



## PERALTA COMMUNITY COLLEGE DISTRICT

### REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, February 23, 2016

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 KGPC, 96.9FM, and Peralta TV on Cable Channel 27 in Alameda and Berkeley, Cable Channel 28 – Oakland, Emeryville, and Piedmont and Channel 99 on AT&T U-Verse. 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)

- Ratification of the Chancellor's appointment of Acting Vice President of Student Services, Berkeley City College.
- Ratification of the Chancellor's appointment of Interim Director of Human Resources, District Office.
- Recommendation to appoint Interim Vice President of Student Services, Laney College.
- Recommendation to approve the reclassification of the position of Energy and Environmental Sustainability Manager to Director of Energy and Sustainability, Office of General Services.
- Recommendation to approve the reclassification of Facilities Planning and Development Manager to Director of Facilities Planning and Development, Office of General Services Office.
- Recommendation to approve the reclassification of the position of Director of Purchasing Services, District's Finance and Administration 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 Trustee Abuyen 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 (7:05 P.M.)**

1. Consider Approval of the regular Board meeting Minutes of January 26, 2016.

Consider approval of the regular Board meeting Minutes of January 26, 2015. The minutes are posted on Granicus.

### **PUBLIC COMMUNICATION (7:06 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 (7:20 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

- United States Tennis Association (USTA) Presentation

Chief of Staff

Dr. Yashica J. Crawford

Vice Chancellor's Reports

Budget Update	Vice Chancellor Little
Enrollment and Student Services Update	Vice Chancellor Orkin
General Services	Vice Chancellor Ikhara
Human Resources	Vice Chancellor Largent

College Reports

Berkeley City College	Interim President Johns
College of Alameda	President Blake
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**

**PRESENTATIONS (7:45 P.M.)**

6. Departmental Cultures and Part-Time Faculty Presentation (5 minutes)  
**Presenter: Cynthia Mahabir**

Cynthia Mahabir is a Part-Time Faculty Representative for the PFT. She has requested an opportunity to present information related to culture and climate in the district. "As the Part-Time Faculty Representative for the PFT, a survey was conducted on departmental cultures among part-time faculty members in the District.

7. Scorecard Report (5 minutes) **Presenter: Nathan Pellegrin, Director of Institutional Research**

Education Code, Section 84754.5(d), mandates that each year the Board of Trustees "review and adopt its contribution to the segment wide annual report as part of a regularly scheduled and noticed public meeting at which public comment shall be invited". Nathan Pellegrin will present the 2015 score card results and answer questions.

8. AC Transit Presentation (5 minutes) **Presenter: Associate Vice Chancellor Adela Esquivel-Swinson and Director Sean Brooke**

The following presentation will present an update on student survey results.

9. Presentation of the Citizens' Oversight Committee Annual Report (5 minutes)  
**Presenter: Chair Michael Mills**

Chair Michael Mills will present the Annual Report of the Citizens' Oversight Committee reflecting general obligation bond expenditures for fiscal year 2014-15.

### CONSENT CALENDAR (8:05 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

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

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

Name	Travel Location	Travel Dates
Phyllis Carter	Tempe, AZ	January 15, 2016 – January 16, 2016
Yashica Crawford	Washington, D.C.	February 7, 2016 – February 12, 2016
Robert Crowley	San Antonio, TX	January 9, 2016 – January 13, 2016

11. 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
Paula Armstead	New Orleans, LA	March 27, 2016 – April 1, 2016
Dominique Benavides	Seattle, WA	March 6, 2016 – March 9, 2016
Sean Brooke	Bangkok, Thailand	March 11, 2016 – March 22, 2016
Sean Brooke	Yangon, Myanmar	March 11, 2016 – March 22, 2016
Sean Brooke	Ho Chi Minh City, Vietnam	March 11, 2016 – March 22, 2016
Lilia Chavez	Cambridge, MA	March 2, 2016 – March 6, 2016
Frank Chez	Seattle, WA	March 6, 2016 – March 9, 2016
Neil Dunlop	Las Vegas, NV	March 6, 2016 – March 11, 2016

