



PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, September 8, 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)), BAP Events LLC v. PCCD, Alameda County Superior Court, Case No. RG14-728878.

- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (1 cases)

Public Employee Appointment (Government Code Section 54957)

- Ratification of the Chancellor's approval to appoint Interim Dean of Academic and Student Affairs/Student Wellness and Development, Laney College.
- Recommendation to appoint Interim Dean of Workforce Development, Merritt College.
- Recommendation to appoint Interim Dean of Academic Pathways and Student Success, a grant-funded position, Merritt College.

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 Abuyen Pr_ Ab_ and Hyché 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 July 28, 2015.

Consider approval of the regular Board meeting Minutes of July 28, 2015. The minutes are posted on Granicus.

PUBLIC COMMUNICATION (7:05 P.M.)

At this time, the Board of Trustees will listen to communication from the public on matters that are not on the agenda and are within the Board’s jurisdiction. Under provisions of the Brown Act, the Board and District staff are prohibited from discussing or taking action on oral requests that are not part of the agenda, but may respond briefly. A maximum of 15 minutes (up to 3 minutes per individual) will be provided for speakers under this agenda section, at the Board President’s discretion. A speaker’s card must be completed to request to address the Board. Requests to speak which cannot be honored within the time limit will be scheduled for subsequent meetings in the order received. Persons addressing items included on the agenda will be heard at the time the item is considered, and comments on tangential issues not directly related to the item may be ruled out of order. Cards must be received prior to the Board’s consideration of the item and are honored in the order the cards are received. A speaker may yield time to another speaker up to a limit of 6 additional minutes, with no more than 5 speakers on the issue, where both have completed a speaker’s card, and the yielder must identify him/herself to the Board. Speakers are asked to submit any materials to the Board Clerk and shall not approach the dais during meetings. (Please line-up when your name is called.) Further direction is provided in Board Policy and Administrative Procedure 2345 Public Participation at Board Meetings. <http://web.peralta.edu/trustees/board-policies/>

REPORTS (7:15 P.M.)

The Board requests that constituent group reports and presentations be brief and concise, and that only electronic copies be provided for posting.

All open session reports and meeting materials have been submitted to the Board electronically, and are available for public viewing on Granicus.

2. Associated Student Government Reports

Representatives of the Associated Student Governments will be afforded an opportunity to address the Board. (Please provide your Name, College, and Position, and line-up to speak.)

3. Chancellor’s Reports

| | |
|---------------------------|-----------------------|
| Chancellor’s Report | Dr. 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 | |

- CCPT Grant

| | |
|------------------|-------------------------|
| General Services | Vice Chancellor Ikharo |
| Human Resources | Vice Chancellor Largent |

College Reports

| | |
|---|-----------------|
| Berkeley City College | President Budd |
| College of Alameda | President Blake |
| • Tenacity Lacrosse Organization donation | |
| Laney College | President Webb |

Merritt College

President Ambriz-Galaviz

4. Board of Trustees' Reports

At this time, the Board of Trustees will report on matters related to attendance at conferences, professional affiliations, and community involvement directly related to their functions as Board members.

5. District Academic Senate Report **Presenter: DAS President Cleavon Smith**

6. **PUBLIC HEARING and ACTION ITEM:** Conduct Public Hearing on Resolution 15/16-09, 2015 – 2016 Final Budget **Presenter: Vice Chancellor Little** (7:45 P.M.)

The Peralta Community College District is required to hold a public hearing on the proposed 2015-16 annual budget prior to its adoption. Included in the meeting materials is the proposed final budget for the District which has been publically announced and made available for inspection at the District Budget and Finance Office as well as being posted on the District's website. After the public hearing, it is recommended that Resolution No. 15/16-09 be adopted, approving the Annual Budget. The Chancellor recommends approval.

PRESENTATIONS (7:50 P.M.)

