



## PERALTA COMMUNITY COLLEGE DISTRICT

### REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, November 10, 2015

5:00 p.m. Closed Session

7:00 p.m. Public Session

333 East 8<sup>th</sup> Street

Oakland, CA 94606

**Welcome** to a meeting of the Peralta Community College District Board of Trustees. Meetings of the Peralta Community College District Governing Board are Broadcast Live on Peralta TV – Cable Channel 27 – Alameda and Berkeley, Cable Channel 28 – Oakland, Emeryville, and Piedmont. Listed agenda times are estimates. Live stream video of the meetings, agendas, minutes, and all open session reports and meeting materials are available for viewing on Granicus:

**Link on the Peralta Board Website:** <http://web.peralta.edu/trustees/meetings-votelog/>

**PLEASE TURN OFF YOUR CELL PHONES DURING THE MEETING - THANK YOU!**

### AGENDA

**PUBLIC COMMENT ON CLOSED SESSION MATTERS (5:00 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)

- Recommendation to approve the appointment of Interim Vice President of Institutional Effectiveness, Laney College.
- Recommendation to approve the appointment of Director of Gateway to College Program, Laney College.
- Recommendation to approve the appointment of Director of Student Activities and Campus Life, Laney College.
- Recommendation to approve the appointment of Budget Director, District Office.
- Recommendation to approve the extension of Interim Budget Director, District Office.

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.)

- Chancellor

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 Hyche 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 October 20, 2015.

Consider approval of the regular Board meeting Minutes of October 20, 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/>

2. Consider Resolution 15/16-20 honoring David Harper, the first African American jury foreman in a major murder trial in the United States. Presenter: Board President Meredith Brown

Consider Resolution 15/16-20 honoring David Harper, the first African American jury foreman in a major murder trial in the United States, on the same day as the Mayor of the City of Oakland proclaims November 10<sup>th</sup> as "David Harper Day". The Chancellor recommends approval.

## **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.**

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	Vice Chancellor Little
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
▪ Update on Accreditation	
College of Alameda	President Blake
▪ Update on Accreditation	
Laney College	President Webb
▪ Update on Accreditation	
Merritt College	President Ambriz-Galaviz
▪ Update on Accreditation	

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 (8:00 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 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
Peter Ha	Las Vegas, NV	November 3, 2015 – November 7, 2015

8. 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 3225 Institutional Effectiveness** - This is a *new policy* that is legally advised for those districts that receive funds under the Seymour-Campbell Student Success Act of 2012. This new policy also includes Accreditation Standard I.B.5-9 (per ACCJC’s June 2014 revisions) in the references.
- **BP 3430 Prohibition of Harassment** – This policy was updated to specify that unpaid interns and volunteers are also protected from unlawful harassment pursuant to an amendment to Government Code Section 12940.
- **BP 5700 Intercollegiate Athletics** - This policy was updated to revise the title of the policy from “Athletics” to “Intercollegiate Athletics,” clarify ambiguity regarding offering opportunities to participate in athletics equally to male and female students, and updated to reflect revised Accreditation Standard II.C.4 (per ACCJC’s June 2014 revisions) and 20 U.S. Code Sections 1681 et seq. in the references.
- **BP 7130 Compensation** – This policy was updated to clarify ambiguity regarding the term contract employee as used in this policy and to add a reference to Education Code Section 72411.
- **BP 7160 Professional Development** – This *new policy* was created for districts interested in adopting a board policy to address the professional development needs for its employees and is *suggested as good practice/optional*. This new policy also includes Accreditation Standard III.A.14 (per ACCJC’s June 2014 revisions) in the references.
- **BP 7340 Leaves** - This policy was updated to add the new Education Code Sections 87784.5 and 88207.5 providing for leave to bond with a new child, the Healthy Workplaces, Healthy Families Act of 2014 (based on AB 1522), and to revise existing policy to add citations to Education Code Sections 87781 and 88192 governing illness or injury leave.

