



PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, July 14, 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)), Adcock v. PCCD, Alameda County Superior Court, Case No. RG14733487.
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (2 cases)

Public Employee Appointment (Government Code Section 54957)

- Recommendation to appoint Director of Student Activities and Campus Life, Merritt College.
- Recommendation to appoint Interim Dean of Special Programs and Grants, Merritt College.
- Recommendation to appoint Interim Director of Student Activities and Campus Life, Berkeley City College.
- Ratification of the Chancellor's approval to appoint Interim Director of Facilities and Operations.
- Ratification of the Chancellor's approval to appoint Interim Director of Student Activities and Campus Life, College of Alameda.
- Recommendation to extend the appointment of Director of AANAPISI (APASS Programs), Laney College.
- Recommendation to appoint Vice Chancellor, Finance and Administration.

Public Employee Evaluation (The Board is provided respective salaries in closed session for information purposes only, if any. The Board is reminded not to discuss personnel matters outside of closed session.)

Public Employee Discipline/Dismissal/Release (The Board is provided respective salaries in closed session for information purposes only, if any. The Board is reminded not to discuss personnel matters outside of closed session.)

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.

1. Chancellor Laguerre's Welcome Reception (7:05 P.M.)

At tonight's meeting, the Board of Trustees will formally introduce Chancellor Jewel C. Laguerre. The board meeting will enter a brief recess and a reception to welcome Chancellor Laguerre to Peralta Community College District will be held immediately after Chancellor Laguerre is introduced. The reception will be held in the District Office Atrium where dessert and light refreshments will be served.

APPROVAL OF THE MINUTES (7:30 P.M.)

2. Consider Approval of the regular Board meeting Minutes of June 23, 2015.

Consider approval of the regular Board meeting Minutes of June 23, 2015. The minutes are posted on Granicus.

PUBLIC COMMUNICATION (7:32 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 (7:45 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. Jowel C. Laguerre
Interim Deputy Chancellor	Dr. Eric Gravenberg
Vice Chancellor's Reports	
Budget Update	Interim Vice Chancellor Rinne
Enrollment and	Vice Chancellor Orkin
Student Services Update	
General Services	Vice Chancellor Ikharo
Human Resources	Vice Chancellor Largent

College Reports

Berkeley City College	President Budd
• Accreditation Update (5 minutes)	
College of Alameda	President Blake
• Accreditation Update (5 minutes)	
Laney College	President Webb
• Accreditation Update (5 minutes)	
Merritt College	President Ambriz-Galaviz
• Accreditation Update (5 minutes)	

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 Cleavon Smith**

CONSENT CALENDAR (8:30 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

7. Consider Approval of First Reading on Proposed Board Policies **Presenter: Chancellor Laguerre**

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 5010 Admissions, Special Admissions, and Enrollment**
This policy is being updated to align more closely with CA Education Code and to address some of the enrollment issues encountered in academic year 2014-2015. The administrative procedure (5011) also will be updated/revised.
- **BP 2010 Board Membership**
This policy was updated to reflect revised Accreditation Standard IV.C.6 (per ACCJC's June 2014 revisions) in the references.
- **BP 3420 Equal Employment Opportunity**
This policy was updated to reflect revised Accreditation Standard III.A.11 (per ACCJC's June 2014 revisions) in the references.
- **BP 3501 Campus Security and Access**
This policy was updated to reflect revised Accreditation Standard III.B.1 (per ACCJC's June 2014 revisions) in the references.
- **BP 3510 Workplace Violence Plan**
This policy was updated to remove a repealed reference to Penal Code Section 12021.
- **BP 5030 Fees**
This policy was updated to reflect revised Accreditation Standard I.C.6 (per ACCJC's June 2014 revisions) in the references.
- **BP 5040 Student Records, Directory Information, and Privacy**
This policy was updated to reflect revised Accreditation Standard II.C.8 (per ACCJC's June 2014 revisions) and 20 U.S. Code Section 1232g(j) in the references.
- **BP 5050 Student Success and Support Program**
This policy was updated to reflect revised Accreditation Standard II.C.2 (per ACCJC's June 2014 revisions) in the references.
- **BP 5110 Counseling**
This policy was updated to reflect revised Accreditation Standard II.C.5 (per ACCJC's June 2014 revisions) in the references.