7. Dashboard and Business Intelligence Tool Presentation (10 minutes) **Presenter: Vice Chancellor Orkin**

Vice Chancellor Orkin will describe Dashboards generated by the Peralta Business Intelligence tool and discuss how they provide a dynamic source of data reports for the Peralta community and will give an example of how Dashboard reports can lead to insights that may suggest strategies for addressing the Achievement Gap.

8. 2015-2016 Final Budget Presentation (20 minutes) **Presenter: Vice Chancellor Little**

CONSENT CALENDAR (8:20 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 Out of State Travel pursuant to Board Policy 7400
Presenter: Chancellor Laguerre

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

| Name | Travel Location | Travel Dates |
|-----------------|-----------------|--|
| Drew Gephart | Tokyo, Japan | September 8, 2015 – September 13, 2015 |
| Rochelle Olive | Houston, TX | October 9, 2015 – October 14, 2015 |
| Petural Shelton | Houston, TX | October 9, 2015 – October 14, 2015 |

10. Consider Adoption of Resolution 15/16-10 celebrating the 25th Anniversary of the Americans with Disabilities Act **Presenter: Board President Brown**

Consider adoption of Resolution 15/16-10 celebrating the 25th Anniversary of the Americans with Disabilities Act.

11. Consider approval of Resolution 15/16-05, Excusing Trustee Absence **Presenter: Board President Brown**

It is recommended that Trustees approve Resolution 15/16-05 excusing Trustee Gulassa from the July 28, 2015 Board meeting due to business. The Chancellor recommends approval.

EDUCATIONAL AND STUDENT SERVICES

12. Consider Contract Approval for Timothy Gibbon for Moodle Helpdesk Support **Presenter: Vice Chancellor Orkin**

Consider contract approval for Timothy Gibbon not to exceed \$55,000 for fiscal year 2015 - 2016. Mr. Gibbon provides helpdesk support to International and other students taking online and hybrid courses using Moodle. He also provides support to faculty teaching these courses. He has been an excellent resource for the Peralta Distance Education coordinators. There is currently no staff available to assume these responsibilities. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Non-resident Student Fees.**

13. Consider approval of Contract between PCCD and Medicat, LLC not to exceed \$28,000 for 2015-16 FY. **Presenter: Vice Chancellor Orkin**

This is a contract between PCCD and Medicat, LLC. Student Health Services Dept. is proposing to implement an electronic medical record (EMR) system to improve quality of documentation for accreditation, quality of CARE/service and go paperless. Three EMR systems were reviewed by student health services team

from several colleges and Mediat was chosen to be the most cost effective, service oriented and comprehensive for our student needs. EMR is considered the standard for Health Services in California Community Colleges. Mediat is compatible with People Soft and the IT department and Purchasing is on board with this purchase. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.
Funding Source: Student Health Fees.

14. Request Board approval for the addendum of the Independent Contract with SHM Communications, Consultant Susan May at College of Alameda and Berkeley City College for a total of \$20,000 (\$10,000 for each College). **Presenter: President Blake**

SHM Communications will provide communication materials and strategies to meet the recruitment and retention needs of the College of Alameda and Berkeley City College and enhance their image and increase college and community awareness of their educational excellence. Services may include creating reports, brochures, ads, posters, postcards, banners, elevator door coverings, and other promotional materials; coordinate and work with photographers, designers, and printers as needed; provide writing services when necessary; plan and direct photo shoots for coverage of college classes and campus life; offer consultation on website and social media efforts; and provide additional services and materials as directed.

15. Consider approval of the College of Alameda Substantive Change Report for Programs/Certificates Completed 50 Percent or More through Distance Education. **Presenter: President Blake**

Request to accept the College of Alameda Substantive Change Report for Programs/Certificates Completed 50 Percent or More through Distance Education. To comply with accreditation policies and standards colleges are required to submit substantive change reports whenever programs are able to be completed 50 percent or more through distance education.

