



PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, February 17, 2015

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)), Williams v. PCCD, Alameda County Superior Court, Case No. HG-14730396.
- 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 (54956.9(a)), BAP Events LLC v. PCCD, Alameda County Superior Court, Case No. RG14-728878.
- Conference with Legal Counsel (54956.9(a)), Nichols v. PCCD, Alameda County Superior Court, Case No. RG14739161.
- Conference with Legal Counsel (54956.9(a)), Adcock v. PCCD, Alameda County Superior Court, Case No. RG14733487.
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (13 cases)

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

- Ratification of the Chancellor's approval to appoint the Interim Dean of Academic and Student Affairs, Laney College.
- Recommendation to appoint the Interim Dean of Student Success and Equity, District Office.
- Recommendation to extend the appointment of the Interim Director of Deputy Sector Navigator Program (a grant-funded position).

OPEN SESSION (7:00 P.M.)

PLEDGE OF ALLEGIANCE

ROLL CALL Trustees Bonilla Pr_ Ab_, Brown, Pr_ Ab_, González Yuen Pr_ Ab_, Handy Pr_ Ab_, Riley Pr_ Ab_, Withrow Pr_ Ab_, and Gulassa Pr_ Ab_, Student Trustees Oliver Pr_ Ab_ and Rolley 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 27, 2015 and the Special Board meeting Minutes of February 3, 2015.

Consider approval of the regular Board meeting minutes of January 27, 2015 and the Special Board meeting minutes of February 3, 2015. The minutes are posted on Granicus.

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. Student Success Scorecard Report (10 minutes) **Presenter: Nathan Pelegrin, Director of Institution Research**

The Student Success Scorecard Report will be presented to the Governing Board of Trustees.

7. Update on Career Technical Education and Workforce Development at the Peralta Colleges and District Office. (10 minutes) **Presenter: Karen Engel, Director of Workforce and Economic Development**

The District Director of Economic & Workforce Development will give a presentation providing an update on Career Technical Education programs, grants, and initiatives at the Peralta Colleges. This will include an update on the District's activities with respect to [Career Pathways Trust](#), [AB 86 Adult Education](#) regional planning, and related activities and outcomes.

8. Measure 'A' Bond Funds Drawdown Presentation (10 minutes) **Presenter: Vice Chancellor Ikharo**

The drawdown for Measure 'A' bond funds will be presented to the Governing Board of Trustees.

CONSENT CALENDAR (8:15 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 14/15-29, Excusing Trustee Absence **Presenter: Board President Brown**

It is recommended that Trustees approve Resolution 14/15-29 excusing Trustee Gulassa from the January 27, 2015 Board meeting due to a previous long-standing engagement. The Chancellor recommends approval.

10. Consider Approval of the Chancellor Search Timeline **Presenter: Board President Brown**

Consider Approval of the Chancellor Search Timeline.

11. Consider Approval of Nominations from Constituency Groups to Form the Chancellor Selection Committee in accordance with Board Policy 2431 Chancellor Selection. **Presenter: Board President Brown**

In accordance with Board Policy 2431, the following constituency groups have submitted nominations of representatives to serve on the Chancellor Selection Committee, which will be representative of the District and all four colleges for the Board’s consideration: Academic Senate and Peralta Federation of Teachers jointly nominated four (4) representatives; SEIU Local 1021, IUOE Local 39, and the Classified Senate jointly nominated three representatives. The Chancellor nominated two administrators; Student Trustees nominated 1-2 students; and, three (3) community members at large were nominated by the Board. Upon the approval of the nominations by the Board of Trustees, the Chancellor Selection Committee will begin its work by attending an orientation meeting, which will be held between April 8 – 15, 2015.

