

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of June 9, 2015

ITEM TITLE:

Consider Approval to Ratify into an Emergency Service Agreement with Taylor Engineering LLC to Provide Engineering Analysis and Recommendations for the Laney Kitchen Ventilation Improvement Project.

SPECIFIC BOARD ACTION REQUESTED:

Approval is requested to ratify an Emergency Service Agreement with Taylor Engineering LLC to provide engineering analysis and recommendations for the Laney Kitchen Ventilation Improvement Project, in the amount not-to-exceed \$30,000.

ITEM SUMMARY:

The California Occupational Safety and Health Administration (CAL/OSHA) investigated the Laney kitchen ventilation in response to several complaints. CAL/OSHA informed the District of potentially hazardous conditions to the safety and health of employees during the inspection. CAL/OSHA almost shut down the kitchen during the inspections. In response, the administration took immediate action to mitigate these conditions. **CALOSHA's Description of Potential Hazard included:**

- In the cafeteria kitchen of the Student Center, an overhead automatic sprinkler head near the deep fryer may need to be relocated. Reference: Title 8 CCR 3202 (a)(6);
- In the cafeteria kitchen of the Student Center, the exhaust systems/exhaust hoods for cooking operations may not be designed, constructed, and/or maintained and operated to control as much as possible exposure to airborne contaminants generated from the charbroiler and other cooking equipment. Reference: Title 8 CCR 5143 (a)(1).

The Chancellor recommends approval.

SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):

Scheduled Maintenance Funds

BACKGROUND/ANALYSIS:

CAL/OSHA issued a formal statement of concern to which the District is required to respond. An immediate shutdown of the kitchen was averted through negotiation, including a commitment to obtain mechanical engineering services through emergency procurement procedures.

Public Contract Code, Section 20654 allows for emergency work to proceed without advertising or inviting bids "when any repairs, alterations, work, or improvement is necessary to any facility of the college, or to permit the continuance of existing college classes, or to avoid danger to life or property...". To improve the likelihood of a successful response, an informal request for proposal was sent to three recommended firms to inquire about capabilities, availability, and cost: Mechanical Design Studio, WHM Inc., and Taylor Engineering LLC. Only Taylor Engineering LLC was immediately available to provide this emergency

service. DGS negotiated a scope of work to be completed promptly for the cost not-to-exceed \$30,000. The Chancellor has approved a staff recommended action authorizing work on an emergency basis.

| ENGINEERING FIRM | LOCATION | TOTAL PROPOSAL |
|--------------------------------|--------------------|-----------------------|
| Taylor Engineering, LLC | Alameda, CA | NTE \$30,000 |

Taylor Engineering, LLC was founded by Steve Taylor, P.E., and is located in the City of Alameda. The firm has six principals and fifteen staff. In addition to Taylor Engineering personnel, the Taylor team includes an HVAC testing and balancing company (RSA, in El Dorado Hills) and a kitchen ventilation specialist (Fisher Nickel, in San Ramon). The administration recommends that the contract be awarded to improve the safety of students and staff, to preserve instruction and food service at Laney. The administration used the information in the report to solicit contractors to implement the recommendations.

DELIVERABLES AND SCOPE OF WORK:

Taylor Engineering will provide a report to document their analysis of the ventilation system at the Laney Kitchen, including existing conditions, code compliance, actual performance, and recommendations for improvement.

ANTICIPATED COMPLETION DATE:

The anticipated completion date is May 2015.

ALTERNATIVES/OPTIONS:

Allow the Laney Kitchen to be closed down until engineering analysis and recommendations can be performed. Closing the kitchen will have an immediate and substantial negative impact on culinary arts instruction and food service at Laney.

EVALUATION AND RECOMMENDED ACTION:

To meet the project deadline, approval is recommended to accept the proposal from Taylor Engineering to provide analysis and recommendations for improvements of the Laney Kitchen ventilation.