16. Consider approval of contracts for California Career Pathway Trust (CCPT) K-12 Employer Liaison. **Presenter: Vice Chancellor Orkin**

Action requested is approval at this time of: \$275,865 for the Eden Area Regional Occupational Program to support Castro Valley USD, Hayward USD, San Leandro USD, and San Lorenzo USD; \$117,458 for the Urban Strategies Council to support the West Contra Costa Unified School District; and \$324,912 for the Oakland Workforce Investment Board to support Albany USD, Alameda USD, Berkeley USD, Emery USD, Oakland USD, and Piedmont USD.

17. Consider approval of Independent Contractor Agreement for Ezequiel Guzman to perform CCE assessment, develop a work stream model and provide job placement coaching for our Allied Health program within the 2015-16 academic year. Presenter: President Ambriz-Galaviz

Board approval is requested of independent contractor agreement for Ezequiel Guzman in the amount of \$50,000. Additional contracts for Ezequiel Guzman have been approved in the amount of \$20,000 totaling \$70,000 for 2015-16 academic year. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: PASS Dollars.**

18. Consider approval of contract/grant agreement for First Five Alameda County for the term of July 1, 2015 thru June 30, 2016. The First 5 Alameda County Grant promotes access to quality early care and education in family childcare and center based settings through professional development. Presenter: President Ambriz-Galaviz

Consider approval of contract/grant agreement for First Five Alameda County for the term of July 1, 2015 thru June 30, 2016. The First 5 Alameda County Grant promotes access to quality early care and education in family childcare and center based settings through professional development. Board approval is requested with a total project expense of \$183,100. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: First 5 Alameda County.**

19. Independent Contractor Agreement for the Allison Group for external evaluation services for Laney's NSF National Center - Building Efficiency for a Sustainable Tomorrow (BEST Center) Presenter: President Webb

Consider approval of a contract for The Allison Group, in an amount up to \$28,750 funded by the National Science Foundation (NSF) Advanced Technological Education (ATE) grant, to carry out activities in fulfillment of project reporting requirements to the National Science Foundation. On behalf of BEST Center, the Allison Group will provide External Evaluator services and provide consultation on the Center Follow-Up Survey, procure and compile annual data, perform data analysis, and develop an annual report for the NSF National Visiting Committee and the National Science Foundation.

20. Consider appointment of official Peralta Community College District representatives to the Northern Alameda County Adult Education Block Grant Program decision-making body. Presenter: Vice Chancellor Orkin

Appoint the following official representatives on behalf of the Peralta Community College District to the Northern Alameda County Regional Consortium for Adult Education decision-making body for the Consortium for the 2015-16 Academic Year:

- Dr. Jowel Laguerre, Chancellor
- Dr. Debbie Budd, President, Berkeley City College
- Dr. Joi Lin Blake, President, College of Alameda
- Dr. Elnora Webb, President, Laney College
- Dr. Norma Ambriz-Galaviz, President, Merritt College

FINANCIAL SERVICES

21. Review of Purchase Order Report Presenter: Vice Chancellor Little

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 July 11, 2015 through August 21, 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.

22. Consider Approval for Blanket Purchase Order for Official Payments Corporation Presenter: Vice Chancellor Little

Consider approval of an open purchase order for Official Payments Corporation (OPC) in the amount not to exceed \$375,000. The contract is needed to pay for student credit card processing fees until the end of this Fiscal Year, June 30, 2016. The District provides students with a variety of payment options in effort to collect student fees timely (i.e. debit card, electronic check and credit card). OPC currently offers Peralta Community College District electronic check payment and processing transaction services and credit/debit card payment transaction services through an Internet interface over the web, an interactive telephone voice response system, and a point of sale interface. This service includes the validation of student's bank account routing numbers, ACH eligibility, determination of dollar amount specified by students, and the creation of transaction files that are then forwarded to the Automated Clearing House. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Unrestricted General Fund.**

