



PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, February 25, 2014

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!

AGENDA

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)) (7 cases).

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

- Consider ratification of Acting Dean of Special Programs and Grants, Merritt College.
- Consider approval of Associate Vice Chancellor for Student Services and Registrar.
- Consider approval of Interim Vice President of Instruction, Laney College.
- Consideration of future employment opportunities/positions.

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.)

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.

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

1. Consider Approval of the Regular Board meeting Minutes of January 21, 2014.

Consider approval of the regular Board meeting minutes of January 21, 2014. The minutes are posted on Granicus.

PUBLIC COMMUNICATION (7:05 P.M.)

At this time, the Board of Trustees will listen to communication from the public on matters that are not on the agenda and are within the Board's jurisdiction. Under provisions of the Brown Act, the Board and District staff are prohibited from discussing or taking action on oral requests that are not part of the agenda, but may respond briefly. A maximum of 15 minutes (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/>

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.)

3. Chancellor's Reports

Chancellor's Report Dr. José M. Ortiz

Deputy Chancellor's Report John Hendrickson

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

Berkeley City College President Budd

College of Alameda Interim President Gravenberg

Laney College President Webb

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.

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

PRESENTATIONS (7:30 P.M.)

6. Western Regional Council on Black American Affairs Presentation (5 minutes)

There will be a presentation to Dr. Elñora Webb, President, Laney College.

7. Program of Distinction Presentation (15 minutes)
Presenter: President Ambriz-Galaviz

The Program of Distinction presentation will focus on the Administration of Justice (AJ) program at Merritt College which is designed to prepare students for employment in entry-level and advanced positions in the public and private sectors. Today's presentation highlights this *program of distinction* for its contribution to our local communities, its dedication to building partnerships with regional employers, and for the faculty's continuous efforts to extend and broaden the academic and professional opportunities Merritt offers to students through this program.

CONSENT CALENDAR (7:50 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

8. Consider Approval of Resolution 13/14-47 in Support of Reform of Proposition 13
Presenter: Trustee Guillén

Consider approval of Resolution 13/14-47 in support of reform of Proposition 13. The Chancellor recommends approval.

9. Consider Approval of Board Policy 2510 Participation in Local Decision Making
Presenter: Chancellor Ortiz

Consider approval of Board Policy 2510 Participation in Local Decision Making. The Chancellor recommends approval.

10. First Reading on Proposed Board Policies **Presenter: Chancellor Ortiz**

The Board will conduct a first reading on the Board Policies. The following policy is presented for review, and will return to a future Board meeting for adoption:

- BP 2725 Board Member Compensation
This policy is in the CCLC template and is new for Peralta.
- BP 7340 Leaves
This policy was revised to include additional permissible reasons for employee leaves due to employee organization activities.
- BP 3250 Institutional Planning
This policy was revised to update the names of the Faculty and Staff Diversity Plan and the Matriculation Plan.
- BP 4250 Probation, Dismissal, and Readmission
This policy was revised to change the title.
- BP 5050 Student Success and Support Program
This policy was revised to update the name of the Matriculation Plan.
- BP 5130 Financial Aid
This policy was revised to update the legal references.
- BP 7700 Whistleblower Protection
This policy was revised to update the legal references.

11. Consider approval of updated November Board meeting date **Presenter: Assistant Brenda Martinez**

Consider approval of updated November Board meeting date. The current November Board meeting date is November 11th which is Veteran's Day, so it is requested that the date be changed to November 18th. The Chancellor recommends approval.

12. Consider Approval of Black History Month Proclamation **Presenter: Trustee Guillén**

Consider approval of Black History Month Proclamation.

13. Consider Approval of Lunar New Year Proclamation **Presenter: Trustee Guillén**

Consider approval of Lunar New Year Proclamation.

