



## PERALTA COMMUNITY COLLEGE DISTRICT

### REGULAR MEETING OF THE BOARD OF TRUSTEES

**Tuesday, June 10, 2014**

**5:00 p.m. Closed Session**

**7:00 p.m. Public Session**

**333 East 8<sup>th</sup> 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:

Creation of a permanent Deputy Chancellor position and reorganization of management structure.

Conference with Labor Negotiator Largent, Peralta Federation of Teachers, Local 39, and SEIU 1021 (Government Code § 54957.6)

Conference with Legal Counsel, Multiple Cases: (Government Code § 54956.9)

- Conference with Legal Counsel (54956.9(a)), Johnson v. PCCD, U.S. District Court, Northern District of CA Case No. C08-4152
- Conference with Legal Counsel (54956.9(a)), Payne v. PCCD, United States District Court, Case No. C08-03133.

- Conference with Legal Counsel (54956.9(a)), Vogt v. PCCD, Alameda County Superior Court, Case No. RG11-573757.
- Conference with Legal Counsel (54956.9(a)), In re Municipal Derivatives Antitrust Litigation, U.S. District Court, Southern District of New York, Case No. 1:08-cv-02516-VM-GWG.
- Conference with Legal Counsel (54956.9(a)), Liao v. PCCD, Alameda County Superior Court Case No. RG14717733
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (8 cases).

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

- Consider appointment of Interim Vice President of Instruction, Laney College
- Consider appointment extension of Interim President, College of Alameda.
- Consider appointment of Interim Vice President, College of Alameda
- Consider appointment extension of Interim Director, TRIO SSS, Laney College
- Consider appointment extension of Interim Director of Economic and Workforce Development, District Office
- Discussion of Chancellor's evaluation
- Creation of a permanent Deputy Chancellor position
- Reorganization of management structure

**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 May 13, 2014.

Consider approval of the regular Board meeting minutes of May 13, 2014. The minutes are posted on Granicus.

2. **SWEARING-IN CEREMONY FOR INCOMING STUDENT TRUSTEES (7:05 P.M.)**

President Guillén will administer the oath of office to newly-elected Student Trustees Jeramy Rolley (College of Alameda) and Carl Oliver (Laney) who will serve as Student Trustees for the 2014–2015 academic year.

**PUBLIC COMMUNICATION (7:15 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 (7:35 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.

3. 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.)

4. 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 Student Services Update	Vice Chancellor Orkin
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

5. 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.

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

## PRESENTATIONS (7:30 P.M.)

7. Presentation on the Tentative Budget (15 minutes) **Presenter: Interim Vice Chancellor Rinne**

8. Presentation on Career Pathways Trust Grant (10 minutes) **Presenter: VC Orkin and Gary Yee, Superintendent, Oakland Unified School District.**

A presentation will be given on the \$15 million Career Pathways Trust Grant from the CA Department of Education awarded to the Peralta Community College District. This grant is a regional project funded through AB86. It is a three-year project which includes partnerships with our local K-12 districts, community colleges and business partners.

## CONSENT CALENDAR (7:55 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

9. Consider Approval of Resolution 13/14-63, Excusing Student Trustee Absence  
**Presenter: Trustee Guillén**

It is recommended that Trustees approve Resolution 13/14-63, excusing Student Trustee Clegg from the May 13, 2014 Board meeting due to a family emergency. The Chancellor recommends approval.

10. Consider Approval of First Reading on Proposed Board Policy **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 2315 Closed Sessions**  
This policy was revised to comply with the recently revised Brown Act regarding reporting of abstentions in closed session. Minor language change to add one word – Abstention
- **BP 2330 Quorum and Voting**  
This policy was revised to include a new requirement to report the vote or abstention of each member for all action taken in open session. Add Government Code section 54950 and this sentence: The Board will publicly report any action taken in open session and the vote of abstention of each individual member present.
- **BP 3200 Accreditation**  
This policy was revised to update the legal references. Add: Title 5 section 51016.
- **BP 3410 Nondiscrimination**  
This policy was revised to add “military and veteran status” as a protected classification in compliance with recent changes in the law.
- **BP 3430 Prohibition of Harassment**  
This policy was revised to add “military and veteran status” as a protected classification in compliance with recent changes in the law.
- **BP 5052 Open Enrollment**  
This policy was revised to update the legal references. Add Title 5 Section 55000.
- **BP 6340 Contracts**  
This policy was revised to update the legal references. Add as a reference, Government Code Section 53060

11. Review, Revalidate, and Approve Board Policy 1200 **Presenter: Chancellor Ortiz**

Review, Revalidate and Approve Board Policy 1200 Mission as it currently exists.