HUMAN RESOURCES**23. 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 |
|------------------|-------------------|---------------------|-----------------|-------------------------------|-------------|
| Anderson | Monique | 9/10/15 | 2/12/16 | Clerical Assistant II | L |
| Barrionuevo | Cristian | 9/9/15 | 12/9/15 | Inst Asst/Foreign Language | B |
| Bell | Rolanda | 9/9/15 | 6/30/16 | Stage & Production Assistant | L |
| Bello | Rachel | 9/9/15 | 6/30/16 | Clerical Assistant II/Typing | M |
| Bone | Bonnie | 9/10/15 | 5/27/16 | Inst Asst I/DSPS | A |
| Bradford | Charles | 9/9/15 | 2/12/16 | Clerical Assistant II | L |
| Brown | Kevin | 9/9/15 | 6/24/16 | Staff Asst/Veteran Affairs | L |
| Bruni | Michael | 9/9/15 | 6/30/16 | Science Lab Tech/Physical Sci | M |
| Cruz | Marissa | 9/9/15 | 5/27/16 | Inst Asst/English | L |
| Dacorro | Mary | 9/9/15 | 5/27/16 | Inst Asst/English | L |
| Davaasuren | Darkhijav | 9/9/15 | 12/31/15 | Clerical Assistant II | L |
| Davis | Alison | 9/9/15 | 6/30/16 | Library Technician I | B |
| De Saussure | Laura | 9/9/15 | 6/30/16 | Inst Asst/English | B |
| Dimuro | Paula | 9/9/15 | 6/30/16 | Interpreter, Fully Certified | All |
| Flink | Electra | 9/9/15 | 6/30/16 | Interpreter, Fully Certified | All |
| Fox | Alexander | 9/9/15 | 6/8/16 | Public Information Officer | L |
| Gatmaitan | Christopher | 9/9/15 | 12/18/15 | Graphics and Media Spec | D |
| Greene | Allison | 9/6/15 | 6/30/16 | Library Technician I | B |
| Hackler | Cathrael | 9/9/15 | 6/30/16 | Interpreter, Fully Certified | All |
| Hort | Chanpisey | 9/9/15 | 6/30/16 | Inst Asst/ESL | B |
| Hutchin | Christian | 9/9/15 | 6/30/16 | Inst Asst/English | B |
| Idrisova | Sarina | 9/9/15 | 2/12/16 | Clerical Assistant II | L |
| Ishii | Adena | 9/9/15 | 6/30/16 | Inst Asst/English | B |
| Jones | Myeisha | 9/9/15 | 5/31/16 | Staff Assistant/Instruction | M |
| Keone | Leilani | 9/25/15 | 6/30/16 | Human Resources Analyst | D |
| Lagmay | Raytina | 9/9/15 | 6/30/16 | Science Lab Tech/Bio Science | M |
| Lind | Vanessa | 9/15/15 | 6/30/16 | Interpreter I | All |
| Littlejohn | Karen | 9/9/15 | 6/30/16 | Duplicating Tech I | A |
| Liu | Eleanor | 9/9/15 | 11/6/15 | Academic Sppt Services Spec | L |
| Livsey | Andrew | 9/9/15 | 12/11/15 | Inst Asst IV/DSPS | L |
| Luckett | Aaron | 9/9/15 | 6/30/16 | Inst Asst/English | B |
| Lunsford | Ashley | 9/9/15 | 6/30/16 | Library Technician I | B |
| Martin | Jeanette | 9/9/15 | 6/30/16 | Clerical Assistant II | A |
| Mintz | Candy | 9/9/15 | 12/18/15 | Project Manager | M |
| Miraflor | Mark | 9/16/15 | 6/30/16 | Inst Asst/Wood Technology | L |
| Moser | Anneke | 9/9/15 | 6/30/16 | Lifeguard | L |