9. Consider Approval of Agreement for Districtwide Information Technology Evaluation services with Ferrilli not to exceed the amount of \$80,000 **Presenter: Chancellor Laguerre**

Consider Approval of Agreement for Districtwide Information Technology Evaluation services with Ferrilli not to exceed the amount of \$80,000. District administration seeks to enter into a professional services agreement with Ferrilli for the purposes of conducting a detailed information technology evaluation of the District's, including the colleges, information technology systems, tools governance and spend. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Funds.**

## DEPUTY CHANCELLOR

10. Consider Approval of Independent Contractor Agreement for Dr. Annette Dambrosio to render services in accreditation support. **Presenter: Interim Deputy Chancellor Gravenberg**

Consider Approval of an independent contractor agreement for Dr. Annette Dambrosio not to exceed \$40,800. Dr. Dambrosio will assist in the coordination and preparation of the district accreditation report. Specifically Dr. Dambrosio will take the lead in ensuring recommendations are being addressed, coordinating the district response and its concomitant alignment with the colleges, and writing final document. The Final Draft is due in April 2016. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Funds.**

## EDUCATIONAL AND STUDENT SERVICES

11. Acceptance of a second grant from the Career Pathways Trust (CPT2). **Presenter: Vice Chancellor Orkin**

The Peralta Colleges participated in a second Career Pathways Trust Consortium application led by the Alameda County Office of Education focused on Resilient Youth: Ready to Learn. Ready for Work. Ready for Life. The acronym for this grant and its Consortium is R4. The Consortium includes the Peralta Colleges, five other community colleges, 17 K-12 local education agencies, both East Bay County Offices of Education (Alameda and Contra Costa), all four of the East Bay Workforce Investment Boards, as well as many community based organizations. The objective of the awarded proposal is to provide accelerated transitions to postsecondary education and career to vulnerable youth in Alameda and Contra Costa counties. The proposal targets 2700+ youth in 18 East Bay Continuation, Community and Court schools. Initially, the Peralta Colleges will receive \$300,000 in funds to provide student supports to help these students transition into the Peralta Colleges. This effort will be administered in close

alignment with the first Career Pathways Trust awarded to the East Bay Career Pathways Consortium. The Chancellor recommends approval.

12. Consider Approval of Amendment for Services with Flying A Media for the District Department of Public Information, Communication & Media. **Presenter: Executive Director Heyman.**

Consider Approval of an Amendment to the Contract with Flying A Media, for the Fall 2015 Enrollment Campaign for Berkeley City College, College of Alameda, Laney College and Merritt College. To address an enrollment deficit, the Chancellor approved additional TV ads on KTVU to supplement the previously approved enrollment advertising. The additional funding to pay for the TV spots is \$23,749.22. An Addendum to the existing contract (ICC#21713) and a Change Order for P.O. #3000089678 are needed to accommodate the additional charges. The Chancellor recommends approval. **Funding Source: General Funds.**

13. Consider Approval of Course and Program Additions, Deactivations and Changes **Presenter: Vice Chancellor Orkin**

Included for approval are proposed curriculum actions as recommended by the Council for Instruction, Planning and Development (CIPD). The spreadsheet entitled "CIPD October 2015" contains course and program additions, changes and deactivations as approved by the colleges' curriculum committees and CIPD. The Chancellor recommends approval.

14. Consider increasing the ICC # 16943 Jennifer Owen-Blackmon from \$23,000 for an additional \$35,000, totaling \$58,000 for FY 15-16. **Presenter: President Blake**

College of Alameda is requesting approval to increase the ICC # 16943 for Jennifer Owen-Blackmon from \$23,000 for an additional \$35,000, totaling \$58,000 for FY 15-16. The increase of this contract will enable the College of Alameda to continue to move forward with foundational communications work. These projects are expected to include continuing communications support for the President's Roundtable and Alameda Promise; completion of "COA in the Community" brochure and related collateral; continuation of "COA Splash" newsletters; communications/ content consulting on COA website redesign; project management support for COA mural project; next steps stemming from the Brand Discovery project final report; and other communication support as needed. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Funds.**

15. Consider approval for an independent contractor agreement for Kathi Roisen for the 2015 Fall Semester. **Presenter: President Webb**

Consider approval for an independent contractor agreement for Kathi Roisen for the 2015 Fall Semester (8/24/2015 – 12/31/2015) to provide instruction and proctoring of the “Get Focused...Stay Focused” college and career readiness program for Gateway to College Foundation term students.