- **BP 5130 Financial Aid**
This policy was updated to reflect revised Accreditation Standard III.D.15 (per ACCJC’s June 2014 revisions) in the references.
- **BP 6100 Delegation of Authority, Business and Fiscal Affairs**
This policy was updated to revise the title for added specificity and to distinguish it from other delegation of authority board policy templates.
- **BP 6340 Bids and Contracts**
This policy was updated to change the title of the policy for added specificity. This policy was also updated to reflect revised Accreditation Standard III.D.16 (per ACCJC’s June 2014 revisions) in the references.
- **BP 6400 Financial Audits**
This policy was updated to change the title of the policy for clarity and was also updated to reflect revised Accreditation Standard III.D.7 (per ACCJC’s June 2014 revisions) in the references.

8. Consider *Ratification* of Out of State Travel pursuant to Board Policy 7400
Presenter: Chancellor Laguerre

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

Name	Travel Location	Travel Dates
John Beam	Lake Tahoe, NV	June 2, 2015 – June 3, 2015

DEPUTY CHANCELLOR

9. Request Board Approval of Retainer Agreements with Nitasha Sawhney of Garcia, Hernandez, Sawhney & Bermudez, LLP (GHSB) and Ericka Curls-Bartling of Curls Bartling, P.C. to provide Acting General Counsel Services for the 2015-2016 year.
Presenter: Interim Deputy Chancellor Gravenberg

Consider Approval of retainer agreements for Fiscal Year 2015-16 for Garcia, Hernandez, Sawhney & Bermudez, LLP & Curls Bartling, PC.

At the June 9 meeting, the Board approved the Interjurisdictional Exchange Agreement loaning the services of the District’s General Counsel, Thuy Nguyen, to serve as the Interim General Counsel for the State Chancellors Office for the 2015-16 fiscal year. To maintain legal services to the District office and each College District Administration seeks to retain the services of Nitasha K. Sawhney, Esq. and Ericka Curls-Bartling, Esq. to provide Acting General Counsel services for the 2015-16 year. District administration requests Board approval of the following retainer agreements:

- Ms. Sawhney will provide services at a flat monthly rate of \$12,500 with a not to exceed limit of \$200,000.
- Ms. Curls Bartling will provide services at a flat monthly rate of \$13,500 with a not to exceed limit of \$200,000.

All Board-approved contracts, including amendments thereto, are subject to final Negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Funds/Legal Budget.**

10. Request Board Authorization to Increase Independent Contractor's Agreement for Professional Services for Curls Bartling, P.C. **Presenter: Interim Deputy Chancellor Gravenberg**

Consider Approval of contract addendum for Fiscal Year 2014-15 for Curls Bartling, P.C. District administration requests Board authorization to increase an existing professional services agreement with Curls Bartling, P.C. for provision of legal services to the District. The current agreement has approached its limit of \$45,000. As a result, the District requests an increase of \$18,625 in the agreement's not to exceed limit to \$63,625 for fiscal year ending June 30, 2015.

Curls Bartling P.C. has provided ongoing legal support to the District, primarily in the area of advice, drafting and negotiation of commercial contracts, grants, affiliation agreements and licenses, since 2005, including for the 2014-15 fiscal year.

The increase in fees is to address an unexpected increase in Services to timely facilitate the creation of memorandum of understanding and a course agreement template to facilitate relationships with schools in the Oakland Unified School District in furtherance of the District's career pathways efforts in time for new courses to begin this fall semester and to address priorities established by the Chancellor to address provide necessary clarifications in, and improve the implementation of, the construction project labor agreement prior to the end of the 2014-15 fiscal year.

All Board-approved contracts, including amendments thereto, are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Funds/Legal Budget.**

EDUCATIONAL AND STUDENT SERVICES

11. Consider Approval of an Independent Contractor agreement for Mark Williams, (dba) Mark Williams Clean Energy and Environmental Consulting, LLC, for the 2015-16 fiscal year **Presenter: President Webb**

Consider Approval of an Independent Contractor agreement for Mark Williams, (dba) Mark Williams Clean Energy and Environmental Consulting, LLC, for the 2015-16 fiscal year to provide project management services for Peralta

District/Laney College Proposition 39 Clean Energy Workforce Improvement Program.

The contract amount will be for an amount not to exceed \$144,000.

All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: California State Chancellor's Office Proposition 39 Clean Energy Workforce Program Grant, RFA Specification #13-77.**

12. Consider Approval of an Independent Contractor Agreement for Raya Zion for project management services for Laney College DOL grant for education and training and job placement in biomedical engineering technology and Laney's CPT grant for employer engagement services. **Presenter: President Webb**

Consider Approval of an Independent Contractor Agreement for Raya Zion for project management services for Laney College DOL grant for education and training and job placement in biomedical engineering technology and Laney's CPT grant for employer engagement services.