| | | | | | |
|-----------------|----------|---------|----------|---------------------------------|-----|
| Ng | Sukyee | 9/9/15 | 2/12/16 | Clerical Assistant II | L |
| Ocampo | Juan | 9/9/15 | 6/30/16 | Inst Asst/English | B |
| Penner | Bradley | 9/9/15 | 6/30/16 | Inst Asst/English | B |
| Ramirez | Jorge | 9/9/15 | 12/18/15 | Student Employment Specialist M | |
| Rangel | Jennifer | 9/10/15 | 6/30/16 | Clerical Assistant II | L |
| Riley | Jesse | 9/9/15 | 6/30/16 | Inst Asst/Accompanist | L |
| Riner | Bonnie | 9/9/15 | 6/30/16 | Inst Asst/LRC | L |
| Rippberger | Bonnie | 10/1/15 | 12/18/15 | Inst Asst/Child Development | M |
| Roque Chaves | Marisol | 9/9/15 | 6/30/16 | Staff Asst/Admin | M |
| Rovin | Sasha | 9/9/15 | 6/30/16 | Inst Asst/ Social Sciences | B |
| Ruan | Yipeng | 9/9/15 | 2/12/16 | Clerical Assistant II | L |
| Shephard | Rebecca | 9/9/15 | 6/30/16 | Interpreter I | All |
| Singer | Judith | 9/15/15 | 12/15/15 | Senior Library Technician | M |
| Souza | Marc | 9/10/15 | 6/30/16 | Inst Asst/Machine Tech | L |
| Spitzer | Andrew | 9/9/15 | 6/30/16 | Inst Asst/English | B |
| Su | Huizhen | 9/9/15 | 6/30/16 | Clerical Assistant | L |
| Szabo | David | 9/9/15 | 6/30/16 | Lifeguard | L |
| Taplin | Terry | 9/9/15 | 6/30/16 | Inst Asst/English | B |
| Tran | Ben | 9/9/15 | 12/11/15 | Inst Asst IV/DSPS | L |
| Van Valkenburgh | Ke Zhong | 9/14/15 | 6/30/16 | Staff Asst/Admin (General) | L |
| Watkins | Janis | 9/9/15 | 5/27/16 | Inst Asst/Psychology | M |
| Werner | Peter | 9/9/15 | 6/30/16 | Science Lab Tech/Bio Science | M |
| Williams | Sharonda | 9/9/15 | 5/27/16 | Inst Asst/Psychology | M |
| Yee | John | 9/9/15 | 6/30/16 | Inst Asst/LRC | L |

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

24. Sunshining of the following Article for negotiations for the District to the Peralta Federation of Teachers (PFT). Pursuant to Government Code 3547 (a), the District hereby gives public notice of its contract negotiations to PFT for the purpose of public notice (sunshining).

- Article 30H: Part-time Faculty Rehire Preference Pool

Pursuant to Government code Section 3547, public comments on such proposal shall be received at the next regular Governing Board meeting of September 22, 2015.

25. Sunshining of the following Articles for negotiations for the District to the Service Employees International Union (SEIU) Local 1021. Pursuant to Government Code 3547 (a), the District hereby gives public notice of its contract negotiations to SEIU Local 1021 for the purpose of public notice (sunshining).

- Article 10.8: Desk Audits/Classification Studies
- Article 5: Employee Evaluation Procedures

Pursuant to Government code Section 3547, public comments on such proposal shall be received at the next regular Governing Board meeting of September 22, 2015.

26. Sunshining of the following Articles for negotiations for the District to the International Union of Operating Engineers (IUOE) Local 39. Pursuant to Government Code 3547 (a), the District hereby gives public notice of its contract negotiations to IUOE Local 39 for the purpose of public notice (sunshining).

- Article 15: Position Audits/Classification Studies
- Article 19: Employee Evaluations

Pursuant to Government code Section 3547, public comments on such proposal shall be received at the next regular Governing Board meeting of September 22, 2015.