12. 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
Sean Brooke	Boston, MA	May 23, 2015 – May 29, 2015
Sharon Coleman	Minneapolis, MN	April 8, 2015 – April 12, 2015
Amany Elmasry	Nashville, TN	March 15, 2015 – March 18, 2015
Derrick Gardner	Las Vegas, NV	February 18, 2015 – February 21, 2015
Drew Gephart	Boston, MA	May 23, 2015 – May 29, 2015
Matt Jones	Boston, MA	May 23, 2015 – May 29, 2015

CHANCELLOR'S OFFICE

13. Consider Approval of a Contract Addendum to Increase Independent Contractor's Agreement for Professional Services for Curls-Bartling P.C. **Presenter: Interim Deputy Chancellor Gravenberg**

District administration requests Board authorization to increase an existing professional services agreement with Curls-Bartling, PC to provide legal services to the District. The current contract approaches its limit of \$25,000, therefore, the District requests an increase by an additional \$20,000 for a contract not to exceed \$45,000 limit for fiscal year ending June 30, 2015.

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

EDUCATIONAL AND STUDENT SERVICES

14. Consider Approval of the Measure A Laney College Instructional Classroom Wireless Project Upgrade **Presenter: President Webb**

Consider approval of the Measure A instructional classroom wireless project upgrade. The goal is to replace and expand the existing wireless infrastructure to a comprehensive controller based platform and provide student access. The new wireless campus will allow Laney students to have internet access while in the instructional classrooms and student service areas as well as facilitate the use of technology in classrooms, conference rooms, offices and the library. **Funding Source: Measure A.**

15. Consider Approval of the Renewal Contract with Department of Rehabilitation Laney College Workability III Program (WAIll) **Presenter: President Webb**

The Laney College Workability III Program (WAIll) will provide pre-employment services such as career planning, employment preparation, job search instruction, employment services, technical job search training and on-going support activities for up to 90 days after job placement to Department of Rehabilitation (DOR) students/consumers. Referred students to the WAIll program may be seeking full-time or part-time job placements and will have an Individual Plan for Employment (IPE) developed by a DOR counselor. WAIll students may enroll in work preparation classes to get the training necessary for attaining their employment goals. The primary focus will be on Laney's matriculated students. All services, funded directly or through certified expenditures, provided in this agreement shall be exclusively for students who have been referred by a DOR counselor as part of their IPE. The total certified amount over a 3 year period is \$654,300 to be disbursed over the 2015-2016, 2016-2017 and 2017-2018 fiscal years.

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

16. Consider Approval of a \$750,000 Contract with NE-Systems, Inc. to Purchase Equipment and Services for the Merritt College Science and Allied Health Building Project **Presenter: Associate Vice Chancellor Madlock**

Approval is requested to purchase equipment and services for the Merritt College Science and Allied Health Building Project from NE-Systems using the piggyback compliant contract California Multiple Awards Schedules (CMAS) and General Services Administration (GSA) in the not-to-exceed amount of \$750,000. District IT (IT), in collaboration with Merritt College IT (MIT), has designed a solution to meet the network and wireless needs for the upcoming Science and Allied Health building. The building is estimated to have over 1,700 network ports. The building must also have 100% wireless coverage within the building as well as support a highly dense wireless user base. The network infrastructure must also support Voice over IP telecommunication services. The solution presented will accommodate the network and wireless needs of the building with room for growth. Bandwidth capacity can be upgraded as the bandwidth needs of the College increase.

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

FINANCIAL SERVICES

17. 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 December 20, 2014 through January 30, 2015 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.

18. 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 December 20, 2014 through January 30, 2015. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for *ratification* purposes only. The Chancellor recommends *ratification*.

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

Consider approval of budget transfer report covering the period from December 20, 2014 through January 30, 2015. 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 9, 2014. The Chancellor recommends approval.

20. Consider Approval of the District's fiscal year 2014-15 CCFS-311 (Q2) Report **Presenter: Interim Vice Chancellor Rinne**

Consider approval of the District's fiscal year 2014-15 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 second quarter of fiscal year 2014-15. The Chancellor recommends approval.

