract for an additional two (2) years (renewable annually) for a total not-to-exceed five (5) years. The total payment for five (5) years duration will not exceed \$690,640.00.In the past, Tyco/SimplexGrinnell has provided quality equipment, fire system testing, inspection, repair and maintenance to all District facilities for the last five (5) years. The District's fire alert system is manufactured by SimplexGrinnell, which has been installed in all District buildings for over twenty years. Tyco/SimplexGrinnell is a California corporation located in Livermore California; the business is managed by Willard McCune and their sales representative is Eric Brent. The Chancellor recommends approval. Funding Source: General (Maintenance) Funds.

[Board Agenda Report](#)

44. Consider Approval of Amendment No. 1 to the Agreement for Architectural Design Services with Gould-Evans for the District-wide Track and Field Replacement Project. Presenter Vice Chancellor Ikharo Approval is requested for Amendment No. 1 to the Agreement for architectural design services with Gould-Evans Inc. for the District-wide Track and Field Replacement Project, in the amount not-to-exceed \$28,500. This project fee will pay for additional design work that was not included in the original scope of work and contract. After project coordination with the college stakeholders, additional feedback was provided on the need and design of goal posts that would benefit the athletic program. A separate filing with DSA addressing the field modifications was submitted so that the overall project approval would not be delayed. Under Amendment No. 1, the following four (4) additional service tasks were addressed to meet the college's needs, Americans with Disabilities Act (ADA) regulations, and the Division of State Architect (DSA) standards: * Provide drawings to reflect the replacement of the field at Merritt College. Due to existing conditions, drawings for resurfacing the tracks would not meet the District's requirements. * Obtain DSA structural review to relocate two (2) goal posts on the Laney Football Field. * Revise drawings and

specifications to incorporate synthetic track surfacing at College of Alameda, Laney College and Merritt College. * Revise the goal post footings in two locations and submit this change under an independent DSA application. The independent application will allow for a faster project approval.

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45. Consider Approval to Extend Lease with Mobile Modular Inc., for One (1) Portable Building for Interim Housing Needs at Laney College. Presenter Vice Chancellor Ikharo Approval is requested to extend the Board approved lease with Mobile Modular Inc., for one (1) portable building at Laney College, in the amount not-to-exceed \$5,568. The requested amount will pay for the Board approved lease with Mobile Modular for a period beginning from March 15, 2013 through March 15, 2014. Originally, a separate lease agreement was written for this one portable unit; therefore, a separate Board approval is requested. The billing rate is \$464.00 per month for this portable. This lease extension is necessary because the Tower Modernization project has been delayed due to electrical and technology data connectivity issues arising during move-in and furniture installation at the Tower building. The portable building was originally leased in order to house staff, faculty and administrators during the modernization of Administrative Tower Building at Laney College Project. Mobile Modular is being managed by Dennis Kakures (Chief Executive Officer) and Joseph Hanna (Chief Operating Officer); the business is located in Livermore, California. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Measure A Bond Funds.

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46. Consider Approval to Extend Lease with Mobile Modular Inc., for Four (4) Portable Buildings for Interim Housing Needs at Laney College. Presenter Vice Chancellor Ikharo Approval is requested to extend the Board approved lease with Mobile Modular Inc., for four (4) portable buildings at Laney College, in the amount not-to-exceed \$10,395. This amount will pay for the additional three-month period from January 1, 2014 to March 31, 2014. The billing rate is \$3,465 per month for all four (4) portables. A separate lease agreement was originally written for these four (4) portable units; therefore, a separate Board approval is requested. This lease extension is necessary because the Tower Modernization project has been delayed due to electrical and technology data connectivity issues arising during move-in and furniture installation at the Tower building. The portable buildings were originally leased in order to house staff, faculty and administrators during the modernization of Administrative Tower Building at Laney College Project. Mobile Modular is being managed by Dennis Kakures (Chief Executive Officer) and Joseph Hanna (Chief Operating Officer); the business is located in Livermore, California. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Measure A Bond Funds.