FACILITIES

27. Consider *Ratification* to accept a Chancellor Approved Construction Contract with Bay Construction Company for the Merritt College Barbara Lee Center for Science and Allied Health Landscape Improvement (Bid No. 14-15/43) (Resolution 15/16-08). **Presenter: Vice Chancellor Ikharo.**

Ratification is requested to accept a Chancellor approved contract with Bay Construction Company for the Merritt College Barbara Lee Center for Science and Allied Health Landscape Improvement (Bid No. 14-15/43), in the amount not-to-exceed \$604,000.00. During the board recess, as permitted under the Chancellor Authorization to Approve (Resolution 99/00-5), the Chancellor signed and do business on behalf of the Board. On August 27, 2015, the Chancellor signed and approved the contractor’s construction contract so the contractor can commence the landscape work as soon as possible.

The Landscape Improvement project consists of, all planting, irrigation, site furnishing, accessories and concrete work, as described in the Construction Documents prepared by Gates & Associates.

In compliance with the Public Contract Codes, Section 20651, a formal request for bid was conducted for this project, and a bid opening was held on August 7, 2015. A total of three (3) bids were received, as follows:

| CONTRACTOR | LOCATION | TOTAL BID |
|---------------------------------|--------------------|------------------|
| Bay Construction Company | Oakland, CA | \$604,000 |
| Marina Landscape, Inc. | Livermore, CA | \$630,800 |
| Bortolussi & Watkin, Inc. | San Rafael, CA | \$710,036 |

The lowest responsible and responsive bid was submitted by Bay Construction Company, in the amount of \$604,000. 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.

Mark Lee and Yong Kay are principals of Bay Construction Company. They are registered with the California Department of Consumer Affairs – Contractors State License Board (no. 593411) and in the Department of Industrial Relation's Labor Compliance Program (no. 1000000066). All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A.**

28. Consider Approval of Amendment No. 1 to the Original Agreement for a Contract Extension with KITCHELL Facilities Management Inc. (KITCHELL) for Retro-Commissioning of the Merritt College Barbara Lee Center for Science and Allied Health. **Presenter: Vice Chancellor Ikharo.**

Approval is requested for Amendment No. 1 contract extension with KITCHELL for retro-commissioning of the Merritt College Barbara Lee Center for Science and Allied Health, in the amount not-to-exceed \$297,000. KITCHELL Facilities Management, Inc. is a division of KITCHELL CEM, who has been the District's Construction Manager on the Barbara Lee Center project for the last several years. As a result, they have the most complete and comprehensive knowledge of the installed building components and operating systems. The administration recommends the extension of KITCHELL's existing construction management contract services to provide Transitional Professional Services for Building Maintenance, Operations, and Caretaking, which will benefit the District.

The term of this extension will be for a period of twelve (12) months, KITCHELL will provide maintenance functionality, warranty preventive maintenance, facility planning and training, and work with the District's stationary engineers for the initial one year warranty period only. These services will ensure a more complete and seamless transfer of the building maintenance and operations to the District.

KITCHELL scope of services will include but is not limited to achieving and maintaining the Leadership in Energy & Environmental Design (LEED) Gold Certification as required by the U.S. Green Building Council (USGBC). They will ensure that the building's construction, system design and installation achieve energy efficiency and preserve outdoor and indoor environmental quality to meet the Building Energy Efficiency Standards for new construction contained in the California Code Regulations (CCR), Title 24, Part 6 (California Energy Code). Additionally, as negotiated and agreed upon between the District, Local 39 union representatives, and KITCHELL on August 20, 2015, KITCHELL will work with designated stationary engineers and train them on how to oversee and manage the operations of the Barbara Lee Center.