OTHER DEPARTMENTS IMPACTED BY THIS ACTION (E.G. INFORMATION TECHNOLOGY):

YES _____ NO X

COMMENTS:

None

WHO WILL BE PRESENTING THIS ITEM AT THE BOARD MEETING? (VICE CHANCELLOR IKHARO)

(*****Board contract approval is subject to negotiation and execution by the Chancellor.)

DOCUMENT PREPARED BY:

Prepared by: Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

Date: June 1, 2015

DOCUMENT PRESENTED AND APPROVED BY:

Presented and approved by: Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

Date: June 1, 2015

FINANCE DEPARTMENT REVIEW

Finance review required Finance review *not* required

If Finance review is required, determination is: Approved Not Approved

If not approved, please give reason: _____

Signature: _____
Susan Rinne, Interim Vice Chancellor for Finance and Administration

GENERAL COUNSEL (Legality and Format/adherence to Education Codes):

Legal review required Legal review *not* required

If Legal review is required, determination is: Approved Not Approved

Signature: _____
Thuy Thi Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL

Approved, and Place on Agenda Not Approved, but Place on
Agenda

Signature: José M. Ortiz
Dr. José M. Ortiz, Chancellor



REQUEST FOR EMERGENCY PURCHASE

Department of General Services

DATE: March 27, 2015 – revised April 1, 2015

TO: Marie Hampton, Director of Purchasing

CC: Dr. Sadiq B. Ikharo, Vice Chancellor of General Services

FROM: Sharon Millman, Facilities Project Manager

RE: Emergency Services – Laney Kitchen Ventilation Improvement

An OSHA inspector responding to a complaint has identified the ventilation system in the Laney Kitchen as inadequate. Per Greg Valentine's correspondence to OSHA (20 Feb 2015, see attached), the District committed to taking a piece of instructional cooking equipment (the charbroiler) out of service immediately and to pursuing multiple avenues simultaneously to improve the ventilation situation within the next 30 days, including the engagement of a mechanical engineering firm under emergency contracting guidelines.

The mechanical engineer will work in tandem with a kitchen ventilation specialist and an air balancing and/or testing company to provide the analysis and recommendations.

We received recommendations for two teams with appropriate expertise. One declined to propose due to their workload and our need for immediate deployment. We proceeded to engage Taylor Engineering, a local engineering firm that is also a member of the CSU Mechanical Review Board, together with a kitchen ventilation specialist and air balancing and testing company as subs. We negotiated with Taylor to develop a scope of work and associated not-to-exceed amount of \$30,000. Depending on the results of the analysis and recommendations, additional work may be required in the future from the engineering team and/or other contractors.

The engineering team is working closely with DGS to facilitate the fastest possible response to the OSHA investigation so that we can protect and restore food service and classroom instruction capability at Laney.

Emergency Work Approved:


Marie Hampton, Director of Purchasing

4-1-15
Date

Sharon Millman

From: Sadiq Bello Ikharo
Sent: Friday, February 20, 2015 3:31 PM
To: Gregory Valentine; Hornung, David@DIR (DHornung@dir.ca.gov); mkatz@dir.ca.gov
Cc: Eric Gravenberg; Elnora Webb; Peter Crabtree; Scott Strong; Brian Adair; Trudy Largent; Brian Adair; Sharon Millman; Atheria Smith
Subject: RE: Cal OSHA Inspection - Laney Cafeteria Kitchen

Hello Team:

Thank you Greg, Sharon and the Laney College Team in working together to address the concerns of OSHA regarding the Student Center Kitchen ventilation. While is clear from the analysis that was done regarding the quality of air ventilation report, taking a steps to hire an electrical and a mechanical engineer is necessary to address the structural requirement for the kitchen ventilation as total environmental scanning.

I will hire engineers to explore what could be done on the short-term to remodel the ventilation part of the OSHA concerns by next week. The outcome of these engineers finding will determine the amount of work that is necessary to keep the kitchen open until the swing space for this building is ready.

It should also be noted that through the effort of Sharon Millman (DGS), the Fire suppressant work was completed in December 2014 as required by the County Environmental Health Department. Also, bids to purchase and acquire new cooking stove and other equipment has been completed and has been sent for approval as funding is already set aside to procure and install these equipment.