Charles Frost	Las Vegas, NV	March 20, 2016 – March 23, 2016
Drew Gephart	Seoul, Korea	March 23, 2016 – March 28, 2016
Drew Gephart	Tokyo, Japan	April 14, 2016 – April 21, 2016
Hadley Hartshorn	Las Vegas, NV	March 20, 2016 – March 23, 2016
Matthew Jones	Atlanta, GA	March 7, 2016 – March 11, 2016
Nick Kyriakopedi	Las Vegas, NV	March 20, 2016 – March 23, 2016
Kyu Lee	Seattle, WA	March 6, 2016 – March 9, 2016
Dave Nguyen	Seattle, WA	March 6, 2016 – March 9, 2016
Carla Pegues	New Orleans, LA	June 3, 2016 – June 7, 2016
Charles Washington	New Orleans, LA	March 27, 2016 – April 1, 2016

12. 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 2745 Board Self-Evaluation** – This policy was revised to show that the Board Self-Evaluation now occurs in June/July rather than in November/December.
- **BP 3820 Gifts** – This policy was updated to add military or veterans status to the list of grounds upon which a potential donor may not discriminate in order for a district to accept a donation from that donor.
- **BP 4070 Course Auditing and Auditing Fees** – The title of this policy was updated for clarity.
- **BP 7330 Communicable Disease** – This policy was updated to clarify the requirement that newly hired employees provide certification that they are free from active tuberculosis.

13. Consider Approval of the Collaborative Brain Trust Agreement **Presenter: Chancellor Laguerre**

Consider approval of the Collaborative Brain Trust contract amount for \$199,688. Peralta Community College District is interested in revising the Educational Master Plans for its four colleges. Collaborative Brain Trust will assist the District's colleges in developing and refining their respective Educational Master Plans. This will be a multi-phased approach: Discovery; Participation; Website; Data Collection, Analysis, and Synthesis; and Validation of Strategic Goals for the Education Master Plans. Proceeding from these steps, each college's Education Master Plan will be developed and refined through the shared governance process. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Fund Unrestricted.**

## EDUCATIONAL AND STUDENT SERVICES

14. Consider approval of a \$100,000 augmentation to the Laney College Deputy Sector Navigator grant from the Chancellor's office. **Presenter: President Webb**

Laney College has previously been awarded the Advanced Manufacturing Deputy Sector Navigator (DSN) grant. This is an augmentation to this grant of \$100,000 from SB858 funds. Funds are available from January 1, 2016 – December 31, 2016.

The Deputy Sector Navigator grant for Advanced Manufacturing is to be used to coordinate and collaborate regionally, and to develop effective sector partnerships with employers, regional consortium, community colleges, high schools, ROPs, Workforce Investment Boards (WIBS), and other regional organizations to ensure a skilled workforce in support of the regional economy and industry sector and to establish career pathways for the regional community into those economies. The Chancellor recommends approval. **Funding Source: The original funding for the Deputy Sector Navigator Package grant was available through the SB 1402 (Lieu), Economic and Workforce Development Program. This additional \$100,000 in funds is from the Community College Chancellor's Office as appropriated by SB858. This funding source will support and improve regional workforce career pathway programs in K-12 and community colleges.**

15. Consider Contract Amendments to Board Resolution 14/15-53 with the California Department of Education to Provide Child Care and Development Services  
**Presenter: Vice Chancellor Orkin**

Consider Contract Amendment with the California Department of Education to provide child care and development services at Laney & Merritt College. Amend the maximum reimbursable amount payable pursuant to the provisions of this agreement to \$815,612.00. Amend the maximum rate per child day of enrollment payable pursuant to the provisions of the agreement to \$38.53. Amend the minimum child days of enrollment requirement to 21,168.0. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: State of California, Department of Education Child Development Division.**

## FINANCIAL SERVICES

16. 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 January 9, 2016 through February 4, 2016 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.

17. 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 January 9, 2016 through February 4, 2016. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for *ratification* purposes only. The Chancellor recommends *ratification*.

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

Consider approval of budget transfer report covering the period from January 9, 2016 through February 4, 2016. 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.

19. Consider Approval of the District's fiscal year 2015-16 CCFS-311 (Q2) Report  
**Presenter: Vice Chancellor Little**

Consider approval of the District's fiscal year 2015-16 second quarter CCFS 311Q report. The CCFS-311Q is the State Chancellor's Office Quarterly Financial Status Report summarizing and communicating the results of the budgetary decisions and transactions made by the District through the second quarter of fiscal year 2015-16. The Chancellor recommends approval.