The contract amount is not to exceed \$102,000 for the period July 1, 2015 to June 30, 2016.

All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Sources: Advanced Manufacturing Jobs and Innovation Accelerator grant from the Department of Labor and the Career Pathways Trust from the California Department of Education.**

13. Consider Board Ratification of a contract addendum to extend the Independent Contractor Agreement with Parking Concepts, Inc. in the amount of \$46,008.50. **Presenter: President Budd**

Consider Board Ratification of a contract addendum to extend the Independent Contractor Agreement with Parking Concepts, Inc. in the amount of \$46,008.50. The initial contract agreement number 18804 for Parking Concepts in the amount of \$250,000 was approved by the Board on July 15, 2014. The request to extend the amount by \$46,008.50 is a result of new hires, increased rates and more visiting employees from within the District. Parking Concepts, Inc. will continue to provide daily parking to Berkeley City College and all visiting PCCD employees.

All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Unrestricted General Funds.**

FINANCIAL SERVICES

14. Request to approve and award resolution 14-15/29, to award a 48-Month Lease Agreement for District Wide Multifunction Copiers Lease (RFP No. 14-15/29) to Caltronics Business Systems, in the amount of \$227,329.92 on an as-needed basis. Presenter: Interim Vice Chancellor Rinne

In an effort to standardize the Multifunction Copiers throughout the District, the Request for Proposal process,(RFP No. 14-15/29), was conducted. The California Public Contract Code Section 20651.7 (b) provides the governing board of any community college district the ability to award a contract utilizing “best value” determined by objective performance criteria that may include price, features, long-term functionality, life-cycle cost, overall sustainability, and required services.

A total of ten (10) vendors responded to the RFP. A panel of six employees from the four Colleges and the District Office evaluated the proposals based on their submitted responses to References, Resources and Key Personnel, Knowledge and Experience, Plans and Approach; Proposes Costs and Commission Fees; Environmentally Sustainability and Equipment Demonstrations. The RFP summary results are below:

VENDORS	ANNUAL BID PRICE	AVERAGE SCORE
Canon Solutions America	Canon - \$47,052.48	122
Sharp Business System	Sharp - \$81,456.00	121
Ricoh Business Solutions	Ricoh - \$195,696.00	111
Caltronics	Konica Minolta - \$56,832.48	107
RMC - Ray Morgan Company	Canon/Samsung - \$73,037.76 Canon - \$77,267.30	98
Shamrock Office Solutions	Ricoh 1 - \$95,431.68 Ricoh 2 - \$120,074.40	96
KBA Docusys, Inc.	Kyocera - \$71493.60 Canon - \$83,736.00 Canon - \$96,216.00	94
Zoom Imaging Solutions	Toshiba - \$71,220.48	90
MRC Smart Technology Solutions	Xerox - 86,400.00	86
Pacific Office Automation	Canon - \$80,592.00 Sharp- \$70,800.00 Konica \$77,328.00	79

The four (4) highest ranked vendors held equipment demonstration at their respective sites for the panel to assess the copier functionality, compatibility and feasibility of each copier as it related to the needs of the District. Of the four vendors, Caltronics Business System copiers provided the highest copying speed, greatest production performance, life-cycle costs, durability, functionality and overall costs. Their copiers proved to be made of durable metal materials which improve the life-span of the equipment and limit the need for excessive down-time and repair costs. Of the four highest rank vendors, Caltronics Business Systems provides the “best value” as it relates to balance of price, quality, service and performance.

Caltronics Business Systems has an excellent reputation in the higher education community, maintains a firm business commitment, great customer service and an excellent program for giving back to the local Community.

The panel recommends the award of the 48 month lease agreement in the amount of \$227,329.92 to Caltronics Business Systems as it relates to the lowest responsive bidder in response to the “best value” methodology in accordance to the California Public Contract Code, Section 20651.5.

All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Unrestricted General Funds.**

HUMAN RESOURCES

15. Consider Approval of Short-Term Assignments - Hiring of Non-Academic 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.