Originally, a formal competitive Request for Proposal (RFP No. 14-15/40) was conducted by the Purchase Department to procure this service. Two firms submitted a proposal; the lowest competitive and responsive bid came in at \$397,130.75. The administration deemed this lowest bid to high. As a result, the administration rejected all bids, as permitted under the Public Contract Code section 20651. The administration on behalf of the Board of Trustees may withdraw or reject all bids for public projects with an expenditure over \$15,000. Thereafter, since KITCHELL had a strong and comprehensive knowledge of the building's components and operating systems, the administration requested for KITCHELL to provide a proposal to complete the same scope of service. KITCHELL provided a proposal quote of \$297,000. It is in the best interests of the project and financial prudent to the District for KITCHELL to provide and complete the project scope of services.

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

29. Consider Approval of Amendment No. 1 to the Original Agreement with OJO Technologies Inc. for the Districtwide Security and Safety Cameras Maintenance Training Project (Bid No. 14-15/05). **Presenter: Vice Chancellor Ikharo.**

Approval is requested of Amendment No. 1 to the original agreement with OJO Technologies Inc. for the Districtwide Security and Safety Maintenance and Training of in-house staff, in the amount not-to-exceed of \$407,407. On June 9, 2015, the Governing Board of Trustees approved \$215,704 for the cost of services for the first year of this three-year (2015/2016) contract. The requested amount of \$407,407 is the remainder of the total contract amount of \$623,111. This amount will pay for the project cost for the three (3) year term agreement from September 1, 2015 to August 31, 2018. The \$215,704 will pay for the initial required parts and maintenance services to start the project. The remainder amount of \$407,407 will pay for yearly management, cleaning services, preventative maintenance, software upgrades, and provision of parts and labor for broken cameras for the three-year term. The justification for this increase is due to number of equipment failure that will need to be replaced during the first years of service.

Since the first Board approved date, the Consultant has not commenced their services. Therefore, the Chancellor authorized the new contract term to change to September 1, 2015 to August 31, 2018.

All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: District General Fund – Block Grant.**

30. Consider Approval of Amendment No. 1 for the Construction and Contract Time Extension for NRG eVgo to complete the Installation of Slow (Dedicated) Electric Vehicle Charging Stations Project at Laney College, District Administrative Complex, Merritt College, and the College of Alameda. **Presenter: Vice Chancellor Ikharo.**

Approval is requested of Amendment No. 1 for the construction and contract time extension to June 30, 2016 for NRG eVgo to complete the Installation of Slow (Dedicated) Electric Vehicle Charging Stations Project at Laney College, District Administrative Complex, Merritt College, and the College of Alameda. NRG eVgo has completed the installation of EV charging stations at Laney College and the District Administrative Complex. However, they need additional time to complete the project at Merritt College and College of Alameda (COA). The original project final completion date was August 4, 2014, which needs to be extended to December 2016. The COA EV charging station will be installed as a distinct project, aside from the installations at Laney and Merritt Colleges and the District Office. The reason for the separation is that COA is outside of PG&E's territory, and is, thus, ineligible for the grant funding that paid for the other installations. The COA installation will be funded by the District.

The vendor is not required to be registered with the Department of Industrial Relation's Labor Compliance Program (SBA 854) since their contract was executed on May 9, 2014, which is before the April 1, 2015 effective registration date. The Chancellor recommends approval. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: District Solar Energy Credit from California Solar Initiative.**

31. Consider Ratification of a Chancellor Approved Emergency Service Agreement with Tyco/Simplex Grinnell to Reprogram Master Fire Alarm Panels at Four (4) Campuses. **Presenter: Vice Chancellor Ikharo.**

Ratification of a Chancellor approved emergency agreement with Tyco/Simplex Grinnell for reprogramming services of existing master fire alarm panels for monitoring purposes at College of Alameda, Alameda Aviation Facility, Laney College, and Merritt College, in the amount not-to-exceed \$38,510. It was discovered that there was a disconnection of fire alarm activities between Police Services and Peralta's four (4) campuses to allow for off-site monitoring. The administration requested for the Chancellor to approve this emergency contract to take corrective actions to resolve this emergency matter regarding public safety. As permitted under the Chancellor Authorization to Approve (Resolution 99/00-5), the Chancellor signed this emergency service agreement during the Board recess, which allowed the contractor to start work and fix the disconnection immediately. The Chancellor previously approved this agreement on August 25, 2015, for fire/life/safety reasons.