12. Consider Approval of *ratification* for Out of State Travel pursuant to Board Policy 7400 **Presenter: Chancellor Ortiz**

Consider Approval of *ratification* for Out of State Travel pursuant to Board Policy 7400 for the following faculty:

Name	Travel Location	Travel Dates
John Beam	Lake Tahoe, NV	June 3, 2014 – June 5, 2014

13. Consider Approval of Out of State Travel pursuant to Board Policy 7400 **Presenter: Chancellor Ortiz**

Consider approval of Out of State Travel pursuant to Board Policy 7400 for the following faculty:

Name	Travel Location	Travel Dates
Mayra Arevalo	Atlanta, GA	June 10, 2014 – June 12, 2014
Marie Kline-Johnson	Port Townsend, WA	June 13, 2014 – June 23, 2014
Trang Luong	Washington, D.C.	June 15, 2014 – June 18, 2014
Jon Murphy	Nashville, TN	June 16, 2014 – June 22, 2014
Roxana Post	Las Vegas, NV	June 18, 2014 – June 20, 2014
Phoumy Sayavong	Washington, D.C.	June 15, 2014 – June 18, 2014
Ice'e Shields	Boston, MA	July 27, 2014 – August 4, 2014
Cynthia Taing	Washington, D.C.	June 15, 2014 – June 18, 2014
Janelle Tillotson	Boston, MA	July 27, 2014 – August 3, 2014

## EDUCATIONAL AND STUDENT SERVICES

14. 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 May 5, 2014" contains course and program additions, changes and deactivations as approved by the colleges' curriculum committees and CIPD. The Chancellor recommends approval.

15. Consider Approval of an Independent Contractor Agreement for Meuy Saelee in an amount not to exceed \$70,000 to act as project support for the ATLAS grant and the Alameda WIB Youth Manufacturing Training Grant **Presenter: Interim President Gravenberg**

Consider Approval of an Independent Contractor Agreement for Meuy Saelee in an amount not to exceed \$70,000 to act as project support for the ATLAS grant and the Alameda WIB Youth Manufacturing Training Grant. The contract dates will be from July 1, 2014 to June 30, 2015.

Laney College has received a grant from the Alameda County WIB in the amount of \$201,000 to implement a Youth Manufacturing Training program for 18-24 year olds. This program will introduce youth to careers in the skilled trades and basic introduction to community college programs.

In addition College of Alameda has received an ATLAS (TAACCCT) Grant, along with supplemental grant funding from the Career Advancement Academies (CAA). Funds from these sources serve to ensure the college remains in compliance with the TAACCCT Grant.

Meuy Saelee will assist with outreach, career pathway & job development, coordination, case management and other support services on these grants for Laney College and the College of Alameda.

Ms. Saelee has been working at College of Alameda on project support for the ATLAS grant since April 2014. Prior to that she was a Workforce Development Specialist working with the Workforce Investment Act One-Stop Career Center in Oakland since 2009. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: ATLAS Grant (\$35,000) & Alameda County WIB Youth Manufacturing Training Grant (\$35,000)**

16. Consider Approval for College of Alameda to renew a contract for the College to Career Program in the amount of \$750,000 for a three year contract. **Presenter: Interim President Gravenberg**

Consider approval for College of Alameda to renew a contract for the College to Career Program in the amount of \$750,000 for a three year contract to improve employment outcomes for students with intellectual disabilities. The College of Alameda is one of 5 community colleges statewide selected for the College to Career program. The first contract was for the period July 1, 2010 - June 30, 2014. The contract is being renewed for an additional 3 years from July 1, 2014 – June 30, 2017 in the amount of \$250,000 each year for a total of \$750,000.