The contract amount will be for an amount not to exceed \$11,440. This amount will be paid for via the Gateway to College Budget.

Currently, Ms. Roisen is an ICC for the Machine Technology and Industrial Maintenance Department at Laney College for the 2015-2016 Fiscal Year (7/1/2015-6/30/2016). This contract is for an amount not to exceed \$50,580. This ICC will be paid for by the Machine Technology and Industrial Maintenance Department’s budget. Kathi Roisen’s combined ICC amounts should not exceed \$62,020. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Gateway to College Fund.**

16. Consider Board Approval for the addendum of the Independent Contractor/Consultant (ICC) with SHM Communications: Consultant Susan May at Merritt College for an additional amount of \$45,000. **Presenter: President Ambriz-Galaviz**

SHM Communications will provide community outreach services to Merritt College by promoting its programs and services both online and in print to enhance its image, increase college and community awareness, and help to meet retention and recruitment needs. This will include promoting the college’s initiatives towards the sciences, STEM and the CTE Programs in the new Barbara Lee Center for Science and Allied Health. The original ICC#10373 has a completion date of December 31, 2015. Merritt College would like to extend the ICC’s anticipated completion date to June 30, 2016. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Fund.**

17. Consider Adoption and Approval of Lease Termination Agreement with City of Berkeley for Property located at 2118 Milvia Street in Berkeley, California. **Presenter: President Budd**

Adoption and approval is requested of the attached Lease Termination Agreement with the City of Berkeley concerning District owned property located at 2118 Milvia Street in Berkeley, California, in substantially the same form as the attached subject to minor revisions resulting from final negotiations.

On May 7, 2015, the District closed escrow and completed the purchase of property located at 2118 Milvia Street in the City of Berkeley ("Property"). As part of the District's purchase of the Property, the District assumed the existing lease

held by the City of Berkeley ("City") for use of the building by the City's Planning Department ("Lease"). The Lease term runs until August 31, 2018 with the City having a right to a five year option that would extend the Lease term until August 31, 2023.

Due to the District's plans to have the building ready for educational use in or around early 2017, the District will require possession of the property in the summer of 2016 to commence the necessary improvements of the Property. Accordingly, District and City staff are negotiating a Lease Termination Agreement that would allow the Lease to be terminated early. The Chancellor recommends approval.

## FINANCIAL SERVICES

18. Consider Approval of the Fiscal Year 2016-17 Integrated Planning and Budget Development Calendar **Presenter: Vice Chancellor Little**

Consider Approval of the Fiscal Year 2016-17 Integrated Planning and Budget Development Calendar. The proposed budget development calendar has been created in accordance with Board Policy 6200 and Administrative Procedure 6200, has been endorsed by the Planning and Budgeting Council, and is now being presented to the Board of Trustees for review and approval. The Chancellor recommends approval.

19. 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 August 22, 2015 through October 23, 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.

20. Consider *Ratification* of the AP, Travel, and Consulting Contract Warrant Register **Presenter: Vice Chancellor Little**

Consider *ratification* of the AP, Travel, and Consulting Contract Warrant Register from September 19, 2015 through October 23, 2015. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for *ratification* purposes only. The Chancellor recommends *ratification*.