20. Consider Approval of the Ferrilli Contract Amendment **Presenter: Vice Chancellor Little**

Consider approval to amend the contract for Ferrilli by \$450,000. The previous contract amount was \$80,000. The new contract amount shall not exceed \$530,000. While performing a Peralta Community College District Technology Evaluation, the Ferrilli team discovered significant gaps in the District's IT security, e.g.- the lack of robust policies, procedures and/or security plans. For example, there is no exact protocol to recover data in the event of a disaster. Further, there is no critical data stored off-site. This condition has placed the district in an unacceptable level of risk. Our long term recommendation is a phased approach to addressing security issues district wide. To this end, Ferrilli will provide interim

Chief Information Security Officer (CISO) related services, interim Director of Enterprise Application related services, and other technical support to address critical safety and security vulnerabilities. The Chancellor recommends approval. **Funding Source: General Fund Unrestricted. All Board approved contracts are subject to final negotiation and execution by the Chancellor.**

21. Consider Approval to Ratify and Procure Telecommunication Consulting Services for District-Wide Cisco Unified Communications Manager (CUCM) and Network Systems. **Presenter: Associate Vice Chancellor Little**

Consider approval to ratify and procure telecom consulting services supporting the recent deployment of the District-Wide Voice over Internet Protocol (VoIP) with telephony services from NE Systems in the not-to-exceed amount of \$70,000.00.

Approval of telecom support services will allow uninterrupted telephony services for District Offices, College of Alameda, Berkeley City College, Merritt College, and Laney College. The extent of the services are required until the District Telecommunication Systems Administrator position is filled permanently.

This is in support of the new Cisco Unified IP system, which requires a hi-tech skilled expert specializing in telecommunication protocols on the internet, along with supporting of an aging PBX (private branch exchange) legacy system, which no longer supports the increasing demands of the district.

The telecom specialist possess the ability to utilize Cisco Unified Call Manager in order to manage and perform systems “adds, moves, and changes” of phones and voice mailboxes. In order to further reduce costs, these functions will be performed by in-house staff in the near future. The service calls for maintenance of over 1,300 phones comprising of administrators, staff/faculty, and classroom phones.

All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Fund 02 (one time state funding)**

## HUMAN RESOURCES

22. 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.

<b>Last Name</b>	<b>First Name</b>	<b>Date of Hire</b>	<b>End Date</b>	<b>Position Title</b>	<b>Site</b>
Blue	Noelle	2/24/16	6/30/16	Staff Asst/Admin	L
Chambers	Michael	3/2/16	6/2/16	Financial Aid Specialist	L
Chen	Pei Lan	2/24/16	6/30/16	Clerical Assistant II	L
Chen	Wanhong	2/24/16	6/10/16	Child Care Assistant II	L
Cruz	Darlene	2/24/16	6/30/16	Program Spec/Studt Svcs	L
Dorsey	Stephen	2/24/16	6/30/16	Project Manager	A
Frahm	Casey	2/24/16	6/30/16	Senior Clerical Assistant	L
Freed	Nancy	2/24/16	5/27/16	Inst Asst IV/DSPS	A
Frost	Robert	2/24/16	6/30/16	Staff Asst/VP Office	B
Gatmaitan	Christopher	2/24/16	6/30/16	Graphic Design Specialist	D
Gertzman	Fedora	2/24/16	5/27/16	Library Technician I	A
Hasse	Geraldine	2/24/16	5/27/16	Inst Asst I/DSPS	A
He	Jiayu	2/24/16	6/30/16	Clerical Assistant II	A
Idrisova	Sarinaz	2/24/16	6/30/16	Clerical Assistant II	L
Liang	Xiaoming	3/30/16	6/30/16	Staff Asst/Admin	L
Mer	Becky	2/24/16	6/30/16	Staff Assistant/Admin	B
Mohsen	Wedad	2/24/16	6/30/16	Inst Asst/English	M
Nabeta	Dale	2/29/16	6/30/16	Staff Asst/Admin	L
Sandhu	Sara	2/24/16	4/5/16	Project Manager	B
Scott	Christopher	2/24/16	6/14/16	Staff Asst/Student Services	B
Volny	Nadia	2/24/16	6/30/16	Library Technician II	A
Young	Marissa	2/24/16	3/31/16	Senior Library Technician	B

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

23. Consider authorization to increase an existing professional services agreement with Renne Sloan Holtzman and Sakai, LLP. **Presenter: Vice Chancellor Largent**

Consider authorization to increase an existing professional services agreement (ICC#21633) with Renne Sloan Holtzman and Sakai, LLP by \$75,000 to provide investigative services to the General Counsel’s Office and Employee Relations’ Office in responding to complaints regarding discrimination and harassment. The current contract amount is \$60,000. The new contract amount will be \$135,000, and the District anticipates using the services of Renne Sloan Holtzman through June 30, 2016. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