EDUCATIONAL AND STUDENT SERVICES

14. Consider Board Approval of a contract addendum to expand Independent Contractor Agreement for Ezequiel Guzman in the amount of \$40,560 to render additional job placement services for the Peralta Achievement Collaborative PAC program at Merritt College. **Presenter: President Ambriz-Galaviz**

Consider Board approval of a contract addendum to expand Independent Contractor Agreement for Ezequiel Guzman in the amount of \$40,560 to render additional job placement services for the PAC program at Merritt College. The initial contract amount totaled \$24,999 for time period 9/1/13 through 6/30/14. The increased amount of \$40,560 brings the total amount for services to \$65,559. The request is due to changes to the MOU agreement with PAC's community partner. Ezequiel Guzman is the lead in PAC's job placement team for Continued Job Placement Services that include the development of Externships in the Allied Health field and continued job placement services in non-subsidized employment. without assistance of community partner and addition of planning, marketing and coordination of capacity building activities that include an Employer Round Table and Career Fair at Merritt College. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: U.S. Department of Labor Grant**

15. Consider Board Approval of a contract addendum to expand Independent Contractor Agreement for Alicia Iniguez in the amount of \$12,810 to render additional job placement services for PAC program at Merritt College. **Presenter: President Ambriz-Galaviz**

Consider Board approval of a contract addendum to expand Independent Contractor Agreement for Alicia Iniguez in the amount of \$12,810 to render additional job placement services for the PAC program at Merritt College. The initial contract amount totaled \$21,000 for time period 10/1/13 thru 6/30/14. The increased amount of \$12,810 brings the total amount for services to \$33,810. The request is due to changes to the MOU agreement with PAC's community partner. Alicia Iniguez assists with providing continued job placement services that include the development of Externships in the Allied Health field and continued job placement services. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: U.S. Department of Labor Grant**

16. Consider Board Approval of a contract addendum to expand Independent Contractor Agreement for Chad Thompson in the amount of \$22,200 to render additional job placement services for the PAC program at Merritt College.
Presenter: President Ambriz-Galaviz

Consider Board approval of a contract addendum to expand Independent Contractor Agreement for Chad Thompson in the amount of \$22,200 to render additional job placement services for the PAC program at Merritt College. The initial contract amount totaled \$20,000 for time period beginning 8/5/13 through 6/30/14. The increased amount of \$22,200 brings the total amount for this contract to \$42,200. Additional Merritt College contracts for Mr. Thompson have been approved in the amount of \$24,999 thru FOC/LISC Grant funds bringing the total amount contracted to this vendor to \$67,199. The request is due to changes in the MOU agreement with PAC's community partner. Chad Thompson will assist with providing continued job placement services that include the development of Externships in the Allied Health field and continued job placement services in non-subsidized employment. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: U.S. Department of Labor Grant**

17. Consider Board Approval of Contracted Services with Sharon Schuyler for the Alameda One Stop Career Center at College of Alameda **Presenter: President Gravenberg**

Consider approval of contracted services with Sharon Schuyler, Independent Contractor, from February 26, 2014 through June 30, 2014, in the amount of \$17,425.00 for the Alameda One Stop Career Center at College of Alameda. Ms. Schuyler's current service contract with the Alameda One Stop Career Center is for \$24,960. This augmentation of funding in the amount of \$17,425 from February 26, 2014 through June 30, 2014 would bring the total contract amount to \$42,385.00 for the fiscal year. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Alameda County Workforce Investment Board**

18. Consider Approval of an Independent Contractor Agreement for Academy of Truck Driving to render services for College of Alameda's ATLAS program.
Presenter: President Gravenberg

Consider approval of an Independent Contractor Agreement for Academy of Truck Driving (ATD) to render services for College of Alameda's ATLAS program not to exceed \$47,500. ATD will provide the following services leading to a Class A driver's license for up to 19 individuals enrolled in the ATLAS Green Diesel program:

- Health/Drug Screening
- Classroom training including tutoring necessary to obtain permit
- Skill training including inspection, shifting, and basic controls

- Open road training including street driving, pre-testing, and DMV road test sessions

All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: U.S. Department of Labor**

19. 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 February 3 2014" contains course and program additions, changes and deactivations as approved by the colleges' curriculum committees and CIPD. The Chancellor recommends approval.