HUMAN RESOURCES

21. 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
Amonoy	Karl	2/18/15	4/21/15	Inst Asst/Diesel Mechanics	A
Arevalo	Mayra	3/2/15	5/18/15	Program Spec/EOPS	L
Bertuso	Jeejun	2/18/15	6/30/15	Staff Asst/Student Services	B
Cain	Cynthia	2/18/15	5/26/15	Fin Aid & Placement Asst	L
Chan	Cindy	2/18/15	5/22/15	Inst Asst/EMT	M
Edinburgh	Emunah	2/24/15	6/30/15	Inst Asst/Wood Technology	L
Fukuchi	Daniel	2/23/15	6/30/15	Inst Asst IV/DSPS	A
Garcia	Veronica	3/2/15	6/22/15	Staff Asst/Student Services	A
Germain	David	2/23/15	3/31/15	Inst Asst/Diesel Mechanics	A
Iniguez	Israel	2/18/15	5/22/15	Inst Asst/English	L

Koo	Constance	2/18/15	6/30/15	Staff Asst/Employee Relations	D
McWhorter	Quentin	2/18/15	5/22/15	Inst Asst/EMT	M
Omar	Said	2/18/15	5/22/15	Inst Asst/Mathematics	A
Rhone	Josephine	2/18/15	5/18/15	Staff Asst/Admin	D
Serpa	Luis	2/23/15	6/30/15	Student Employment Spec	M
Smith	Brian	2/18/15	5/22/15	Inst Asst/EMT	M
Spikes	Ayanna	2/18/15	6/30/15	Staff Asst/Employee Relations	D
Williams	Shalita	2/18/15	5/6/15	Clerical Assistant II	M
Wong	Moria	2/18/15	6/5/15	Inst Asst/Psychology	L
York	Brandon	2/18/15	6/30/15	Inst Asst/English	B

22. Request Board Authorization to increase the amount of the Independent Contractor Agreement for Professional Services with Community College Search Services. **Presenter: Vice Chancellor Largent**

On November 18, 2014, the District entered into an Independent Contractor/Consultant Agreement with Community College Search Services (CCSS) in the amount of \$2,000 to conduct background and reference checks for the final candidates for the regular position of Deputy Chancellor.

On February 3, 2015, at its special Board meeting, the Board also authorized the District to enter into an agreement with CCSS to assist the District in its search for the next Chancellor. The November 18, 2014 and February 3, 2015 contracts for services covered two separate and unrelated scopes of services. However, due to the fact that the amount of the two agreements taken together totals \$27,000, which exceeds the \$25,000 maximum amount for Fiscal Year 2014-2015, Board approval is required to increase the total amount of the 2014-2015 agreements with CCSS from \$25,000 to \$27,000.

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

23. Consider Approval of request from Nikki Sarita Ellman, a full-time faculty member at Laney College, to participate in the Reduced Workload Program. **Presenter: Vice Chancellor Largent**

Recommendation to approve a request from Nikki Sarita Ellman, a full-time faculty member at Laney College, to participate in the Reduced Workload Program, also known as the "Willie Brown Act" in accordance with California Education Code Section 87483 and Article 27 of the Collective Bargaining Agreement between the District and the Peralta Federation of Teachers as follows:

- 80% effective Fall 2015 Semester
- 80% effective Spring 2016 Semester

Nikki Sarita Ellman meets the qualifications to participate in the Reduced Workload Program. The Chancellor recommends approval.

24. Consider Approval of request from Deidre Baker, a full-time faculty member at College of Alameda, to participate in the Reduced Workload Program **Presenter: Vice Chancellor Largent**

Recommendation to approve a request from Deidre Baker, a full-time faculty member at College of Alameda, to participate in the Reduced Workload Program, also known as the “Willie Brown Act” in accordance with California Education Code Section 87483 and Article 27 of the Collective Bargaining Agreement between the District and the Peralta Federation of Teachers as follows:

100% effective Fall 2015 Semester
0% effective Spring 2015 Semester

Deidre Baker meets the qualifications to participate in the Reduced Workload Program. The Chancellor recommends approval

25. Consider Approval of request from Kathleen Pappert, a full-time faculty member at Laney College, to participate in the Reduced Workload Program **Presenter Vice Chancellor Largent**

Recommendation to approve a request from Kathleen Pappert, a full-time faculty member at Laney College, to participate in the Reduced Workload Program (also known as “Willie Brown Act”) in accordance with California Education Code Section 87483 and Article 17 of the Collective Bargaining Agreement between the District and the Peralta Federation of Teachers as follows:

80% effective Fall 2015 Semester
80% effective Spring 2015 Semester

Kathleen Pappert meets the qualifications to participate in the Reduced Workload Program. The Chancellor recommends approval.