Pursuant to the Public Contract Code, Section 22050, under Emergency Contracting Procedures, the District with four-fifths votes from the Governing Board

of Trustees, may establish a contract with one selected contractor without conducting a formal or informal bid for emergency projects. Under this emergency contract, Tyco/Simplex Grinnell will reprogram the fire alarm panels at each campus to report directly to Simplex Grinnell. Then they will report to Police Services until the connection failure can be investigated and rectified. Importantly, this monitoring will allow the Merritt College Barbara Lee Center to remain occupied and open for the Fall Semester and will satisfy the Division of the State Architect's (DSA) requirements for occupancy.

All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Fund (02).**

32. Consider *Ratification* to accept the Chancellor Approved Change Order No. 1 for the Veterans Center and Athletics Offices Modernization Project at College of Alameda (Bid No. 13-14/24), WE Lyons Construction. **Presenter: Vice Chancellor Ikharo.**

Ratification is requested to accept the Chancellor approved Change Order No. 1 with WE Lyons, in the amount of \$22,020 and 60 days extension. On July 15, 2015, the Chancellor approved Change Order #1. Now, this approved change order is brought before the Governing Board of Trustees for *ratification*. Change Order #1 in the amount of \$22,020 is 7.7% of the original contract amount of \$286,663.00. Change Order #1 includes PCOs #1-24 (see attached summary). These changes are in response to unforeseen conditions and to opportunities to improve the overall value that were identified by the college during the construction phase of the Veterans Center and Athletic Offices Modernization project at College of Alameda.

The time extension is due to the change order work and to the accumulated impact of the change order work on the base scope of work. It is in the best interests of the District and financially prudent to approve this Change Order No. 1. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A.**

33. Consider Approval of Resolution 15/16-06 for the Acceptance of Completed Work and Deductive Change Order No. 1, and Release of the 5% Retention for the Americans with Disabilities Act (ADA) Tower Entry Doors Replacement Project at Laney College (Bid No. 14-15/24), T. Amaral's Done Right Construction. **Presenter: Vice Chancellor Ikharo.**

Approval is requested for the acceptance of completed work and deductive change order no. 1 (\$10,000), and the release of the 5% retention for the ADA Tower Entry Doors Replacement Project at Laney College (Bid No. 14-15/24). The Governing Board of Trustees approved a contract award (Bid No. 14-15/24) to T. Amaral's Done Right Construction at the February 17, 2015 meeting, in the amount of \$75,696. A notice to proceed (NTP) was issued with a start date of May 23, 2015.

The administration requests an approval of the deductive change order no. 1 of \$10,000, which is (-13.2%) of the contract amount. The total contract amount is now \$65,696 due to this deductive change order. This deductive change order will reduce the remaining amount from the contract. Additionally, there was a decrease in the construction contract time of seventeen (17) calendar days.

Acceptance of the project completion is requested. Since the project is complete, the administration requests to release the five percent (5%) retention payment of \$3,285 to the contractor. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A.**

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.

34. Adoption of Resolution No. 15/16-09, 2015-16 Final Budget **Presenter: Vice Chancellor Little**

The Peralta Community College District is required to hold a public hearing on the proposed 2015-16 annual budget prior to its adoption. Included in the meeting materials is the proposed final budget for the District which has been publically announced and made available for inspection at the District Budget and Finance Office as well as being posted on the District's website. After the public hearing, it is recommended that Resolution No. 15/16-09 be adopted, approving the Annual Budget.

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.