All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Department of Rehabilitation**

17. Consider Approval of the Academy of Truck Driving contract for the College of Alameda ATLAS Green Diesel Program in the amount of \$79,887. **Presenter: Interim President Gravenberg**

Consider approval of the Academy of Truck Driving (ATD) contract for the College of Alameda ATLAS Green Diesel Program in the amount of \$79,887. ATD will provide the following training services for students to obtain a career as a Class A Commercial Driver for the period beginning July 16, 2014 and ending September 30, 2015. The agreed rate for group tuition is \$2,577 per student. Class A training is to include:

- Pre-Training before the classroom training – approximately 4 hours
- Classroom Training
- Skill Training
- Open Road Driving

All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Trade Adjustment Assistance Community College and Career Training grant.**

18. Consider approval for Laney College to accept a 2<sup>nd</sup> year of the Chancellor's Office Deputy Sector Navigator Grant for Advanced Manufacturing. **Presenter: Dean Crabtree**

Consider approval for a grant application to the California Community College Chancellor's Office for the Deputy Sector Navigator grant for Advanced Manufacturing. The grant is for \$200,000 for the period of July 1, 2014 – June 30, 2015.

The Deputy Sector Navigator grant for Advanced Manufacturing is to be used to coordinate and collaborate regionally, and to develop effective sector partnerships with employers, regional consortium, community colleges, high schools, ROPs, Workforce Investment Boards (WIBS), and other regional organizations to ensure a skilled workforce in support of the regional economy and industry sector and to establish career pathways for the regional community into those economies. **Funding Source: California Community College Chancellor's Office – SB 1402 (Lieu), Economic and Workforce Development Program funding.**

19. Consider Approval of an Independent Contractor Agreement extension for Raya Zion for project management. **Presenter: President Webb**

Consider Approval of an Independent Contractor Agreement extension for Raya Zion for project management services for the Laney College DOL grant for education and training and job placement in biomedical engineering technology. Zion is providing comprehensive project management services for this Department of Labor funded effort.

The contract extension amount is not to exceed \$7,500 for the period June 1, 2014 to June 30, 2014. Ms. Zion's original contract was for \$24,900. The extension will increase her total contracted services for the 2014 fiscal year to \$32,400. All Board recommended contracts are subject to negotiation and execution by the Chancellor. **Funding Source: Laney College, grant from the Department of Labor**

20. Consider Approval of an Independent Contractor Agreement for Mark Williams for project management services for the Laney College Proposition 39 Clean Energy Workforce Program grant **Presenter: President Webb**

The Independent Contractor Agreement for Mark Williams is in an amount not to exceed \$108,000 for the period July 1, 2014 to March 31, 2015. Williams will provide comprehensive program management services for Laney's \$1,091,554 Proposition 39 funded grant from the State Chancellor's Office. All Board recommended contracts are subject to negotiation and execution by the Chancellor. **Funding Source: Laney College, grant from the California Community Colleges State Chancellor's Office.**

21. Consider Approval of an Independent Contractor Agreement with Matt Trocker for services to be rendered pursuant to project support for the Deputy Sector Navigator Advanced Manufacturing grant and the Alameda County WIB Youth Manufacturing Training Grant. **Presenter: President Webb**

Consider approval of an independent contractor agreement for Matt Trocker in an amount not to exceed \$90,000 to act as project support for the State of California Chancellor's office Deputy Sector Navigator (DSN) grant for advanced manufacturing and the Alameda WIB Youth Manufacturing Training Grant.

The contract dates will be for one year, from July 1, 2014 to June 30, 2015. **Funding Source:** State of California Community College Chancellor's Office Deputy Sector Navigator grant.

## FINANCIAL SERVICES

22. Review of Purchase Order Report **Presenter: Interim Vice Chancellor Rinne**

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 April 26, 2014 through May 23, 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.

23. 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 April 26, 2014 through May 23, 2014. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for *ratification* purposes only. The Chancellor recommends *ratification*.

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

Consider approval of budget transfer report covering the period from April 26, 2014 through May 23, 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.