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47. Consider Approval of Change Order No. 1 for the HVAC Upgrade to the IT Server Room at the District Administrative Complex (Bid No. 08-09/09), Nick Stavrianopoulos Construction and Painting (NS Construction). Presenter Vice Chancellor Ikharo Approval is requested on Change Order No. 1 to the contract with NS Construction, in the deductive amount of (\$2000). In accordance with Board Policy 6600, an approval of this change order work from the Chancellor was requested on December 19, 2013 during the Board recess. This credit change order is owed to the District because of a scope of work reduction. After the new HVAC was installed, it was discovered that the unit was not properly sized to cool the server room. The network access room must be properly cooled and ventilated because heat will not dissipate and will be drawn back into the rack if it is not removed, which can prevent the IT equipment from operating at optimal performance. As a result, the new

HVAC equipment was installed to function together with the existing HVAC equipment to maintain the desired cooling and ventilation level necessary for the information technology (IT) equipment to function properly. This is why a credit was initiated for the work that was removed from the scope. The entire project was completed in June 2010. Litigation with the engineer, KYJ Associates, caused the delay in processing Change Order No. 1. Upon recent resolution of the litigation, now an approval is requested to pay this change order. Nick Stavrianopoulous is the owner of the company; the business is located in Danville, California. Currently, the company has an active license with California Department of Consumer Affairs - Contractors State License Board. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Measure A Bond Funds.

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48. Consider Approval of Change Order No.1 for the District-wide Track and Field Replacement Project (RFP No. 13-14/27), Field Turf USA Inc. - A Tarkett Sports Company Inc. Presenter Vice Chancellor Ikharo Approval is requested for Change Order No. 1 to the contract with FieldTurf USA Inc. - A Tarkett Sports Company Inc., in the amount of \$4,244.13. The Laney College Field Refurbishment is 90% complete. Change Order No. 1 in the amount \$4,244.13 is 0.3% of the original contract amount of \$1,438,017.00. Change Order No. 1 covers construction work to extend and add additional parking spaces for ADA require parking area as requested by the Division of State Architect (DSA). FieldTurf USA Inc. is a corporation that is being managed by Marty Olinger (Senior Vice President of Sales), Harold McNeil (Vice President of Manufacturing), Charles Cook (Vice President of Construction and Installation), Andrew Rowley (Sales Representative), Michael Vincent (Lead Estimator), Lindsay Agattas (Sr. Project Administrator) and Greg Weisbrich (Construction Manager). The business is registered with the California Department of Consumer Affairs - Contractors State License Board. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Measure A Bond Funds.

[Board Agenda Report](#)

49. Consider Approval of Resolution No. 13/14-43, Acceptance of Completed Work and Release of Retention for the Smart Classroom Project at Merritt College (Bid No. 10-11/02), One Workplace L. Ferrari LLC. Presenter Vice Chancellor Ikharo. Approval is requested for the acceptance of completed work and release of retention for the Merritt College Smart Classroom Systems Project to One Workplace L. Ferrari LLC. The Governing Board of Trustees approved the contract award (Bid No. 10-11/02) to One Workplace L. Ferrari LLC., for the Smart Classroom Project at Merritt College at the September 28, 2010 meeting, in the amount of \$1,977,110.54. A notice to proceed (NTP) was issued with a start date of October 25, 2012. The vendor completed about 99.9 percent (99.9%) of the contractual deliverables, while the punchlist item lagged behind. However, the punchlist work was finally completed and accepted by the District on July 23, 2013. A Notice of Completion (NOC) was filed with the County of Alameda, and project acceptance is recommended. The project is complete and the staff is requesting final acceptance of the project and release of the remaining 5 percent (5%) retention, in the amount of \$99,600.20. There were three change orders in the cumulative amount of amount of (\$69,862.18) which was (-1.06%). The last change order was approved by the Board of Trustees on December 10, 2013.