The DGS is committed to working with both Risk Management lead on this matter and the college stakeholders to finding a lasting solution. I will give you feedback on the engineers findings and suggested implementation as the next steps from the DGS.

Sincerely,

*Sadiq B. Ikharo, Ph.D., Vice Chancellor
Peralta Community College District
333 East 8th Street
Oakland, CA 94606
Phone: 510-466-7336 Fax: 510-466-7284
Sikharo@peralta.edu*

From: Gregory Valentine
Sent: Friday, February 20, 2015 9:13 AM
To: Hornung, David@DIR (DHornung@dir.ca.gov); mkatz@dir.ca.gov
Cc: Eric Gravenberg; Elnora Webb; Sadiq Bello Ikharo; Peter Crabtree; Scott Strong; Brian Adair; Trudy Largent
Subject: Cal OSHA Inspection - Laney Cafeteria Kitchen

Good Morning Gentlemen,

As you know, Peralta Community College District and Laney College are committed to supporting best practices and procedures that protect and ensure employee health and safety. After extensive discussions with Deputy Chancellor

avenberg and Laney College President Elnora Webb and after strategic and tactical planning with Dean Peter [redacted] and Food Services Manager Scott Strong, we are pleased to report interim, short-term and long-term plans and procedures are in place to support health and safety in the Laney Cafeteria Kitchen workplace.

With respects to the Laney Cafeteria Kitchen, the District and Laney College are implementing a project to completely remodel the Laney Student Center including the Laney cafeteria and kitchen. The complete remodel of the Student Center and Cafeteria/Kitchen is part of our long term facilities plan. With this project in mind, I am writing you to inform you of our plans for the Laney Cafeteria Kitchen.

Interim Plan

Effective immediately, the Laney Cafeteria Kitchen is placing a 30-day moratorium on the use of the kitchen broiler. During the period, the following actions will occur:

1. Laney will immediately procure a new, smaller broiler designed to better align with current ventilation systems using emergency procurement guidelines and approvals.
2. Engage a mechanical engineering firm under emergency contracting guidelines
 - a. Investigate, design and engineer cost effective enhancements to existing ventilation systems and increase air flow rates where necessary throughout the kitchen
 - b. Implement and install engineering and mechanical enhancements to existing ventilation systems.
 - c. Relocation on fire system sprinkler head away from the proximity of the kitchen's deep fryer.

At the end of the 30-day moratorium, we expect the following:

1. New broiler installed and commissioned for use
2. Enhanced ventilation online and/or a project in place or in execution with a timeline on delivery of enhanced ventilation systems.

Given the above outlined interim action plan, we will enhance safety systems.

Short-term Plan

As a component of the Laney Student Center and Cafeteria remodel project, the project will bring on Kitchen swing space to house current operational needs while constructions occurs. Naturally, the kitchen swing space will be designed to meet all health and safety guidelines.

Long-Term Plan

We plan to commission new kitchen facilities as part of the remodel project.

While our air quality studies of the cooking process indicate that all airborne releases from the cooking process are well within all applicable standards even under a heavy usage scenario (see attached air quality report with photographs where we studied air borne gasses and particulates from cooking as reference), we will work to enhance safety in the workplace on an interim, short-term and long-term basis.

As always, we will continue to keep open all lines of communications between your office and Peralta. In fact, we invite you to come back for a site visit in 30 days to receive an in-person update and to perform a visual inspection of the kitchen.

It is our sincere hope that our commitment to health and safety rings loud and clear given our plan of action.