20. Consider Approval of contract with Hatchuel, Tabernik & Associates as grant writer for AB 86 Career Pathways Trust Regional Consortium Grant from California Department of Education. **Presenter: Vice Chancellor Orkin**

The grant will include a consortium of K-12 and community college school districts in the East Bay. Peralta will serve as the fiscal lead for this grant, which requires intensive regional collaboration and facilitation across education segments as well as with industry and community partners. The proposal will include 11 secondary districts and 3 community college districts across two counties. The proposal will involve the development of career pathways that lead to career opportunities and employment and will require expert knowledge of curriculum, data sharing, and education policy issues across multiple segments. The cost of this contract is not to exceed \$35,425. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Consortium partners will contribute equally to cover the cost (approximately \$2,500/partner).**

21. Consider Approval of an augmentation to an Independent Contractor Agreement with Danny Beesley (dba EcoVision Consulting) for services to be rendered on project management support for the Laney CTE Open House, Digital Fabrication Laboratory (fab-lab) Development, and Introduction to Manufacturing Program. **Presenter: President Webb**

Consider approval of an augmentation to an independent contractor agreement with Danny Beesley in the amount of \$12,630 to act as project support for the Laney CTE Open House, Digital fab-lab development, and Introduction to Manufacturing program.

The contract amount will change from \$37,970 to not-to-exceed \$50,600. The contract end date will remain June 30, 2014.

Laney College is working on a number of initiatives in the Career Technical Education area. This includes a CTE Open House, exploration into a digital fabrication laboratory for advanced manufacturing, and outreach and work with the local high schools in creation of career pathways in manufacturing and sustainability. These projects are integrated with our current CTE programs with the goal of improving and creating training programs to meet the needs of our local industry.

These additional funds will be used for Mr. Beesley to manage the Laney CTE Open House, and lead efforts to further develop the digital fabrication laboratory concept and program at Laney and at local schools. In addition, Mr. Beesley will assist with incorporating digital fab-lab concepts into the Introduction to Manufacturing program currently being run at Laney.

All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: CCCCO Deputy Sector Navigator grant, Chevron Social Investment Partnership Grant 2013-14, CTE Community Collaborative and Laney College President's program development fund.**

22. Consider Approval for acceptance of a \$350,000 grant award for the Proposition 39 Clean Energy Workforce Program. **Presenter: President Webb**

Consider Board approval for a \$350,000 grant for the Proposition 39 Clean Energy Workforce Program to lead implementation efforts in the Bay Area region.

Laney College will serve as the lead agency for the Bay Area regional clean energy workforce program initiative. Laney will lead a regional effort to improve clean energy curriculum and tracking of successful student outcomes.

All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: CCCCO Grant (SB 73).**

23. Consider Approval of the Measure A purchase request for Apple laptops, desktop computers, supporting equipment, and service agreements to replace old outdated and insufficient equipment for Laney College instructors' within the Media, Photography, Graphic Design, and Art instructional labs **Presenter: President Webb**

Consider approval of the Measure A purchase request for laptops, computers, supporting equipment, and service agreements to replace old, out dated and insufficient equipment for Laney College instructors' within the Media, Photography, Graphic Design and Art instructional labs. The amount to be approved shall not exceed \$380,000.00. These funds will facilitate the purchase of new technology that is essential for instruction within these areas. All Board approved contracts are subject to final negotiation and execution by the

Chancellor. The Chancellor recommends approval. **Funding Source: Measure A.**

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

Consider approval of a childcare ICC with BANANAS, Inc., to administer the voucher program for Berkeley City College for \$35,000 from July 1, 2013 through June 30, 2014. BANANAS, Inc., has been providing childcare for Berkeley City College students on a categorically funded voucher system since Berkeley City College does not operate a child care center. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: CalWORKs.**

FINANCIAL SERVICES

25. 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 January 4, 2014 through February 7, 2014. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for *ratification* purposes only. The Chancellor recommends *ratification*.