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[Resolution](#)

50. Consider Approval of Resolution No. 13/14-41, Acceptance of Completed Work 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 Resolution No. 13/14-41 for completed work and release of retention for the Rooftop Solar Photovoltaic Project (Bid No. 11-12/15), Cupertino Electric Inc. The final completion date was on August 31, 2013 for the entire project. A Notice of Completion (NOC) was filed with the County of Alameda, and project acceptance is recommended. This resolution accepts the project as complete and staff is requesting final acceptance of the project and release of the remaining retention in the amount of \$210,524.00. There was one (1) approved Change Order in the amount of \$18,073, which was 0.4% of the original contract amount \$4,192,407.00. This Change Order was approved by the Board of Trustees on July 16, 2013. An approval by the Board of Trustees is recommended to authorize the release of retention amount. John Boncher is the President / CEO of Cupertino Electric Inc.; 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. The company's local office is located in San Jose, California. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Measure A Bond Funds.

[Board Agenda Report](#)

[Resolution](#)

51. Consider Approval of Resolution No. 13/14-42, Acceptance of the Completed work and Release of Retention for the Laney College Field Refurbishment (Bid No. 13-14/04), FieldTurf USA Inc. - A Tarkett Sports. Presenter Vice Chancellor Approval is requested for Acceptance of Completed Work and Release of Retention for Laney College Field Refurbishment (Bid No. 13-14/04) to FieldTurf USA Inc. - A Tarkett Sports Company. The Governing Board of Trustees approved a contract award (Bid No. 13-14/04) to FieldTurf USA Inc. - A Tarkett Sports, for the aforementioned project on July 16, 2013, in the contractual amount of \$814,105. However, the actual contractual amount for project was negotiated down to \$697,311, including the additional services for bid alternates of \$64,500, the entire project cost was \$761,811. Under Amendment No. 1, the \$64,500 was approved by the Board of Trustees on October 8, 2013. A notice to proceed (NTP) was issued with a start date of August 13, 2013. The final completion date was on September 27, 2013 for the entire project. A Notice of Completion (NOC) is being filed with the County of Alameda, and project acceptance is recommended.

[Board Agenda Report](#)

[Resolution](#)

52. Consider approval of Measure A Bond Budget Transfers and Appropriations for the Laney College Breezeways - Drainage & Pavement Project (No. 58), Removal and Relocation of Furniture at Laney Tower (No. 59), College of Alameda Aviation School-Aircraft Project (No. 60), 860 Atlantic Avenue - Cougar Village (No. 61), and Merritt College Utility Infrastructure Project (No. 62) Presenter Vice Chancellor Ikharo Approval is requested for five (5) Measure A bond budget transfers and appropriations (No. 58, 59, 60, 61, and 62). Staff will obtain signatures from the Administrations (College Presidents, Vice Chancellor of Finance and Administration, Vice Chancellor of General Services and the Chancellor) for this budget transfer and appropriation before the January 21, 2013 Board meeting. On June 23, 2009, the Board of Trustees approved the Bond Measure (A and E) Spending Plan, which included budget appropriations, cash flow projections and budget transfer procedures. In accordance with the Board approved Bond Measure A Spending Plan, a budget transfer form has been completed for the following budget transactions. Budget Transfer No. 58 (\$910,500) is for the Laney College Breezeways - Drainage & Pavement Project (project no.

2466). This budget amount will be used for construction cost, Division of the State Architect (DSA) approval, construction support, construction contingencies and other miscellaneous project costs. This project budget will be transferred from three (3) existing project accounts: Laney Tower Refurbishment (project no. 2389), Athletic & Fieldhouse (project no. 2338) and Laney Contingency (project no. 2324).

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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

ANNOUNCEMENTS

The next regular Board meeting will be held on February 25th at the District Offices.

The Board wishes our students a wonderful semester that started today, and a Happy New Year 2014 to all.

[ADJOURNMENT](#)

[Meeting adjourned at 8:55 p.m.](#)

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, bmartinez@peralta.edu at least 48 hours prior to the meeting.

Peralta Community College District Governing Board Agenda: January 21, 2014

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