Best Regards,
Greg Valentine, Director of Risk Management

Greg Valentine
Director of Risk Management
Peralta Community College District

State of California
Department of Industrial Relations
Division of Occupational Safety and Health
Oakland District Office
1515 Clay Street, Suite 1303
Oakland, CA 94612
Phone: (510) 622-2916 Fax: (510) 622-2908

RECEIVED
Office of
Risk Management

MAR -9 2015

Peralta Community
College District



CITATION AND NOTIFICATION OF PENALTY

To:

Peralta Community College District - Laney
College

and its successors
333 E. 8th Street
Oakland, CA 94606

Inspection #: 1001322
Inspection Date (s): 10/15/2014 – 03/06/2015
Issuance Date: 03/06/2015
CSHO ID: T7195
Optional Report #: 020-15
Reporting ID: 0950614

Inspection Site:

900 Fallon St
Oakland, CA 94607

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (hereinafter Citation) is being issued in accordance with California Labor Code Section 6317 for violations that were found during the inspection/investigation. **This Citation or a copy must be prominently posted upon receipt by the employer at or near the location of each violation until the violative condition is corrected or for three working days, whichever is longer.** Violations of Title 8 of the California Code of Regulations or of the California Labor Code may result in some instances in prosecution for a misdemeanor.

YOU HAVE A RIGHT to contest this Citation and Notification of Penalty by filing an appeal with the Occupational Safety and Health Appeals Board. To initiate your appeal, you **must** contact the Appeals Board, in writing or by telephone, within 15 working days from the date of receipt of this Citation. If you miss the 15 working day deadline to appeal, the Citation and Notification of Penalty becomes a final order of the Appeals Board, not subject to review by any court or agency.

Informal Conference - You may request an informal conference with the manager of the district office which issued the Citation within 10 working days after receipt of the Citation. However, if the citation is appealed, you may request an informal conference at any time prior to the day of the hearing. Employers are encouraged to schedule a conference at the earliest possible time to assure an expeditious resolution of any issues. At the informal conference, you may discuss the existence of the alleged violation, classification of the violation, abatement date or proposed penalty.

Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an agreement which resolves this matter without litigation or contest.

APPEAL RIGHTS

The Occupational Safety and Health Appeals Board (Appeals Board) consists of three members appointed by the Governor. The Appeals Board is a separate entity from the Division of Occupational Safety and Health (Division) and employs experienced attorneys as administrative law judges to hear appeals fairly and impartially. To initiate an appeal from a Citation and Notification of Penalty, you must contact the Appeals Board, in writing or by telephone, within 15 working days from the date of receipt of a Citation. After you have initiated your appeal, you must then file a completed appeal form with the Appeals Board, at the address listed below, for each contested citation. Failure to file a completed appeal form with the Appeals Board may result in dismissal of the appeal. Appeal forms are available from district offices of the Division, or from the Appeals Board:

Occupational Safety and Health Appeals Board
2520 Venture Oaks Way, Suite 300
Sacramento, CA 95833
Telephone: (916) 274-5751 or (877) 252-1987
Fax: (916) 274-5785

If the Citation you are appealing alleges more than one item, you must specify on the appeal form which items you are appealing. You must also attach to the appeal form a legible copy of the Citation you are appealing. In addition, please send a copy of Page 1 of this Citation and Notification of Penalty, the cover sheet.

Among the specific grounds for an appeal are the following: the safety order was not violated, the classification of the alleged violation (e.g., serious, repeat, willful) is incorrect, the abatement requirements are unreasonable or the proposed penalty is unreasonable.

Important: You must notify the Appeals Board, not the Division, of your intent to appeal within 15 working days from the date of receipt of the Citation. Otherwise, the Citation and Notification of Penalty becomes a final order of the Appeals Board not subject to review by any court or agency. An informal conference with the Division does not constitute an appeal and does not stay the 15 working day appeal period. If you have any questions concerning your appeal rights, call the Appeals Board, at (916) 274-5751 or (877) 252-1987.

PENALTY PAYMENT OPTIONS

Penalties are due within 15 working days of receipt of this Citation and Notification of Penalty unless contested. If you are appealing any item of the citation, remittance is still due on all items that are not appealed. Enclosed for your use is a Penalty Remittance Form for payment.