26. Consider Approval of Purchase Order Report **Presenter: Interim Vice Chancellor Rinne**

Consider approval 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 January 4, 2014 through February 7, 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.

27. Consider Approval of Budget Transfer Report **Presenter: Interim Vice Chancellor Rinne**

Consider approval of budget transfer report covering the period from January 4, 2014 through February 7, 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.

28. Receive and File 2012-13 Annual Measure A Financial and Performance Audit
Presenter: Interim Vice Chancellor Rinne

Receive and file Peralta Community College District's June 30, 2013 Measure A Financial and Performance Audit. The June 30, 2013 Annual Measure A Financial and Performance Audit is being presented to the Board of Trustees to review and file. This annual financial and performance audit is required under Proposition 39 and the resolution approved by the Board of Trustees authorizing Measure A. The Chancellor recommends approval.

29. Consider Approval of the District's fiscal year 2013-14 second Quarter CCFS-311Q Report **Presenter: Vice Chancellor Rinne**

Consider approval of the District's fiscal year 2013-14 second quarter CCFS 311Q report. The CCFS-311Q is the State Chancellor's Office Quarterly Financial Status Report summarizing and communicating the results of the budgetary decisions and transactions made by the District through the first quarter of fiscal year 2013-14. The Chancellor recommends approval.

30. Consider Approval of Vavrinek Trine Day & Co. Contract **Presenter: Interim Vice Chancellor Rinne**

Consider approval of contract with Vavrinek Trine Day & Co., LLP (VTD) in the amount of \$135,000 to perform the District's annual audit for the fiscal year ended June 30, 2014. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Fund Unrestricted.**

HUMAN RESOURCES

31. 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
Campbell-Mateo	Michelle	2/26/14	6/30/14	Inst Asst/Social Sciences	B
Cruz	Darlene	3/3/14	6/30/14	Staff Asst/VP Office	L
Gerber	Elaine	2/26/14	5/23/14	Inst Asst II/DSPS	A
Gonfa	Teferi	3/4/14	3/26/14	Inst Asst/Radiological Science	M
Hamilton	Darran	2/26/14	3/13/14	Inst Asst/Diesel Mechanics	A
Huynh	Duy-hoa	2/26/14	5/23/14	Inst Asst II/DSPS	A
Idrisova	Sarinaz	2/26/14	6/30/14	Financial Aid & Placemt Asst	L
Livsey	Andrew	2/26/14	6/27/14	Instructional Asst IV/DSPS	L
McChesney-Young	Mary	2/26/14	5/30/14	Clerical Assistant II	M
McWhorter	Quentin	3/3/14	5/30/14	Inst Asst/EMT	M
Means	Kristopher	2/26/14	5/16/14	Food Services Worker	L
Ocasio-Pare	Kassandra	2/26/14	6/30/14	Library Technician I	B
Owens Rodgers	Shuntel	2/26/14	6/30/14	Clerical Assistant II	M
Robinson	Christy	2/26/14	5/23/14	Cashier	L
Saelee	Yao	3/3/14	6/04/14	Inst Asst/EMT	M
Saleh	Jamila	2/26/14	6/30/14	Staff Asst/CalWORKS	M
Seymore	Olanda	2/26/14	6/27/14	Food Services Worker	L
Smith	Eric	2/26/14	5/30/14	Clerical Assistant II	L
Spangler	Angela	2/26/14	6/30/14	Staff Asst/Instruction	L
Stotler	Amber	3/3/14	3/27/14	Inst Asst/Radiological Science	M
Su	Xiaojian	2/26/14	6/30/14	Clerical Assistant II	L
Tran	Torrence	3/3/14	5/30/14	Inst Asst/EMT	M
Werner	Peter	2/26/14	6/30/14	Inst Asst/Biotechnology	M
Wright	Wanda	2/26/14	6/30/14	Inst Asst IV/DSPS	A
Yang	Yong	2/26/14	6/30/14	Staff Asst/VC Ed Services	D

FACILITIES

32. Consider Approval to enter into a contract with Mobile Modular Inc., for the Dismantling and Removal of Five (5) Existing Interim Portable Buildings at Laney College. Presenter Vice Chancellor Ikharo.