25. Consider Peralta TV/9th Floor Radio Contractors **Presenter: Executive Director Heyman.**

The Department of Public Information seeks approval for three (3) ICCs totaling \$110,000 for the continued production of online, social media and video products.

Name	Function	Amount
Melissa Neal	Running Peralta's student/community radio station	\$40,000
Aaron Harbour	Running Peralta's student/community radio station	\$30,000
Sullivan Video	Records events and classroom lectures at the Peralta Colleges, including graduations, for broadcast on Peralta TV's P-Span and P-Span II programs and posting to social media.	\$40,000

The unusual hours of events and radio shifts precludes using regular staff. The Chancellor recommends approval. **Funding Source: General Funds**

**HUMAN RESOURCES**

26. 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
Brown	Alfred	7/1/14	6/30/15	Food Service Supervisor	L
Campos	Marcia	7/1/14	12/12/14	Inst Asst IV/DSPS	A

Cussary	Colette	7/1/14	12/31/14	Staff Svcs Spec/Fiscal	B
Danton	Rebecca	7/1/14	6/30/15	Interpreter, Fully Certified	All
Fogg	Sheri	7/1/14	12/12/14	Inst Asst II/DSPS	A
Gerber	Elaine	8/11/14	12/12/14	Inst Asst III/DSPS	A
Hall	Curtis	7/1/14	6/30/15	Food Services Worker	L
Hopkins	Monique	8/25/14	5/22/15	Cashier	L
Huang	Dingyao	7/1/14	11/28/14	Staff Asst/EOPS	L
Kirkeby	Kathleen	6/16/14	6/30/14	Lifeguard	L
Labadessa	Nino	7/1/14	6/30/15	Staff Asst/Admin	D
Laniohan	Aurora	7/1/14	6/30/15	Inst Asst IV/DSPS	A
Lix	Annajo	8/18/14	12/12/14	Food Services Worker	L
Luckett	Aaron	7/1/14	6/30/15	Inst Asst/English	B
Ma	Jacqueline	7/1/14	10/31/14	Staff Asst/EOPS	L
Means	Kristopher	6/11/14	6/27/14	Food Services Worker	L
Means	Kristopher	7/1/14	6/30/15	Food Services Worker	L
Mundeke	Okala	7/1/14	12/31/14	Clerical Assistant I	L
Ndiaye	Ndeye	8/11/14	12/12/14	Inst Asst I/DSPS	A
Oliver	Nicole	6/11/14	6/30/14	Staff Asst/Gen Coun Rsk Mg	D
Oliver	Nicole	7/1/14	6/30/15	Staff Asst/Gen Coun Rsk Mg	D
Richardson	Denise	6/11/14	6/30/14	Inst Asst III/DSPS	A
Richardson	Denise	7/1/14	12/12/14	Inst Asst III/DSPS	A
Roberts	Royl	7/1/14	6/30/15	Exec Asst/General Counsel	D
Rodriguez Avelar	Manuel	7/12/14	9/27/14	Inst Asst/Diesel Mechanics	A
Seymore	Olanda	6/11/14	6/30/14	Food Services Worker	L
Seymore	Olanda	7/1/14	6/30/15	Food Services Worker	L
Spencer Vacca	Laura	7/1/14	12/12/14	Inst Asst IV/DSPS	A
Spitzer	Andrew	7/1/14	6/30/15	Inst Asst/English	B
Thach	Justin	7/1/14	12/12/14	Inst Asst III/DSPS	A
VanBuhler	Belinda	7/1/14	6/30/15	Inst Asst IV/DSPS	A
Wortz	Dorcas	7/1/14	6/30/15	Food Service Supervisor	L
Wright	Wanda	7/1/14	6/30/15	Inst Asst IV/DSPS	A

## FACILITIES

27. Consider Approval of Resolution 13/14-62, Accept Bid and Award Contract for the District-Wide Signage, Phase II Project (Bid No. 13-14/16), W. E. Lyons Construction Co. Presenter: Vice Chancellor Ikharo.