26. **PUBLIC HEARING (8:00P.M.) and ACTION ITEM: Sunshining of Contract Reopeners for Negotiations for the SEIU Local 1021 to the District.**

Sunshining of Contract Reopeners for Negotiations for the SEIU Local 1021 to the District. Pursuant to Government Code 3547 (a), the public shall have an opportunity to comment upon SEIU Local 1021’s notice of its contract reopeners with the District. This item, received at the January 27, 2015 Board meeting, introduced SEIU Local 1021’s proposal for full contract negotiations for the Agreement between the District and the Union effective July 1, 2012 – June 30, 2015.

All Board-recommended contracts are subject to negotiations and execution by the Chancellor. The Chancellor recommends adoption of the District’s initial proposal.

FACILITIES

27. Consider Approval of Resolution 14/15-28 to Exempt the Property at 2118 Milvia Street, Berkeley, California, from the city's zoning ordinance per the Government Code 53094. **Presenter: Vice Chancellor Ikharo.**

Approval is requested of Resolution 14/15-28 to exempt the Property at 2118 Milvia Street, Berkeley, California, from the city's zoning ordinance per the Government Code 53094. Pursuant to Government Code section 53094 and any other applicable laws, it is requested for the Board to approve by at least two-thirds (2/3) vote that the District hereby renders inapplicable the adopted City of Berkeley zoning ordinances, including any future amendments thereto, to the District's use of the above Property for classroom / student support purposes.

The District has completed its due diligence and analysis concerning the proposed use of the above property. The District determined that the proposed property use for classroom facilities to support instructional programs:

- (i) is compatible with the surrounding uses and buildings;
- (ii) will not be detrimental to the health, safety, peace, morals, comfort or general welfare of individuals residing or working in the surrounding area or neighborhood; and,
- (iii) will not be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood or to the general welfare of the City.

In compliance with the Government Code Section 53096, the Chancellor, or his designee, is required to notify the City of Berkeley within ten (10) days of the adoption of this Resolution, whose zoning ordinance has been rendered inapplicable and take all other actions necessary to affect the intent of this Resolution.

Compliance with the City of Berkeley's zoning ordinances would make it difficult for the District to accomplish its goal of using the Property for classroom/student support purposes on a predictable timeline and within the constraints of an already strained budget. It is in the public interest to render the City zoning ordinances inapplicable to the proposed use of the Property for classroom purposes.

The Chancellor recommends approval. **Funding Source: No Fiscal Impact.**

28. Consider Approval of Resolution 14/15-24, to Accept Bid and Award Contract for the Laney College Tower Entry Doors Replacement Project (Bid No. 14-15/26), T. Amaral's Done Right Construction. **Presenter: Vice Chancellor Ikharo.**

Approval is requested to accept the bid and award a contract to T. Amaral's Done Right Construction for the Laney College Tower Entry Doors Replacement Project (Bid No. 14-15/26), in the amount not-to-exceed \$75,696. The existing entry doors to the Laney College Tower must be replaced and renovated to comply with the Americans with Disability Act (ADA) regulations. Under this construction contract,

the contractor will replace three (3) storefront entry doors, two (2) power operated bi-part sliding doors, one (1) manual double doors with sidelights; and all related demolition, patch/repair, and electrical work per the construction documents prepared by Byrens Kim Design Works. This project is being initiated, after additional ADA requirement were identified follow the modernization of this Tower.

In compliance with the Public Contract Codes, Section 20651, a formal request for Bids (Bid No. 14-15/26) was conducted for this project, and a bid opening was held on January 29, 2015. A total of four (4) bids were received, as follows:

CONTRACTOR	LOCATION	TOTAL BID
Done Right Construction	Livermore, CA	\$75,696
ABG Group	Concord, CA	\$80,000
ACR Glass	Oakland, CA	\$80,860
On Point Construction	Burlingame, CA	\$175,900

The lowest responsible and responsive bid was submitted by T. Amaral’s Done Right Construction, in the amount not-to-exceed \$75,696. 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.