21. Consider Approval of Budget Transfer Report **Presenter: Vice Chancellor Little**

Consider approval of budget transfer report covering the period from September 19, 2015 through October 23, 2015. California Code of Regulations Section 58307 limits the District's expenditures to the amount appropriated for each major expenditure classification as approved by the Board of Trustees through the adoption of the District's annual budget or as amended by subsequent budget transfers or revisions. Due to this statutory control language, budget transfers that move budget authority between major object codes or classifications must be approved by the Board of Trustees. The budget transfers presented are requests originating from the Colleges' or District's departments during the ordinary course of operations and do not significantly alter the final budget that was approved by the Board of Trustees on September 8, 2015. The Chancellor recommends approval.

22. Consider Approval Vavrinek Trine Day & Co., LLP (VTD) Contract Amendment  
**Vice Chancellor Little**

Consider approval to amend the blanket purchase order for Vavrinek Trine Day & Co., LLP (VTD) by \$10,785. The previous contract amount was \$139,750 for the June 30, 2015 audit. The new contract amount shall not exceed \$150,535. An additional visit to the District office is needed in order to complete the audit in December. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Fund Unrestricted.**

23. Consider Approval to Ratify and Purchase Additional VoIP Telecommunications Equipment and Services for the District-Wide VoIP Project **Presenter: Associate Vice Chancellor Madlock**

Consider approval of change orders to ratify supplementary VoIP telecom services, purchase additional equipment, and provide adequate contingency resources to complete District-Wide VoIP Project for Merritt, Laney, and College of Alameda in the not-to-exceed amount of \$155,788.63.

The change orders consists of a ratification to adhere to out-of-scope changes associated with the Barbara Lee Science and Allied Health Building, a projected contingency amount to complete Laney and College of Alameda, along with additional telephones and equipment requirements for College of Alameda.

The District currently utilizes a costly managed service contract with Advantel to perform "adds, moves, and changes" of phones and voice mailboxes. In order to further reduce costs, these functions need to be performed by in-house staff. The solution calls for an additional 289 phones comprising of administrators, staff/faculty, and classroom phones. The project aims to install a phone in every classroom. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure E.**

24. Consider Approval to purchase district-wide wireless local area networking equipment and services for Merritt College, College of Alameda, and District Offices **Presenter: Associate Vice Chancellor Madlock**

Approval is requested to procure and purchase equipment and services for Merritt College, College of Alameda, and District Offices from NE-Systems using piggyback compliance contract California Multiple Awards Schedules (CMAS) in the not-to-exceed amount of \$806,083.64.

This project is a Priority A initiative under the “Mobile Learning” section of the Strategic IT Plan. This initiative will allow for technology upgrades allowing replacement of outdated network infrastructure in order to increase high-grade wireless efficiency while accessing computer systems resources - drastically increasing access and a positive user experience for students, staff, administrators, and faculty.

District IT in collaboration with Merritt College and College of Alameda, has designed a solution to meet the network and wireless demands to upgrade our wireless service footprint for all campuses allowing students to share the same access experience regardless of the campus they attend. This allows 100% wireless coverage within the buildings as well as support a highly dense wireless user base in quad areas utilizing Aruba Networks. The network infrastructure will also support Voice over IP telecommunication services. In addition, the solution presented will accommodate the network and wireless needs for all building and quad areas with room for growth. Bandwidth capacity can be upgraded as bandwidth needs of the colleges increase.

All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Fund 61 (District to pay 50% of College of Alameda and Merritt College)**