If you are paying electronically, please have the Penalty Remittance Form on-hand when you are ready to make your payment. The company name, inspection number, and Citation number(s) will be required in order to ensure that the payment is accurately posted to your account. Please go to www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html to access the secure payment processing site. **Additionally, you must also mail the Penalty Remittance Form to the address below.**

If you are paying by check, return one copy of the Citation, along with the Notice of Proposed Penalties Sheet and the Penalty Remittance Form and mail to:

Department of Industrial Relations
Cashier, Accounting Office
P. O. Box 420603
San Francisco, CA 94142-0603

CAL/OSHA does not agree to any restrictions, conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

NOTIFICATION OF CORRECTIVE ACTION

For violations which you do not contest, you should notify the Division of Occupational Safety and Health promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation and Notification of Penalty. Please inform the district office listed on the Citation by submitting the Cal/OSHA 160 and/or 161 forms with the abatement steps you have taken and the date the violation was abated, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc. The adjusted penalty for serious and general violations has already been reduced by 50% on the presumption that the employer will correct the violations by the abatement date. **If the Cal/OSHA 161 is not received in the district office within 10 days following the abatement date, the abatement credit is revoked, causing the penalty to double.**

Note: Return the Cal/OSHA 160/161 forms to the district office listed on the Citation and as shown below:

Division of Occupational Safety and Health
Oakland District Office
1515 Clay Street, Suite 1303
Oakland, CA 94612
Telephone: (510) 622-2916
Fax: (510) 622-2908

EMPLOYEE RIGHTS

Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under Labor Code Section 6310 or 6311. An employee who believes that he/she has been discriminated against may file a complaint no later than six (6) months after the discrimination occurred with the Division of Labor Standards Enforcement.

Employee Appeals - An employee or authorized employee's representative may, within 15 working days of the issuance of a citation, special order, or order to take special action, appeal to the Occupational Safety and Health Appeals Board the reasonableness of the period of time fixed by the Division of Occupational Safety and Health (Division) for abatement. An employee appeal may be filed with the Appeals Board or with the Division. No particular format is necessary to initiate the appeal, but the notice of appeal must be in writing.

If an Employee Appeal is filed with the Division, the Division shall note on the face of the document the date of receipt, include any envelope or other proof of the date of mailing, and promptly transmit the document to the Appeals Board. The Division shall, no later than 10 working days from receipt of the Employee Appeal, file with the Appeals Board and serve on each party a clear and concise statement of the reasons why the abatement period prescribed by it is reasonable.

Employee Appeal Forms are available from the Appeals Board, or from a district office of the Division.

Employees Participation in Informal Conference - Affected employees or their representatives may notify the District Manager that they wish to attend the informal conference. If the employer objects, a separate informal conference will be held.

DISABILITY ACCOMMODATION

Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the programs of the Division of Occupational Safety and Health, should contact the Disability Accommodation Coordinator at the local district office or the Statewide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The Statewide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY - Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing or conference.

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Oakland District Office
1515 Clay Street, Suite 1303
Oakland, CA 94612
Phone: (510) 622-2916 Fax: (510) 622-2908

Inspection #: 1001322
Inspection Dates: 10/15/2014 - 03/06/2015
Issuance Date: 03/06/2015
CSHO ID: T7195
Optional Report #: 020-15



Citation and Notification of Penalty

Company Name: Peralta Community College District - Laney College

Establishment DBA:

and its successors

Inspection Site:

900 Fallon St
Oakland, CA 94607

Citation 1 Item 1 Type of Violation: **General**

Title 8 CCR 5143(a)(5): (5) The ventilation rate of every mechanical ventilation system used to prevent harmful exposure shall be tested after initial installation, alterations, or maintenance, and at least annually, by means of a pitot traverse of the exhaust duct or equivalent measurements. Records of these tests shall be retained for at least five years.

Violation: Prior to and during the inspection, including, but not limited to, on 2-5-15, ventilation rate testing for mechanical ventilation systems used in the Student Center kitchen was either not conducted, documented in writing, or retained.