Last Name	First Name	Date of Hire	End Date	Position Title	Site
Ahmed	Munira	7/15/15	6/30/16	Admissions & Record Clerk	A
Anding	Nyagia	7/15/15	6/15/16	Inst Asst II/DSPS	M
Berame	Riza	7/15/15	11/11/15	Clerical Assistant II	M
Blue	Noelle	7/15/15	1/8/16	Staff Asst/Student Services	L
Boissiere	Sheiba	7/20/15	12/15/15	Clerical Assistant II	M
Campbell-Mateo	Michelle	7/15/15	6/30/16	Program Specialist/Outreach	B
Carroll	Linda	8/25/15	5/25/16	Inst Asst III/DSPS	M
Casey	Gerald	7/16/15	6/30/16	Computer Network Tech	L
Cha	Joseph	7/15/15	6/30/16	Inst Asst IV/DSPS	L
Chan	Cynthia	7/15/15	6/30/16	Inst Asst IV/DSPS	L
Chavez	Carmen	7/15/15	10/16/15	Facilities Services Specialist	M

Cheng	Pauline	7/15/15	12/23/15	Senior Clerical Assistant	L
Dixon	Linda	7/29/15	12/17/15	Instructional Asst/English	M
Fink	Matthew	9/7/15	12/18/15	Cashier	L
Flores	Ashley	8/3/15	6/30/16	Staff Asst/Student Services	A
Flores	Daniel	7/15/15	11/11/15	Clerical Assistant II	M
Flores	Hannah	7/20/15	6/30/16	Inst Asst I/DSPS	A
Forlastro	Christana	8/24/15	12/18/15	Library Technician II	M
Gamble	Lunell	7/15/15	6/30/16	Senior Clerical Assistant	D
Grey	Markeda	7/15/15	12/11/15	Clerical Assistant II	B
Griffin	Terry	7/15/15	6/30/16	Warehouseworker-Driver	D
Henry	Tachetta	7/15/15	6/30/16	Staff Asst/Admin (Instruction)	M
Hernandez	Kimberly	7/15/15	6/30/16	Interpreter/Fully Certified	All
Hines	Brittany	7/15/15	12/15/15	Staff Asst/Human Resources	D
Houang	Thu	7/15/15	12/21/15	Financial Aid & Placement Asst A	A
Khidir	Shema	7/20/15	12/22/15	Senior Clerical Assistant	A
Knight	Jacinda	7/15/15	6/30/16	Inst Asst/Cosmetology	L
McKee	Claire	7/15/15	6/30/16	Lifeguard	L
Mofidi	Mitra	8/25/15	5/26/16	Inst Asst III/DSPS	M
Moon	Black	7/15/15	6/30/16	Inst Asst/Photography	L
Nguyen	Tommy	7/15/15	8/31/15	Inst Asst/Accompanist	L
Oliver	Carl	7/15/15	6/30/16	Staff Asst/Admin	D
Owens Rogers Shuntel		7/15/15	11/19/15	Staff Asst/Calworks	M
Pinilla Meneses Maria		8/3/15	5/31/16	Senior Clerical Assistant	A
Rippberger Bonnie		7/15/15	9/30/15	Inst Asst/Child Development	M
Rivera Cordova Sandi		7/15/15	11/15/15	Clerical Assistant II	M
Rockwell-Gehrett Morgan		7/15/15	9/30/15	Cashier	L
Saechao Chai		7/15/15	6/30/16	Program Specialist/Outreach	A
Sandhu Sara		7/15/15	6/30/16	Program Specialist/CTE	B
Scott-Wilson Kourtnee		9/1/15	6/30/16	Staff Asst/Payroll	D
Su Huizhen		7/15/15	8/27/15	Clerical Assistant II	L
Tam Hokman		7/16/15	6/30/16	Program Specialist/CTE	L
Tobor Tina		7/15/15	10/15/15	Admissions & Records Clerk	L
Toliver Geneva		7/15/15	6/15/16	Inst Asst II/DSPS	M
Tran Kelvin		7/15/15	6/30/16	Network Suppt Svcs Specialist	B
VanHook Lawrence		7/15/15	6/30/16	Project Manager	A
Xu Amelia		7/15/15	6/30/16	Inst Asst III/DSPS	L

“The District has complied with the applicable provisions of the Education Code”

FACILITIES

16. Consider Approval to Award a Professional Services Agreement to BEARCOM Wireless Worldwide for the District-wide Two-Way Radio System (RFP No. 14-15/13). **Presenter: Vice Chancellor Ikharo.**

Approval is requested to enter into a contract with BEARCOM Wireless Worldwide for the District-wide Two-Way Radio System (RFP No. 14-15/13), in the amount

not-to-exceed \$259,033. The vendor will provide and install a turnkey two-way radio system for radio coverage district-wide at the District Administrative Center and Peralta’s four (4) colleges: Laney College, College of Alameda, Berkeley City College, and Merritt College to comply with the Federal Communication Commission (FCC) requirements. The system will include the MOTOTROBO IP site connect system to provide reliable, efficient, radio and network functionality, and two-way radio communications throughout the District. This will accommodate all communications between the District Administrative Center and Peralta’s four (4) colleges, departments, services, and security.