## HUMAN RESOURCES

25. 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
Anum	Chigozie	11/12/15	6/30/16	Student Personnel Svcs Spec	B
Cerda	Alejandra	11/11/15	3/10/16	Staff Asst/Admin (Grants)	M
Chambers	Michael	11/11/15	4/29/16	Financial Aid Specialist	L
Chan	Cindy	11/11/15	6/15/16	Inst Asst/EMT	M
Davidson	Derrick	11/11/15	5/31/16	Inst Asst/Computer Info Sys	M
Elias	Juan	11/11/15	6/15/16	Inst Asst/EMT	M
Galila	Wilfred	11/12/15	6/30/16	Graphic Artist	D
Gezmu	Abera	11/12/15	6/30/16	Inst Asst/Computer Info Sys	L
Herbert	Chevonn	11/12/15	3/1/16	Senior Clerical Assistant	A
Johnson-Malone	Chandra	11/12/15	3/1/16	Staff Asst/Student Services	L
Khurram	Shanzeh	11/11/15	12/18/15	Inst Asst/English	B
McWhorter	Quentin	11/11/15	6/15/16	Inst Asst/EMT	M
Mosley	Jillian	11/11/15	4/29/16	Senior Clerical Assistant	L
Nagamoto	Michael	11/11/15	6/30/16	Inst Asst/Welding	L
Ponce	Denisse	11/11/15	6/30/16	Staff Asst/Admin (Instruction)	M
Rodriguez	Hector	11/11/15	6/15/16	Inst Asst/EMT	M
Selph	Jacob	11/11/15	12/23/15	Inst Asst/Diesel Mechanics	A
Tobor	Tina	11/12/15	6/2/16	Admissions & Records Clerk	L
Zhang	Anderson	11/11/15	6/15/16	Inst Asst/EMT	M

*"The District has complied with the applicable provisions of the Education Code"*

26. Request Board Authorization to increase Independent Contractor's Agreement for Professional Services for Liebert Cassidy Whitmore. **Presenter: Vice Chancellor Largent**

District administration requests Board authorization to increase an existing professional services agreement with Liebert Cassidy Whitmore in the amount of \$25,000 to provide legal services to the District. The District requests an increase by an additional \$50,000 for a contract not to exceed \$75,000 limit for fiscal year ending June 30, 2016. All Board-approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

**FACILITIES**

27. Consider approval of a Measure A Budget Appropriation and Transfer for the Laney BEST Center (No. 83). **Presenter: Vice Chancellor Ikharo.**

Approval is requested to appropriate and transfer Measure A Bond Budget no. 83. This transfer is from the Library Learning Center project number (#2383) to the Laney BEST Center project number (#2437). Staff has obtained signatures and consent 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 November 10, 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. 83** (\$1,500,000) was approved by the Vice Chancellor of Finance and Administration. A current budget of \$5,050,331 was set aside to pay for the soft cost and the construction cost of the building. After the project went out to bid, the construction cost came in higher than what was projected. Therefore, additional funds of \$1,500,000 are needed to pay for the construction of the building. The total project budget is \$6,550,331. The construction of the Laney BEST Center comprises of two (2) Test Houses, each about 1250 gross square feet and a 2500 gross square feet Training Center. The buildings will be constructed to meet “Passivhaus”, Leadership in Energy & Environmental Design (LEED) Platinum, and Zero Net Energy requirements.

**Measure A Budget Transfer No. 83**

#	Project Name	Current Budget	Revised Budget	Transfer Amount
<b>Transfer To:</b>				
2437	Laney BEST Center	\$5,050,331	\$6,550,331	\$1,500,000
	<b>Total Transfer</b>			
<b>Transfer From:</b>				
2383	Library Learning Center	\$33,478,352	\$31,978,352	\$1,500,000
	<b>Total Transfer</b>			<b>\$1,500,000</b>

Description: Funds will be transferred from the Library Learning Center Project to the Laney BEST Center Project.

The Chancellor recommends approval. **Funding Source: Measure A.**

28. Consider Approval of Resolution 15/16-18, Acceptance of Completed Work and Release of Retention for the Laney College Planter Landscape Project (Bid No. 14-15/10). **Presenter: Vice Chancellor Ikharo.**

Approval is requested for the acceptance of completed work and release of the remaining 5% retention to Solorzano Landscape Construction for the Laney College Planter Landscape Project (Bid No. 14-15/10), in the amount not-to-exceed \$6,750.00. During the design phase, the District administrators collaborated with stakeholders at Laney College to identify plant materials to be used on the project.