Date By Which Violation Must be Abated:

April 10, 2015

Proposed Penalty:

\$420.00

Mark Koh *David Hornung*

David Hornung
Compliance Officer/District Manager

State of California
Department of Industrial Relations
Division of Occupational Safety and Health
Oakland District Office
1515 Clay Street, Suite 1303
Oakland, CA 94612
Phone: (510) 622-2916 Fax: (510) 622-2908



NOTICE OF PROPOSED PENALTIES

Company Name: Peralta Community College District - Laney College
Establishment DBA: and its successors
Inspection Site: 900 Fallon St, Oakland, CA 94607
Mailing Address: 333 E. 8th Street, Oakland, CA 94606
Issuance Date: 03/06/2015
Reporting ID: 0950614
CSHO ID: T7195

Summary of Penalties for Inspection Number 1001322

| | |
|----------------------------------|-----------------|
| Citation 1 Item 1, General | \$420.00 |
| TOTAL PROPOSED PENALTIES: | \$420.00 |

Penalties are due within 15 working days of receipt of this notification unless contested. If you are appealing any item of this citation, remittance is still due on all items that are not appealed. Enclosed for your use is a Penalty Remittance Form.

If you are paying electronically: Please have this form on-hand when you are ready to make your payment. The company name, reporting ID and Citation number(s) will be required to ensure that the payment is accurately posted to your account. Please go to www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html to access the secure payment processing site. **Additionally, you must also mail the Penalty Remittance Form to the address below.**

If you are paying by check: Mail this Notice of Proposed Penalties, the Penalty Remittance Form, along with a copy of the Citation and Notification of Penalty to:

**DEPARTMENT OF INDUSTRIAL RELATIONS
CASHIER, ACCOUNTING OFFICE
P. O. BOX 420603
SAN FRANCISCO, CA 94142-0603**

Cal/OSHA does not agree to any restrictions, conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions or endorsements do not exist.

**DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH – CAL/OSHA
Accounting Office - Cashiering Unit
P.O. Box 420603
San Francisco, CA 94142-0603
Phone (415) 703-4291 or (415) 703-4308 Fax (415) 703-3037**

Please mail or fax this form back to the above address to properly credit your payment.

PENALTY REMITTANCE FORM

| | | |
|----------------------------|--|------------------------------|
| CIVIL PENALTY INFO | INSPECTION NO.: 1001322 | REPORTING ID: 0950614 |
| ESTABLISHMENT NAME: | Peralta Community College District - Laney College | FEIN/SEIN: 941590799 |
| CONTACT PERSON: | Greg Valentine | |
| PHONE NO.: | (510) 466-7247 | FAX NO.: UNKNOWN |
| SITE ADDRESS: | 900 Fallon St, Oakland, CA 94607 | |
| MAILING ADDRESS: | 333 E. 8th Street, Oakland, CA 94606 | |

CITATION INFORMATION: Penalties are due within 15 working days of receipt of this notification unless contested. If you are appealing any item of this Citation, remittance is still due on all items that are not appealed.

PAYMENT INSTRUCTIONS:

- Put a "✓" next to the Citation(s) that you are paying.
- Write the amount paid in the "AMOUNT PAID" column.
- Please indicate the "TOTAL AMOUNT PAID".

| ✓ | SUMMARY OF PENALTIES PAID | AMOUNT PAID |
|---|----------------------------|-------------|
| | Citation 1 Item 1, General | \$ |
| | TOTAL AMOUNT PAID | \$ |

TYPE OF PAYMENT ENCLOSED

| | |
|--|----|
| Fill in the check, e-check reference, or money order information below: | |
| CHECK # _____ ENCLOSED IN THE AMOUNT OF: | \$ |
| E-CHECK REFERENCE # _____ PAID IN THE AMOUNT OF: | \$ |
| MONEY ORDER # _____ ENCLOSED IN THE AMOUNT OF: | \$ |

Please make check or money order payable to Department of Industrial Relations - Cal/OSHA and mail to the Cashier, Accounting Office, at the above address. Reference the Inspection Number on the "memo" portion of your check or money order. Note: For your convenience, the Department of Industrial Relations accepts electronic payments at www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html. **Again, please mail or fax this form to the above address or fax number to ensure payments are properly credited.**