The vendor will provide professional services, as follows: Be a Motorola service provider; complete FCC licensing application forms on behalf of the District, complete survey and summary reports; install equipment and provide labor and material; demolish the existing system; and provide electronic files and training.

In compliance with the Public Contract Codes, Section 20651, formal competitive bidding and a request for a proposal (RFP) was conducted for this purchase. An RFP was advertised in newspaper publications of general circulation on May 27th and June 3rd, 2015. A mandatory pre-proposal meeting occurred on June 3rd, 2015. A steering committee of staff evaluated submitted proposals based on the evaluative criteria set forth in the RFP. A total of four (4) proposals were received, as follows:

VENDORS	EVALUATION SCORES	LOCATION
BEARCOM Wireless Worldwide	251	Brisbane, CA
Telepath Corporation	199	Fremont, CA
Day Wireless Systems	177	Benicia, CA
Red Cloud Wireless Voice and Data	151	Walnut, CA

Public Contract Code (PCC) section 20651 permits the District to award this contract to the bidder whose proposal is determined to be the “best value” based solely on the criteria set forth in the RFP. BEARCOM received the highest evaluative score of 251 points. The company’s corporate is located in Dallas, Texas, and Jerry Denham is the President/CEO. This project is not a construction project; therefore, the Project Labor Agreement will not apply and the Department of Industrial Relations registration is not required.

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

17. Consider Approval of Amendment No. 1 to a Board Approved Agreement with Green Charge Networks (GCN) for the Installation of Fast Electric Vehicle (EV) Charging Stations at Laney College, District Administrative Complex, and Merritt College. **Presenter: Vice Chancellor Ikharo.**

Approval is requested for Amendment No. 1 to a Board Approved Agreement with Green Charge Networks (GCN) for the Installation of Fast Electric Vehicle (EV) Charging Stations at Laney College, District Administrative Complex, and Merritt College, in the amount not-to-exceed \$5691. Under the original board approved Agreement board approved on March 11, 2014, Green Charge Networks (GCN) will install fast electric vehicle (EV) charging stations at Laney College, District Administrative Complex, and Merritt College, at no charge to the District. This project was no charge to the District because GCN received grant funds from the California Energy Commission to install this “energy conservation” project.

Before installing the fast EV charging stations at Laney College, PG&E services was needed to de-energize (shutdown) the primary high voltage power feed to the campus. This shutdown was needed to connect the EV stations to the existing electrical system.

As a result, two (2) shutdowns occurred at Laney College at the District’s request. To expedite the shutdown and the construction commencement date, GCN paid for the deactivation of the primary power source. This scope of work was not included in the original Agreement. This approval is needed to reimburse GCN for this payment to PG&E.

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

18. Consider approval of Measure A Budget Appropriation and Transfer for the Merritt College Africana Center to Berkeley Sound Artists (No. 82). **Presenter: Vice Chancellor Ikharo.**

Approval is requested to appropriate and transfer Measure A Bond Budget no. 82. Staff has obtained signatures from the Administration (College President, Vice Chancellor of Finance and Administration, Vice Chancellor of General Services, and the Chancellor) for these budget transfers and appropriations for the July 14, 2015 Board meeting. On June 23, 2009, the Board of Trustees approved the Bond Measure (A and E) Spending Plan, which included budget appropriations, cash flow projections, and budget transfer procedures.

Budget Transfer No. 82 (\$319) was approved by the Vice Chancellor of Finance and Administration. This fund transfer will enable the District to make final invoice payment on design services for the Merritt College Africana Center to Berkeley Sound Artists.

This allotment is transferred from the Merritt College Swing Space account (#2360) to the Merritt College Africana Center Project (#2342).

Measure A Budget Transfer No. 82

#	Project Name	Current Budget	Revised Budget	Transfer Amount
Transfer To:				
2360	Africana Center	\$3,282.00	\$3,601.00	\$319.00
	Total Transfer			
Transfer From:				
2342	Merritt Swing Space	\$500.00	\$181.00	\$319.00
	Total Transfer			\$319.00

Description: This budget transfer will be reallocated to the correct project account.