The Governing Board of Trustees approved the contract award (Bid No. 14-15/10) to Solorzano Landscape Construction for the Laney College Planter Landscape Project at the March 24, 2015, meeting in the amount of \$135,000. There were no change orders or time extensions required on this project. Before the project-closeout, the contractor will replace some dead plants at no cost to the District this week. This resolution accepts the project as complete and the administration requests final acceptance of the project and release of the remaining 5% retention. The Chancellor recommends approval. **Funding Source: Measure A.**

29. Consider approval of Resolution 15-16/17, to Accept Bid and Award Contract for Painting Services with Color Chart Inc. for the College of Alameda Painting Project (Bid No. 15-16/02). **Presenter: Vice Chancellor Ikharo.**

Approval is requested to award a contract to Color Chart Inc. Painting, in the amount not-to-exceed \$33,750 for the College of Alameda Painting Project (Bid No. 15-16/02). College of Alameda stakeholders would like to improve the appearance of the campus by doing some interior and exterior painting. This price includes labor, materials, and equipment.

The District conducted a formal competitive bid in compliance with the District Administrative Procedures. The following firms provided their price quotes as follows:

<b>CONTRACTOR</b>	<b>LOCATION</b>	<b>TOTAL BID</b>
<b>Color Chart Inc.</b>	<b>San Bruno</b>	<b>\$33,375</b>
Andy's Painting	Berkeley	\$40,850
C & J Painting	Napa	\$52,500

The lowest responsible and responsive bid was submitted by Color Chart Inc., in the amount of \$33,375. Constantinos Tripsas is the president and owner of Color Chart Inc. The company has an active license with the California Contractors State License Board (License No. 646188). All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Scheduled Maintenance Fund.**

30. Consider Approval to Enter into an Agreement with KDI Consultants, Inc. for Division of the State Architect (DSA) Certified Inspection Services for the Laney College BEST Center Project (RFP 14-15/44). **Presenter: Vice Chancellor Ikharo.**

Approval is requested to enter into an agreement with KDI Consultants, Inc. for Division of the State Architect (DSA) Certified Inspection Services for the Laney College BEST Center Project (RFP 14-15/44), in an amount not-to-exceed \$148,400.

The technical screening committee evaluated the proposals utilizing the following criteria: 1) Vendor’s knowledge, experience, and capacity to provide these services, 2) Client References, 3) Price Proposal, 4) Environmentally Sustainable Procurement, and 5) Small Local Business Enterprise (SLBE) / Small Local Emerging Business Enterprise (SELBE). In compliance to District Administrative Procedures, the administration recommends an award to KDI based on “best value.”

<b>Firms</b>	<b>Location</b>	<b>Total Points</b>
<b>KDI Inc.</b>	<b>Oakland, CA</b>	<b>256</b>
Structure Consultants Group	Oakland, CA	239
United Inspections	San Leandro	206
TYR Inc.	Lakewood, CA	185
Apex Testing Labs	San Francisco	209
Antonio, Inc.	Oakland, CA	239

Ken DeCarlo is the owner of the company; the business is located in Oakland, California. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A.**

31. Consider Approval of a Service Contract with Jackson & Son Plumbing for Districtwide Plumbing Repair Services. **Presenter: Vice Chancellor Ikharo.**

Approval is requested for a service contract with Jackson & Son Plumbing for Districtwide Plumbing Repair Services, in the amount not-to-exceed \$46,257. During the 2014/2015 fiscal year, staff requested for Jackson & Son Plumbing to fix emergency piping, plumbing fixtures, and related equipment systems at different colleges: Laney College, College of Alameda, and Merritt College. The transaction was incremental that summed up to be \$46,257 and not one transaction. During the fiscal year, the price quote was not available to complete this transaction.