Approval is requested to accept the bid and award a contract to W. E. Lyons Construction Co., for the District-Wide Signage, Phase II Project (Bid No. 13-14/16), in the amount not-to-exceed \$669,990. Under this contract, W. E. Lyons Construction will perform all work per the contract documents prepared by Carrier Johnson + Culture Architects. When Phase 1 was started in 2009, a conceptual Digital Media Signage Standards Manual was established for all four (4) colleges because the District did not have a consistent and uniform digital sign program. The goal of the standard was to establish consistent and unified image that reflects the District's role in instilling academic excellence. In Phase II, the vendor will

install and construct four (4) new electronic media marquee displays at each of Peralta’s four (4) campuses. There is enormous benefit for our students and the community to receive information on class registrations, football and athletic games, announcement from these electronic digital billboards. Efforts to utilize public/private partnership on this project were not successful.

In compliance with the Public Contract Codes, Section 20651, a formal request for Bids (Bid No. 13-14/16) was conducted for this project, and a bid opening was held on May 13, 2014. A total of two (2) bids were received, as follows:

CONTRACTOR	LOCATION	TOTAL BID
<b>W. E. Lyons Construction</b>	<b>Walnut Creek, CA</b>	<b>\$669,990</b>
Arrow Sign Company	Oakland, CA	\$682,681

The lowest responsible and responsive bid was submitted by W.E. Lyons Construction, in the amount not-to-exceed \$669,990. This project requires the contractor to sign a Letter of Assent (LOA), agreeing to work under the terms of the District’s Construction Project Labor Agreement (PLA). Additionally, the contractor will comply with California prevailing wage laws applicable to the project.

W.E. Lyons Construction has been in business since 1926 and has been owned and managed by the Lyons family for three generations. Greg Lyons is the President of the company and the business has a current and active contractor’s license (no. 180607 A.B1), in California with good standing. The firm 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 Fund.**

- 28. Consider Amendment No. 1 to the Agreement for a Contract Extension with Padilla & Associates to provide Prevailing Wage Compliance Monitoring Services.  
**Presenter: Vice Chancellor Ikharo.**

Approval is requested for a contract time extension to an existing agreement with Padilla & Associates, Inc. to continue labor compliance services for a one (1) year period starting July 1, 2014 to June 30, 2015, at no extra cost. The vendor’s original agreement will expire on June 30, 2014. In compliance with the Education Code Section 81644 and the District’s Administrative Procedures 6340, the District may only continue contracts for services for a maximum of five (5) years. The vendor has provided their services since October 11, 2011. This is the fourth year the vendor will provide a continual service to the District. Under this Amendment No. 1, the consultant will continue providing prevailing wage compliance monitoring services for the District at no additional cost. This extension is to cover time only as the budget is already in place for on-going projects.

Padilla & Associates has provided excellent services by monitoring and enforcing compliance with applicable prevailing wage requirements for any public works

project for the District in accordance with the State Department of Industrial Relation regulation. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Fund.**

29. Consider ratification of Amendment No. 4 to the original Agreement with ANTHONIO, Inc. for Division of State Architect (DSA) Certified Inspection Services for the Merritt College Library/Learning Resource Center Project. **Presenter: Vice Chancellor Ikharo.**

Ratification is requested for Amendment No. 4 to the original agreement with ANTHONIO, Inc. for the Division of State Architect (DSA) Certified Inspection Services for the Merritt College Library/Learning Resource Center Project, in the amount not-to-exceed \$5,148. As permitted under the chancellor Authorization (Resolution 99/00-5) to do urgent business, on May 12, 2014, the administration requested for the Chancellor to approve the payment of outstanding invoices from the vendor. 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 amendment.

The vendor has completed their scope of inspection services on the aforementioned project. The vendor's cumulative contract total is \$188,108; the amount of \$182,960 was reported to the Governing Board of Trustees at the June 11, 2013, meeting. The approval on the difference of \$5,148 will complete the vendor's contractual commitment with the District. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Fund.**

30. Consider Approval of Amendment No. 5 for a Lease Extension with Continental Can Building LLC for Interim Storage Needs for Laney and Merritt Colleges. **Presenter: Vice Chancellor Ikharo.**

Approval is requested for Amendment No. 5 for a lease extension with Continental Can Building LLC for interim storage space located at 5601 San Leandro Boulevard in Oakland, in an amount not-to-exceed \$14,000. The vendor's last lease extension expired on April 30, 2014. Under this Amendment No. 5, the lease extension is for a period of two (2) months from May 1 to June 30, 2014, at \$7,000 per month. This time extension will allow the Department of General Services and colleges (Laney and Merritt) to completely remove the inventories in the lease space in the proper manner to meet the District's requirement.