DEPARTMENT OF INDUSTRIAL RELATIONS
Division of Occupational Safety and Health
Oakland District Office
1515 Clay Street, Suite 1303
Oakland, CA 94612
Tel. # (510) 622-2916 Fax # (510) 622-2908



**EMPLOYER'S SIGNED STATEMENT OF ABATEMENT OF
REGULATORY AND/OR GENERAL VIOLATIONS**

Peralta Community College District - Laney College
333 E. 8th Street
Oakland, CA 94606

The law requires that violations observed during the inspection completed on 3-6-15 of the place of employment located at 900 Fallon St, Oakland, CA be corrected within the time limit specified. Please notify the Division as soon as these conditions have been corrected by returning this completed form. Your response by completing, signing and mailing this form to the issuing office on or before the compliance date may avoid a follow-up inspection of your facilities. **Failure to timely complete and return this form may result in issuance of a citation and civil penalty for violation of 8 CCR 340.4(c).**

NOTE: This form does not serve as a request for a time extension. If there are serious problems beyond your control that prevent meeting a specified abatement date, contact the Division early, well within the 15-day limit allowed for an appeal.

This signed statement or a summary shall be posted for three working days at or near each place the regulatory and/or general violation(s) referred to in the citation occurred.

PLEASE COMPLETE AND MAIL BY **4-10-15**

LIST THE SPECIFIC MEASURES & EQUIPMENT TAKEN TO CORRECT EACH CITATION & ITEM NUMBER OF THE UNSAFE CONDITIONS AND DATE OF ABATEMENT.

Continued on additional page

All affected employees and their representatives have been informed about abatement activities referenced in this document in conformance with 8 CCR Section 340.4(g). Yes No

This certifies that all the unsafe conditions listed in the Division's citation dated March 6, 2015 have now been corrected and all submitted abatement information is accurate.

Signature: _____

Date: _____

Name: _____

Title: _____

| OFFICE USE ONLY | | | |
|---------------------------------------|------------------------|----------------|----------------------------|
| Compliance Safety and Health Officer: | _____ | Date: | _____ |
| District Manager: | _____ | Date: | _____ |
| [] Close/Comments | | | |
| RID: 0950614 | Inspection Nr: 1001322 | CSHO ID: T7195 | Optional Report Nr: 020-15 |

Date mailed or delivered: 3-6-15

DEPARTMENT OF INDUSTRIAL RELATIONS
 Division of Occupational Safety and Health
 Oakland District Office
 1515 Clay Street, Suite 1303
 Oakland, CA 94612
 Tel. # (510) 622-2916 Fax # (510) 622-2908



INFORMATION MEMORANDUM

Peralta Community College District - Laney College
 333 E. 8th Street
 Oakland, CA 94606

An inspection or investigation of a place of employment located at 900 Fallon St, Oakland, was conducted by Mark Katz on 10/15/2014. This Information Memorandum is intended to direct your attention to the following conditions which can be potentially hazardous to the safety and health of employees in the future. If these conditions were not corrected before employees are exposed, violations of safety and health standards would occur and you would receive one or more citations covering these violations, which will entail a civil penalty. In addition one or more of the citations may be classified as Willful based on the information contained in the memorandum.

| Item No. | No. of Instances | Description of potential hazard |
|----------|------------------|---|
| 1 | 1 | In the cafeteria kitchen of the Student Center, an overhead automatic sprinkler head near the deep fryer may need to be relocated. Reference: Title 8 CCR 3203 (a)(6) |
| 2 | 1 | In the cafeteria kitchen of the Student Center, the exhaust systems/exhaust hoods for cooking operations may not be designed, constructed, and/or maintained and operated to control as much as possible exposure to airborne contaminants generated from the charbroiler and other cooking equipment. Reference: Title 8 CCR 5143 (a)(1) |

Signature Mark Katz
 Compliance Safety and Health Officer

Signature [Signature]
 District Manager

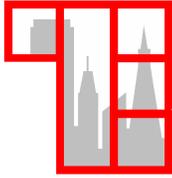
Date of issuance: 3-6-15

0950614
 RID

T7195
 CSHO ID

020-15
 Optional Report Nr.