**FACILITIES**

24. Consider Approval of a Measure A Budget Appropriations and Transfers for Maintenance and Operations Equipment (No. 88) and Health Clinics at Four (4) Colleges (No. 89) **Presenter: Vice Chancellor Ikharo.**

Approval is requested to appropriate and transfer Measure A Bond Budget nos. 88 and 89. These budget transfers were sent to the Vice Chancellor of Finance and

Administration for approval for January 26, 2016 Regular Board of Trustees Meeting upon review by the Chancellor. Staff has obtained signatures and consent from the Administration (Vice Chancellor of Finance and Administration, Vice Chancellor of General Services, and the Chancellor) for these budget transfers and appropriations. 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. 88** (\$78,000) will be allocated to purchase various types of equipment for the custodial, grounds, maintenance and operations departments to support the needs of the District and the colleges. (See the attached equipment list). The fund is transferred from the Districtwide Unallocated account (#2432) to the Measure A District Administrative Center Furniture, Fixture, & Equipment account. (#2418).

**Measure A Budget Transfer No. 88**

#	Project Name	Current Budget	Revised Budget	Transfer Amount
<b>Transfer To:</b>				
2418	DAC FF&E	\$2,681,278	\$2,759,278	\$78,000
	<b>Total Transfer</b>			<b>\$78,000</b>
<b>Transfer From:</b>				
2432	District-Wide Unallocated Funds	\$654,916	\$576,916	\$78,000
	<b>Total Transfer</b>			<b>\$78,000</b>

**Budget Transfer No. 89** (\$1,925,200) allocates \$400,000 to each of the following colleges: Berkeley City College, College of Alameda, Merritt College, and \$725,200 at Laney College to establish Health Clinics at each location. On June 26, 2009, the Board of Trustees approved the allocation of \$2,000,000 to build a Districtwide Health Center at Laney College or in the immediate area. Pending a location for the Districtwide Health Center, a temporary clinic was created on the 4<sup>th</sup> Floor of the Laney Student Center (to the expense of \$74,800) in order to provide Districtwide health clinic services for the students. The existing Districtwide clinic located on the 4<sup>th</sup> floor of the Laney Student Center will be demolished with the remodel of the Student Center Project. There have been ongoing discussions with the College Presidents regarding the allocation of the funds to each college.

The fund is apportioned from the Laney College Health Clinic account (#2460) to create four (4) project accounts: College of Alameda Health Clinic (#2472), Merritt College Health Clinic (#2473), Berkeley City College Health Clinic (#2474), and the Laney College Health Clinic (#2478).

**Measure A Budget Transfer No. 89**

<b>Project No.</b>	<b>Project Name</b>	<b>Current Budget</b>	<b>Revised Budget</b>	<b>Transfer Amount</b>
<b>Transfer To:</b>				
2472	COA Health Clinic	\$0.00	\$400,000.00	<b>\$400,000.00</b>
2473	Merritt Health Clinic	\$0.00	\$400,000.00	<b>\$400,000.00</b>
2474	BCC Health Clinic	\$0.00	\$400,000.00	<b>\$400,000.00</b>
2478	Laney Health Clinic	\$0.00	\$725,200.00	<b>\$725,200.00</b>
			TOTAL:	<b>\$1,925,200.00</b>
<b>Transfer From:</b>				
2460	Laney College Health Clinic	\$2,000,000.00	\$74,800.00	<b>\$1,925,200.00</b>

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

25. Consider Approval of Amendment No. 1 to the Original Agreement with KITCHELL CEM for an Extension of Time and the Additional Retro-Commissioning Services on the Merritt College Barbara Lee Center for Science and Allied Health.  
**Presenter: Vice Chancellor Ikharo.**

Approval is requested for Amendment No. 1 to the Original Agreement with KITCHELL CEM for an Extension of Time until August 31, 2016 and the addition of Retro-Commissioning Services on the Merritt College Barbara Lee Center for Science and Allied Health, in the amount not-to-exceed \$297,000. The company has been the District’s Construction Manager on the Barbara Lee Center project for the last several years. The administration recommends the extension of KITCHELL’s existing construction management contract services in order to complete its current construction management services and to provide retro-commissioning services.

KITCHELL scope of services during this extension of time will include, but is not limited to the following.

- Completing of construction management services; and
- Performance of Retro-Commission Services, which include:
  - Creation of Equipment and Operation Programs and Systems;
  - Training of the District’s stationary engineers;
  - Creation of a Preventive Maintenance Program; and
  - Review and coordination of Warranty documentation from manufacturer.