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

19. Consider Approval of Amendment No. 1 to the Agreement with Quantum Energy Services & Technologies (QUEST) for Commissioning Services of the Merritt College Barbara Lee Science and Allied Health Center. **Presenter: Vice Chancellor Ikharo.**

Approval is requested of Amendment No. 1 to the Agreement with QUEST to extend the contractual completion date from June 30, 2015 to December 31, 2015. The extension of the contract terms will allow QUEST for continue to complete the comprehensive commissioning services to attain Enhanced Commissioning credits for Leadership in Energy and Environmental Design (LEED) Gold Certification for new construction. QUEST will continue to perform and complete commissioning work under the original agreement, approved by the Governing Board of Trustees on January 22, 2013, in the amount of \$105,450.

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

20. Consider Approval of Resolution No. 15/16-03, to Authorize an Emergency Contract with Alaska Refrigeration, Air Conditioning & Heating Co. to Improve the Ventilation Systems at the Laney College Kitchen in Response to a Mandatory Requirement from Cal/OSHA. **Presenter: Vice Chancellor Ikharo.**

Approval is requested to issue a contract to Alaska Refrigeration, Air Conditioning & Heating Co. in the amount not-to-exceed \$82,453.00 so that the District can respond to a mandatory requirement from Cal/OSHA in time to resume instruction and food service for Fall Semester 2015.

The contract work will implement the recommendations in the Taylor Engineering report dated June 11, 2015, until the target ventilation of 300cfm is achieved, including reduction of hood airflow requirements and increase of capacity. The contract price includes all material, taxes, labor, and disposal. The work will comply with the minimum wage ordinance in the City of Oakland, prevailing wage, and the Project Labor Agreement.

Pursuant to Public Contract Code Section 20654(a), and with the concurrence of the Director of Purchasing, formal bidding was waived. The Department of General Services reached out to several potential vendors in an effort to find firms willing and able to execute this scope of work within the various constraints. After several rounds of outreach, Alaska Refrigeration, Air Conditioning, and Heating Co. submitted the only responsive proposal.

Alaska Refrigeration, Air Conditioning, and Heating Co. is located in Oakland and managed by Dagoberto Sanchez, owner.

The administration recommends that the bid be awarded in order to begin work immediately so that an August completion is possible.

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

ACTION CALENDAR ITEMS

The Action Calendar lists non-routine items that the Board of Trustees may wish to discuss and/or debate. The list below may be supplemented by items removed from the Consent Calendar. The Board may move to the Action Calendar items with public speakers, and Board-sponsored Resolutions. The Board will hear public comments prior to taking any action on these items.

21. Consider Approval of Resolution 15/16-02 approving four documents necessary to re-sell the Series B-2 Bonds to the public at a lower interest rate **Presenter: Interim Vice Chancellor Rinne**

The Series B-2 Bonds will begin to accrue interest at a rate of 17% if the District does not act before August 5th, 2015. To address this situation, the District has authorized a three-step plan. First, the District will convert the Series B-2 Bonds to a fixed rate mode. Barclay's Bank, PLC will purchase the fixed-rate bonds. Second, while the fixed rate bonds are held by Barclays, the District will amend the Indenture to provide for additional, variable interest rate modes, which significantly reduce the cost of borrowing associated with the Series B-2 Bonds. Third, once the Indenture has been amended, the District will convert the Bonds to one of the new variable interest rate modes and re-sell the Series B-2 Bonds to the public. These three steps taken together are the "Plan."

The Board approved the Plan on June 2, 2015, and approved forms of certain necessary documents. The resolution before the board for consideration and adoption on July 14th approves forms of the remaining four documents necessary to accomplish the Plan:

- A Reoffering Circular, which will be used to describe the bonds and the District to potential investors as part of step three (re-selling the bonds to the public);
- A Bond Purchase Agreement, which will be used to sell the Bonds to Barclays Bank, PLC as part of Step 1 (converting the bonds to fixed-rate);
- A Remarketing Agreement, which will engage Barclay's Capital Inc., to manage the ongoing sale of the Series B-2 Bonds to investors once Step 3 has been accomplished; and
- A Broker Dealer Agreement, which will engage Barclay's Capital, Inc., to assist with Step 1 (converting the Bonds to fixed rate).

The Resolution also authorizes District staff to take other actions in connection with the conversion to the lower interest rate mode, including executing and delivering ancillary documents. District staff anticipates the resolution before the Board on July 14th will be the last action necessary by the Board in connection with this transaction.

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.