The leased space was used to store books and other usable furniture, fixtures, and equipment during the modernization work of the Laney College Administrative Tower Building and the Merritt Library Learning Resource Center (LRC). All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Fund.**

31. Consider Approval of Amendment No. 1 to the Agreement for Construction Management Services with Seville Group, Inc., dba SGI Construction Management (SGI) for the Library Phase II, Electrical & Chilled Water Infrastructure Upgrades, and the Building A Heating Upgrades Projects at Merritt College. **Presenter Vice Chancellor Ikharo.**

Consider Approval of Amendment No. 1 to the agreement for construction management services with Seville Group, Inc. dba SGI for the Merritt College projects: Library Phase II, Electrical & Chilled Water Infrastructure Upgrades, and the Building A Heating Upgrades, in the amount not-to-exceed \$39,300. The original agreement with the vendor was in the amount of \$344,639, which was approved by the Board of Trustees at the meeting of October 23, 2012. Including this Amendment No. 1 in the amount of \$39,300, the total agreement amount will be \$383,939. The vendor's original agreement expired at the end of December 2013. After their contract ended, the vendor continued to perform their services and worked within their agreed contractual amount.

Amendment No. 1 was warranted for the following reasons: 1) extended construction period for the Merritt College Chilled Water, 2) numerous underground unforeseen conditions, and 3) additional resubmittal, review, and approval on a portion of the project design required by the Division of the State Architect (DSA). Due to these reasons, the administration requested for the vendor to continue their services to the end of July, 2014. The Chancellor recommends approval. All Board approved contracts are subject to final negotiation and execution by the Chancellor. **Funding Source: Measure A Bond Fund.**

32. Consider Approval of Change Order No. 1 to Retro-Tek Energy Services' contract for the Proposition 39 District-wide Exterior LED Lighting Project **Presenter Vice Chancellor Ikharo.**

Consider Approval of Change Order No. 1 to the contract with Retro-Tek Energy Services for the Proposition 39 District-wide Exterior LED Lighting Project, in the amount of \$38,200. The project involved retrofit of exterior lighting systems with energy-efficient LED lighting systems. Under Change Order No. 1, the District requested for photocells to be added to pole mounted light fixtures and canopy mounted fixtures for more lighting control and energy savings, in compliance with Title 24, California Building Codes (CBC). Additionally, the vendor will complete the following: add 504 photocells to pole mounted fixtures and canopy mounted fixtures; convert three (3) existing 480 volt circuits to 277 volts to match new LED fixtures; and check 30 light fixtures to coincide with 480 volts to 277 volts conversion.

At the April 8, 2014 meeting, the Governing Board of Trustees awarded the original contract amount of \$530,540. This change order in the amount of \$38,200.00 will increase the vendor's contract to \$568,650, or 7.2% of the original contract.

The project is near completion and the project's original contracted completion date is on schedule. In accordance with the Board Policy 6600, Change Order No.

1 is now brought before the Board of Trustees for approval. It is in the best interests of the District and financially prudent to authorize this change order. The Chancellor recommends approval. All Board approved contracts are subject to final negotiation and execution by the Chancellor. **Funding Source: Proposition 39 Fund.**

## INFORMATIONAL ITEMS

33. Creation of a permanent Deputy Chancellor position and reorganization of management structure. **Presenter: Chancellor Ortiz**

According to Board Policy 3100, the Chancellor shall establish organizational charts that delineate the lines of management and supervisory responsibility and fix the general duties for employees within the District.

## 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 8<sup>th</sup> Street, Oakland, CA, (510) 466-7203, [bmartinez@peralta.edu](mailto:bmartinez@peralta.edu) at least 48 hours prior to the meeting.