The term of this extension is for a period of twelve (12) months. These services will ensure a more complete and seamless transfer of the building maintenance and operations to the District. The Chancellor recommends approval. **Funding Source: Measure A.**

26. Consider Approval of Amendment No. 1 for a Contract Time Extension until March 30, 2017 with FLAD Architects, Inc. for Architectural Design Services on the Laney College B.E.S.T. Center. **Presenter: Vice Chancellor Ikharo.**

Approval is requested for Amendment No. 1 for a contract time extension until March 30, 2017 with FLAD Architects to continue and complete architectural design services for the Laney College BEST Center. The B.E.S.T. Center project is now beginning construction. Therefore, architectural construction administration oversight is now required of FLAD Architects. This time extension to their contract has no impact on the original contract fee amount of \$593,124 as approved in the July 17, 2012 meeting by the Governing Board of Trustees. The Chancellor recommends approval. **Funding Source: Measure A.**

27. Consider Ratification of Resolution 15/16-32 for a Chancellor Negotiated Agreement with Stevenson Mechanical Inc. to Construct the New Laney College Fire Suppression Hoods. **Presenter: Vice Chancellor Ikharo.**

*Ratification* of Resolution 15/16-32 for a Chancellor Approved Agreement with Stevenson Mechanical Inc. for the Laney College Fire Suppression Hoods Project, in the amount not-to-exceed \$223,475. On August 21, 2015, the Oakland Fire Department issued a Deficiency Report regarding the fire suppression hoods at the Laney's Student Center Kitchen. This report required three of the existing hoods to be replaced with Type 1 hoods complying with U.L. 300. Further, existing fire sprinklers required compliance with Title 19 and with all aspects of the fire detection system per California Fire Codes (CFC 901.6). The District was given thirty (3) days to replace all three hoods. This work will meet the Oakland Fire Department requirements. The work is substantially completed pending inspection.

As permitted under the Chancellor Authorization to Sign (Resolution 99/00-5), on January 7, 2016, the Chancellor approved the contract in order for the Contractor to start work during the Board recess. The contractor started work on January 11, 2016. The Chancellor recommends approval. **Funding Source: Measure A.**

28. Consider Approval of Amendment No. 2 to the Existing Agreement with Security By Design (SBD) to continue to Provide Professional Design Services and Construction Administration for the Installation of the Code Blue Emergency Blue Phones. **Presenter: Vice Chancellor Ikharo.**

Approval is requested of Amendment No. 2 to the existing agreement with Security By Design to provide professional design services and construction administration for the Installation of the Code Blue Emergency Blue Phones, in the amount not-to-exceed \$72,695. Under Amendment No. 2, SBD will provide the following scope of services that were not included in the original agreement: bid support; design for additional video and construction support; and implementation support (Construction Administration)/ operation and project close-out.

As required by the District Purchasing Procedures, the administration obtained three price quotes to procure the original professional services agreement. Under the original agreement, SBD provided design services for \$39,550, which did not require Board approval because the amount was below the \$87,800 threshold for professional services. Under Amendment No. 1, the contract time was extended to December 31, 2015. If this Amendment No. 2 is approved, then the accumulative contract amount will be \$112,245. This contract amount requires Board approval because it exceeds the \$87,800 threshold to purchase goods and services. The Chancellor recommends approval. **Funding Source: Measure A.**

29. Consider Resolution No. 15/16-31 to Accept the Bid and Award a Contract to Future Power Corporation dba Energy Conservation Options (ECO) to Complete the Lighting Retrofit Project at Berkeley City College Main Campus (RFP No. 15-16/08). **Presenter: Vice Chancellor Ikharo**

Approval is requested to enter into an agreement with Energy Conservation Options (ECO) to retrofit and upgrade the interior lights at Berkeley City College, in the amount not-to-exceed \$300,705. The contractor will replace 1,971 fixtures, which will offer an estimated 203,982 kWh savings. ECO will perform the following project scope of work:

- Remove and properly dispose 1,971 existing fixtures to meet relevant laws, the District’s policies, and best practices; Installation of new fixtures to meet California Building Codes, Title 24;
- Train District Personnel on operating and servicing the new fixtures; Inventory existing fixtures, lights, controls, and components;
- Provide a project schedule and handle scheduling constraints with the colleges; Complete project management; and
- Secure Proposition 39 and CCC/IOU rebates.