T. Amaral’s Done Right Construction has been in business since 2000 and is owned by Tom Amaral. The company has a current and active contractor’s license (no. 809233), 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.**

- 29. Consider Approval to Purchase Furniture and Equipment for the staff offices and classrooms in the Barbara Lee Science and Allied Health Building at Merritt College from KI through a Piggyback Compliant Contract. **Presenter: Vice Chancellor Ikharo.**

Approval is requested to purchase furniture and equipment for the staff offices and classrooms in the Barbara Lee Science and Allied Health Building at Merritt College from KI through a piggyback compliant contract, in the amount not-to-exceed \$566,645.

The Foundation for California Community Colleges (FCCC) Administrative Services Agreement allows the District and any or all public agencies, public and private school districts, public and private colleges or universities Nationwide, or the Foundation, (collectively, “Participating Public or Private Agencies”) to purchase products at prices stated in the Request for Proposal (RFP) #13-002. As permitted under this agreement and under Public Contract Code 20652, the

District, without advertising bids, will purchase furniture and equipment utilizing this piggyback compliant FCCC Contract #CB13-017 for the staff offices and classrooms in the Barbara Lee Merritt College Science and Allied Health Building from KI.

This purchase consists of chairs for classrooms and faculty offices, desks for classrooms and faculty offices, filing cabinets, wall mounted shelving and bookcases, mobile draws and pedestals, and lounge chairs and tables for the building common areas. The purchase of these specific items by District from KI is at a discounted price due to the previously established contract (FCCC) with the foundation.

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

30. Consider Approval to Purchase Audiovisual Systems for Classrooms Throughout the Barbara Lee Science And Allied Health Center at Merritt College. **Presenter: Vice Chancellor Ikharo.**

Approval is requested to purchase audiovisual systems for classrooms throughout the Barbara Lee Science and Allied Health Center at Merritt College from Digital Networks Group, in the amount not-to-exceed \$1,300,723. This purchase consists of both interactive and non-interactive projectors, document cameras, audiovisual cabinets, assistive listening systems, wireless microphone systems, speakers and cameras for video-conferencing and lecture archiving. In compliance with the Public Contract Codes, Section 20651, a formal request for Bids (Bid No. 14-15/19) was conducted for this project, and a bid opening was held on January 20, 2015. A total of four (4) bids were received, as follows:

CONTRACTOR	LOCATION	TOTAL BID
Digital Networks Group	Aliso Viejo, CA	\$1,300,723
Pro Media / Sound	Martinez, CA	\$1,404,209
PCD	Santa Rosa, CA	\$1,432,590
Conti Corporation	Sacramento, CA	\$1,599,747

The lowest responsible and responsive bid was submitted by Digital Networks Group, in the amount not-to-exceed \$1,300,723.00. 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.

Digital Networks Group has been in business since 2000 and is co-owned by Mike Stammire, Bart Moran, and Chris Ursetta. The company has a current and active contractor's license (no. 822511), 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.**

31. Consider Approval to Pay and Reduce the Retention Payment to the Contract with Valentine Corporation for Laney College Library/LRC Skylights and Buildings A, B, C, D, E, and G. **Presenter: Vice Chancellor Ikharo.**

Approval is requested to reduce the retention payment from 5% to 2.5% to the Contract with Valentine Corporation for Laney College Library / LRC Skylights and Buildings A, B, C, D, E, and G (Bid No. 13-14/22). Unfortunately, during the last rains, many areas of the campus suffered leaks, including areas under the approved contract. After investigation of all leaks associated with the project area, the Design team of Gale Associates issued Architectural Supplemental Instructions no. 5 (ASI 05) for Building G. The ASI 05 required additional work not originally included in the contract. The long period to investigate and provide the cost for additional scope of services caused the District to request the contractor's retention payment to reduce from 5% (\$119,461.15) to 2.5% (\$59,730.56). The contractor has successfully completed all original contract construction work.