This replacement was necessary to allow classes or the College Buildings to be functional and student’s activities to utilize functional facilities. The contractor has completed the work. Board approval is required because the contractor’s total

contract amount exceeds the \$25,000 threshold for contracted services in the 2014/2015 fiscal year. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.  
**Funding Source: General Fund.**

32. Consider Approval of Amendment No. 3 to the Agreement with Quantum Energy Services & Technologies (QUEST) to Provide Engineering Services for the Districtwide Monitoring Based Commissioning (MBCx) Project, to include the Department of General Services and the College of Alameda 860 Atlantic Buildings. **Presenter: Vice Chancellor Ikharo.**

Approval is requested of Amendment No. 3 to the Agreement with QUEST, in the amount not-to-exceed \$39,000. This request will incorporate the Department of General Services Building and the College of Alameda 860 Atlantic Building in the scope of services. The scope of work for these two (2) buildings was not included in the original agreement, Amendment No. 1 and 2.

**The scope of services will include:**

- Develop a metering scope for procurement (i.e., determine metering needs, develop design drawings for metering, and develop scope of work for metering installation.)
- Building investigation (i.e., building assessment, review preliminary measures, and measure identification); and
- Develop pre-installation baseline.

The Chancellor recommends approval. **Funding Source: Energy-efficiency projects will be funded by California Proposition 39, the CCC/IOU partnership program, and technical assistance grants.**

33. Consider *ratification* of Chancellor Approved Contracts with Tyco/Simplex Grinnell for Districtwide Monitoring Services and the Repair of the Main Police Services Fire Alarm Panel. **Presenter: Vice Chancellor Ikharo.**

Currently, the District has an existing three (3) year term agreement with Tyco/Simplex Grinnell for fire alarm testing, repairs, inspection, and maintenance, in the amount of \$410,391, approved on January 21, 2015; and Amendment No. 1 was for a time extension with an additional scope of work, in the amount of \$120,000. The reprogramming of fire alarm panels was not included in the original agreement due to unforeseen conditions. Therefore, a separate emergency service agreement was prepared in the amount of \$38,510, including \$9,784; the vendor's total cumulative contract amount will be \$578,685.

*Ratification* is requested for Chancellor approved contracts with Tyco/Simplex Grinnell for the Districtwide Monitoring Services and the Repair of the Main Police Service Fire Alarm Panel, in the amount not-to-exceed \$9,784. At the October 20, 2015, Board meeting a contract was awarded Tyco/Simplex Grinnell to reprogram the District's fire alarm panels at four campuses (Aviation, College of Alameda, Laney College and Merritt College) due to the loss of telephone services from each

campus. After the reprogramming activities were completed, additional scope of work (\$8,076) was needed for Tyco/Simplex Grinnell to provide monitoring to meet code requirements. The monitoring contract will allow Tyco/Simplex to alert District Police Services in the event of a fire event. The cost of \$1708 will pay for the investigative service of the main fire alarm panel in Police Services to ensure that the panel is functional and meets all current code requirements.

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

34. Consider Approval to Procure Work Order Software Licenses from Maintenance Connection, from November 2015 to June 2018. **Presenter: Vice Chancellor Ikharo.**

Approval is requested to procure work order software licenses from Maintenance Connection from November 2015 to June 2018, in the amount not-to-exceed \$55,892.00. The District has an obsolete software that does not functionally support stakeholders use. To get a robust software to integrate with the Peoplesoft system, the Maintenance and Operations Department requested for proposals from various companies: eMaint, Megamation, School Dude, Maintenance Connection, and Oracle. Each company submitted their proposal and presented their software to the staff for evaluation. After an extensive assessment, staff is recommending Maintenance Connection due to its cloud based storage, ability to interface with PeopleSoft, support services and ease of use.