In compliance with the District’s Purchasing Procedures a competitive solicitation for proposals was conducted to procure this construction service. Seven (7) firms participated in the facility walk-through. One local firm, Energy Conservation Options, submitted a proposal. The District asked two firms why they did not submit a bid. One firm informed us that they are very busy with multiple contracts. Another firm informed us that it declined to submit a proposal because it was a small job, and they are focused on larger contracts, given the current state of the construction industry.

As a result total of one (1) bid was received, as follows:

<b>VENDORS</b>	<b>Bid</b>	<b>LOCATION</b>
Energy Conservation Options	\$300,704.41	Oakland, CA

ECO is a local Small Local Business Enterprise (SLBE) firm located in Oakland, CA. The President/CEO is Ms. Dahlia Moody. The company has been in business since 2008. ECO currently employs three individuals who are affiliated with the

Peralta Community College District as students and graduates. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Proposition 39.**

30. Consider Approval of Change Order No. 1 for the College of Alameda Painting Project (Bid No. 15-16/02), Color Chart Inc. **Presenter: Vice Chancellor Ikharo**

Approval is requested for Change Order No. 1 to the contract with Color Chart Inc., in the amount of \$3,370. Since Building "B" will be painted as part of the exterior College Painting Project, the doors that were included in this project were taken off of the scope. The college asked for the window frame in some areas of Buildings "C" and "D" to be painted so those were added to the scope of the project. The Change Order No. 1 amount of \$3,370 is 9.9% of the original contract amount of \$33,750, approved on November 10, 2015. Including this Change Order No. 1, the accumulative contract amount will be \$37,120. The Chancellor recommends approval. **Funding Source: General Fund.**

31. Consider Approval of Resolution No. 15/16-30, Acceptance of Completed Work and Release 5% Retention 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 Resolution No. 15/16-30 for the acceptance of completed work and release 5% retention for the Merritt College Barbara Lee Science & Allied Health Center Project (RFP No. 11-12/01), Clark & Sullivan / Walsh Construction. The Governing Board of Trustees approved a contract award to Clark & Sullivan / Walsh Construction for this project at the June 12, 2012 meeting, in the amount of \$42,760,000. The project attained Final Completion on September 30, 2015. The District has filed a Notice of Completion (NOC) with the County of Alameda, and project acceptance is recommended. This resolution accepts the project as complete and staff is requesting final acceptance of the project and release of the remaining 5% retention, in the amount of \$2,191,894. There were three (3) change orders on the project for a total of \$1,077,833 or 2.5% of the original contract amount. The College President and Business Manager have signed the Project Final Acceptance.

A notice to proceed (NTP) was issued with a start date of October 15, 2012 with the project duration of 1085 calendar days to Final Completion. The Chancellor recommends approval. **Funding Source: Measure A.**

32. Consider Resolution No. 15/16-33 to Accept the Bid and Award a Contract to Central Sierra Electric Company, Inc. for the District-wide Emergency Blue Phone System Installation (Bid No. 15-16/14). **Presenter: Vice Chancellor Ikharo**

Approval is requested to accept the bid and award a contract to Central Sierra Electric Company, Inc. for the District-wide Emergency Blue Phone System Installation (Bid No. 15-16/14), in the amount not-to-exceed \$1,227,473. This

system will have the ability to interface with Blackboard Connect Emergency Notification System so that audio announcements can be made over the Emergency Call Stations. The project will extend the existing emergency phone system network in each of the four campuses except Berkeley City College. The plan is to include parking lot extensions at Laney College and Merritt College with an extended network at the College of Alameda (COA) baseball field, the COA annex campus @ 860 Atlantic Avenue.

In accordance with the District's Purchasing Procedures, a formal competitive bid was conducted for this project. A bid opening was held on December 22, 2015. A total of two (2) bids were received, as follows:

<b>CONTRACTOR</b>	<b>LOCATION</b>	<b>TOTAL BID</b>
<b>Central Sierra Electric</b>	<b>Jackson CA 95642</b>	<b>\$1,227,473</b>
G4S Secure Integration	Omaha, NE	\$1,466,698

The lowest responsible and responsive bid was submitted by Central Sierra Electric Company, Inc., in the amount of \$1,227,473. 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.

Central Sierra Electrical Company, Inc. is an electrical contractor that works in the specialty areas of CCTV, Railroad Stations, Water and Wastewater Plants Systems Controls and installation of all types of conduits and wire ways. The company has a C-10 License and a California contractor's license no. 434207, and has been in business since 1981. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A & E, and Scheduled Maintenance Fund.**

## **ACTION 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.