The Governing Board of Trustees approved the original contract (\$2,339,369) on May 13, 2014, and Change Order No. 1 (\$49,854) on November 18, 2015. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A.**

32. Consider Approval of Change Order No. 1 for the Laney College Child Care Remodel (Bid No. 13-14/29), OnPoint Construction. **Presenter Vice Chancellor Ikharo.**

Approval is requested for Change Order No. 1 to the contract with OnPoint Construction, in the amount not-to-exceed \$21,429. The amount of \$21,429 is 5 percent (5%) of the original contract amount of \$397,546.34. Including Change Order No. 1, their construction service contract to date will be \$418,975.34 for all contracts.

The project final completion date increased to 97 calendar days due to the difficulty in acquiring the selected materials. This Change Order resulted from unplanned activities and conditions and District requested changes. The change order items are primarily due to the following reasons:

- After hours labor expenses for two subcontractors to perform work during the evening hours to prevent disruption to the children center activities and rest time. All work was originally bid for regular work hours of Monday thru Friday;

- Furnish, install and paint wood trim to the bottom of the existing wall surfaces that were fraying and deteriorated throughout – unplanned condition;
- Removal of large tree roots that were hidden under the existing covering of the play area;
- Furnish and install two (2) new water heaters under the counter water heaters that were no longer working for licensing requirements;
- Removed base rock, increase the dimension of the header board, and provide additional sand in the east yard – owner requested change.
- Relocate the existing washer and dryer to provide a safe disposal and operation of the appliances; and
- Provide additional framing to the structure as required by DSA.

It is in the best interests of the District and financially prudent to approve this change order. The anticipated completion date for the Laney Child Care Remodel is February 28, 2015.

All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Child Development Fund (Fund 68).**

33. Consider Approval of Resolution 14/15-26 to Accept the Alameda College Sitework Project (Bid No. 14-15/12) as Complete, Approve a Deductive Change Order, and Release 5% Retention to Dryco Construction Inc. **Presenter Vice Chancellor Ikharo.**

Approval is requested of Resolution 14/15-26 to Accept the Alameda College Sitework Project (Bid No. 14-15/12) as complete, approve a deductive change order of (\$7,062), and release 5% retention to Dryco Construction Inc. A contract was awarded to Dryco Construction Inc. for \$97,531.00 for the Alameda Sitework Improvements Project at the December 9, 2014 Board Meeting. The District issued a notice to proceed on December 22, 2014, with a final completed date of February 13, 2015.

There was a deductive change order of (\$7,062), which is -7.2% of the original contract amount. The contractor will reimburse this deductive change order to the District. The District requested for this deductive change order because the contractor completed the construction work under the base bid and contractual amount. Acceptance of the project completion is requested. The administration requests to pay the 5 percent (5%) retention payment (\$4,876.55) to the contractor. The total contract amount is \$90,469.

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

INFORMATIONAL ITEMS

All matters listed under the Informational Items section are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Informational 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 Informational Items for action and a separate vote. Public comment on Information Items from anyone completing a card will be heard prior to the Board's vote on the Informational Items section.

HUMAN RESOURCES

34. Sunshining of Contract Reopeners for Negotiations for the Stationary Engineers, Local 39 to the District. Pursuant to Government Code 3547 (a), Article 29 of the Collective Bargaining Agreement, and the Educational Employment Relations, Section 3575, the Union hereby gives public notice of its proposed contract revision for a new Successor Agreement for both regular and hourly employees. This Agreement is to be negotiated in 2015. In order to satisfy the Sunshine requirements, the Union wishes to open and negotiate the following articles of the Memorandum of Understanding:

The Union reserves the right to add to or modify its proposal during the negotiation process.

- Article 26, Pay and Allowances - The Union will propose fair and equitable wage increases for all employees.
- Article 24, Health and Welfare Benefits - The Union will propose fair and equitable benefits for all employees. .
- Article 9, Pay and Allowances (hourly M.O.U.) - The Union will propose fair and equitable timelines for step increases.

Pursuant to Government code Section 3547, public comments on such proposal shall be received at the next regular Governing Board meeting of March 10, 2015.

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.