Maintenance Connection is located in Davis, California; therefore, there is proximity and accessibility to the vendor if needed. Board approval is required because the contractor's total contract amount exceeds the \$25,000 threshold for contracted services in the 2015/2016 fiscal year. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Fund.**

35. Consider Approval of Amendment No. 1 to the Original Agreement with BEARCOM Wireless Worldwide for the District-wide Two-Way Radio System (RFP No. 14-15/13). **Presenter: Vice Chancellor Ikharo.**

Approval is requested for Amendment No. 1 to the Original Agreement with BEARCOM Wireless Worldwide Original Agreement for the District-wide Two-Way Radio System (RFP No. 14-15/13), in the amount not-to-exceed \$47,086. In the process of reviewing and programming the radios for delivery, staff discovered that the frequencies and areas of coverage did not extend to College of Alameda Aviation campus that was not included to receive repeaters. The District IT staff recommended for the radio system to have an additional repeater for back-up for each college. Each repeater needs a backup in case of a failure of one repeater for each college. As a result, the cost of this repeater is \$8,944; and the cost to provide back-up repeater for the other four (4) campuses is \$38,142.

At the July 14, 2015, the Governing Board of Trustees awarded BEARCOM Wireless Worldwide the contract to provide new radios District-wide, in the amount of \$259,033. If Amendment No. 1 is approved, the cumulative contract amount will be \$306,119. The Chancellor recommends approval. **Funding Source: Measure A**

36. Consider the Approval of Change Order No. 3 for the Merritt College Barbara Lee Science & Allied Health Center Project (RFP No. 11-12/01), Clark & Sullivan / Walsh Construction. **Presenter: Vice Chancellor Ikharo.**

Approval is requested for Change Order No. 3 to the contract with Clark & Sullivan / Walsh Construction, in the amount of a deduction of (\$46,720.56). This Change Order #3 is a deductive Change Order request of (\$46,720.56). This deductible change order is as a result of not using all of the project's budget allowance that was incorporated in General Contractor's contract and is now being returned to the District.

The Governing Board of Trustees approved Change Order #1 (\$294,534) on April 8, 2014; and Change Order #2 (\$830,020.00) on September 23, 2014. The cumulative total of those two change orders was \$1,124,554 or 2.6% of the original contract sum. Change Order #3, the final change order for this project, will reduce the cumulative total to \$1,077,823.44 or 2.5% of the original contract sum.

The project is approximately 99% complete with punch list items nearing completion and closeout documentation is being finalized. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A.**

37. Consider *Ratification* of a Chancellor Approved Letter of Intent of Agreement with Schneider Electric USA Inc. for the Microgrid Project at Laney College. **Presenter: Vice Chancellor Ikharo.**

*Ratification* is requested of a Chancellor approved letter of intent of an Agreement with Schneider Electric USA Inc. for the Microgrid Project at Laney College at no upfront financial obligation to the District. On October 6, 2015, the Chancellor authorized for Schneider Electric USA Inc. to prepare a proposal, responding to the California Energy Commission's (CEC) grant (GFO-15-308), Reducing Costs for Communities and Businesses Through Integrated Demand-Side Management and Zero Net Energy Demonstrations. If successful, the District has an opportunity to receive about a \$5 million grant funding to install a Microgrid system.

This letter of intent agreement is a pre-agreement in a good faith effort for the vendor to undertake and complete the drawings and technical scope of work to enable the District to compete for the CEC grant. The District intends to apply for the grant, that is expected to reduce the Laney College's energy cost approximately \$77,000 - \$400,000 annually. The District intends to negotiate an agreement with Schneider Electric for the implementation of this fuel cell

technology and perform their design and engineering services as outlined in the letter of intent. If the District fails to reach an agreement with the vendor, the administration will then procure the design and engineering for \$72,000 and open the project for bidding.

The Chancellor recommends approval. **Funding Sources: (1) California Energy Commission grant; (2) rebates through the self-generation incentive program (SGIP), administered by the California Public Utilities Commission (CPUC) and Pacific Gas & Electric (PG&E) Corporation; and, (3) 20% of project cost contribution from the District.**

## **ACTION CALENDAR ITEMS**

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

## **ANNOUNCEMENTS**

## **ADJOURNMENT**

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours prior to the meeting to the Board Clerk, Chancellor's Office, 333 East 8<sup>th</sup> Street, Oakland, CA, (510) 466-7203, [bmartinez@peralta.edu](mailto:bmartinez@peralta.edu) at least 48 hours prior to the meeting.