Approval is requested to enter into a contract with Mobile Modular Inc., to dismantle and remove five (5) existing interim portable buildings at Laney College, in the amount not-to-exceed \$33,781.00. This amount will pay for the dismantling and removal of five (5) existing interim portable buildings leased from Mobile Modular Inc. Originally, these existing portable units were leased to temporarily house staff, faculty and administrators during the modernization of the Tower Building at Laney College. The modernization project has been completed and the occupants have moved back into the Tower Building. Now, these five (5) existing interim portable units must be disassembled and removed by the owner (Mobile Modular Inc.).

The project scope of work for all five (5) existing portable units will include but is not limited to the following: additional labor and rolling on removal; prepare equipment for removal; remove custom star, ramp for the custom plan 1, and

ramp skirting; and return haulage lowboy 12 inches wide and haulage permit 12" wide lowboy.

The total amount approved by the Governing Board of Trustees for these five (5) portable buildings, since July 21, 2009 is \$246,758. However, a time and cost extension were requested due to a Phase II Modernization Project requested by the stakeholders (Laney College); therefore, the Board of Trustees extended this contract. The original agreement totaled \$171,890; whereas, the cost extension amounted to \$74,868. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Fund.**

33. Consider Approval of Change Order No. 3 for Merritt College's Chilled Water Infrastructure (Bid No. 12-13/03), Taber Construction, Inc. Presenter Vice Chancellor Ikharo.

Approval is requested for Change Order No. 3 to the contract with Taber Construction, Inc., in the amount of \$34,987.00. Change Order No. 3 is based on the District's requested additional scope change beyond the original services agreement. These changes are due to unforeseen conditions. The District initiated Change Order No. 3 for Chilled Water Infrastructure Project.

Change Order No. 3 scope of work includes the following:

- Due to unforeseen conditions at the exterior equipment pad, the contractor was required to perform additional demolition work, revise existing electrical conditions, revise equipment layout, and other revisions to avoid extensive unforeseen underground obstructions.
- Due to unforeseen existing building conditions, the specified new mechanical louver was redesigned and fabricated.
- Due to unmarked underground utilities which were not shown on the contract documents, and were unknown to PCCD, the original planned location to install two manholes had to be revised. A larger crane was required to access the new locations and an existing gas line had to be rerouted.

Change Order No. 1, in the amount of \$56,471.00 or 1.385% of the original base contract was approved by the Board of Trustees in their October 22, 2013 meeting. Change Order No. 2, in the amount of \$89,547.00 or 2.2% of the original base contract was approved by the Board of Trustees in their December 11, 2013 meeting. Change Order request No. 3, in the amount of \$34,987.00, is 0.85% of the original contract amount of \$4,076,000. These three change orders will have a cumulative value of \$181,005.00 or 4.44% of the original contract sum. The project is near completion and the project estimated completion date is on schedule.

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

34. Consider Approval of Resolution No. 13/14-46 Acceptance of the Completed work and Release of Retention for the HVAC Upgrade in the IT Server Room (Bid No. 08-09/09) at the District Administrative Complex, Nick Stavrianopoulos Construction and Painting (NS Construction). **Presenter Vice Chancellor Ikharo.**

The Governing Board of Trustees approved the contractual bid and award of this project to NS Construction on November 18, 2008, in the amount not-to-exceed \$346,500. Final acceptance of the project and release of the remaining five percent (5%) retention is requested, in the amount of \$17,325. This project scope of work included the HVAC (heating, ventilation and air conditioning) and fire suppression system replacement at the District computer server room located in the IT District Administrative Complex. NS Construction's work as the Contractor was completed in June 2010. However, due to the poor design of the new HVAC system, a legal action was taken against the design engineer, which delayed the closing of the construction work performed. The resolution of this design error was mediated which delayed the final Change Order No. 1, and the release of retention payment to NS Construction.

The Chancellor recommends approval. **Funding Source: Measure A Bond Funds.**

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

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