1001322
 Inspection Nr.



Taylor Engineering

1080 Marina Village Parkway, Suite 501 ■ Alameda, CA 94501-1142 ■ (510) 749-9135 ■ Fax (510) 749-9136

March 10, 2015

Sharon Millman
333 East 8th Street
Oakland, CA 94606

Subject: Laney College Kitchen Ventilation Issues – Revised Proposal

Dear Sharon:

We are pleased to present this revised proposal to provide analytical engineering services to improve ventilation rates for an existing backshelf ventilator system in a kitchen at Laney College.

Scope of Services

1. Determine hood exhaust and room makeup airflows required to meet code.
2. Perform field investigation to determine causes of system deficiency and conversations with site personnel.
3. Perform airflow readings at hoods, exhaust fans, and makeup air systems to quantify existing system performance.
4. Determine revised hood exhaust and room makeup airflows to provide a functional space.
5. Recommend corrective action(s) based on field investigation results.

Personnel

Reviews are proposed to be performed by:

- HVAC and BAS/Project Manager: Glenn Friedman, PE, Principal, Taylor Engineering
- HVAC and BAS: Lance Brown, PE, Senior Engineer, Taylor Engineering
- Kitchen Ventilation Expert: Don Fisher, Fisher-Nickel, Inc.
- TAB Contractor: Mario Turpin, RS Analysis, Inc.

Exclusions

1. Preparation of As-Built Documents: This project does not intend to produce new as-builts.
2. Testing of life safety systems.



3. Load and Energy Calculations: Capacity requirements will be based on typical rules of thumb and operational experience of MEP systems by engineering staff. Calculations related to hood and equipment airflow requirements are included.
4. Design services including preparation of drawings and specifications of recommended MEP system upgrades.
5. LEED, PG&E Rebate, and EnergyStar related calculations and documentation.
6. Cost Estimates
7. Paper Reproductions of Reports: We include an electronic (pdf) version of our report only.
8. Design and observation of testing of corrections.

Fees

We propose the following time and material not-to-exceed budget amounts for this project:

| Task Description | Budget | Completion (Weeks) |
|--|-----------------|---------------------------|
| 1. Determine Hood Exhaust and Room Makeup Airflows | | |
| Deliverable: Memo summarizing calculated airflows | \$5,000 | 2 from notice to proceed |
| Total for Calculated Airflows | \$5,000 | |
| 2. Perform Field Investigation | | |
| Day 1: Investigate existing systems to determine functionality | \$5,000 | 2 from notice to proceed |
| Total for Field Investigation | \$5,000 | |
| 3. Perform Airflow Readings | | |
| Day 1: Work with TAB contractor to take required measurements of the existing systems. | \$7,500 | 2 from Task 2 acceptance |
| Total for Airflow Testing | \$7,500 | |
| 4. Recommendations | | |
| Deliverable: Produce memo summarizing recommended actions | \$10,000 | 3 from Task 3 acceptance |
| Deliverable: Present recommendations to Owner (one 2-hour meeting is budgeted) | \$2,500 | 3 from Task 3 acceptance |
| Total for Recommendations | \$12,500 | |
| TOTAL OF ALL ITEMS | \$30,000 | |

Our hourly rates are as follows:

| Position | 2015 Hourly Rates |
|-----------------|--------------------------|
| Principal | \$225 |



| Position | 2015 Hourly Rates |
|--------------------------|----------------------------------|
| Associate | \$205 |
| Senior Designer/Engineer | \$185 |
| Designer/Engineer | \$165 |
| CAD Technician | \$135 |

Rates may be reviewed and adjusted at the beginning of each calendar year.

Contractors' and sub-consultants' time will be billed at their current rates without markup.

We hope this scope of work meets your expectations. If anything we have described is unclear or more/less than you desire, please call us so we can discuss how to modify this proposal accordingly.

Thank you again for this opportunity. We very much look forward to working with you.

Sincerely,
Taylor Engineering LLC

Glenn Friedman, PE
Principal