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PERALTA COMMUNITY COLLEGE DISTRICT

A Closed Session is scheduled at **5:00 P.M., October 11, 2011**, Chancellor's Conference Room, District Administrative Center, 333 East Eighth Street, Oakland, California.

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)), Johnson v. PCCD, U.S. District Court, Northern District of CA Case No. C08-4152
- Conference with Legal Counsel (54956.9(a)), Payne v. PCCD, United States District Court, Case No. C08-03133.
- Conference with Legal Counsel (54956.9(a)), Flippin v. PCCD, Alameda County Small Claims Court Case No. BS10542521.
- Conference with Legal Counsel (54956.9(a)), Abdur-Rasheed v. PCCD, United States District Court, Case No. CV 11-1744.
- Conference with Legal Counsel (54956.9(a)), Vogt v. PCCD, Alameda County Superior Court, Case No. RG11-573757.
- Conference with Legal Counsel (54956.9(a)), Abboud v. PCCD, Alameda County Superior Court, Case No. RG11-572374.
- Conference with Legal Counsel (54956.9(a)), Block v. PCCD, Alameda County Superior Court, Case No. RG11570116.
- 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, Anticipated/Potential Litigation (54956.9(b)-(c)) (6 cases).

Conference with Real Property Negotiator (Government Code § 54956.8):

- Negotiator Ikhara, 2120 University Avenue, Berkeley, California, 94704.
- Negotiator Ikhara, 2025 Center St, Berkeley, California, 94704.
- Negotiator Ikhara, 1950 Addison Street, Berkeley, California, 94704.

Public Employee Appointment – Employment, Performance, Evaluation, Discipline, Dismissal, Release – All Employees (Government Code § 54957 and BP 3.62 Temporary Assignments - Interim and Acting definitions).

REGULAR MEETING AGENDA

Regular Meeting of October 11, 2011, 7:00 P.M.,

Board Room, District Administration Center

333 East Eighth Street, Oakland, California

PLEASE NOTE

Members of the public may address the Board on any item within the Board's jurisdiction. Cards which must be completed to request to address the Board, and a summary of Board rules concerning communications from the public, are available from the Board Clerk at the meetings. Persons addressing items included on the agenda will be heard at the time the item is considered. Persons requesting to address items or subjects which are not on this agenda will be heard under the agenda item "Communications from Members of the Public." 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 466-7203 repstein@peralta.edu

CALL TO ORDER: Time: _____

PLEDGE OF ALLEGIANCE 7:00 P.M.

ROLL CALL Trustees González Yuen Pr_ Ab_ Gulassa Pr_Ab_ Handy Pr_ Ab_ Hodge Pr_ Ab_ Guillén Riley Pr_ Ab_ Withrow Pr_ Ab_ and Riley Pr_ Ab_, Student Trustees Brumfield Pr_ Ab_ and Copenhagen Pr_ Ab_. **7:00 P.M.**

The Regular Meeting of the Board of Trustees will commence at **5:00 P.M.** in the **Boardroom, District Administrative Center**, 333 East Eighth Street, Oakland, at which time the Board Roll Call will be taken. Immediately following the Board Roll Call at **5:00 P.M.**, the Board will enter Closed Session. The Regular Meeting in Open Session will convene at **7:00 P.M.** The first item of business upon convening in open session after the Pledge of Allegiance will be to report on Closed Session actions, if any, or to announce that Closed Session is in recess. Listed agenda times are estimates.

REPORT OF CLOSED SESSION ACTIONS 7:01 P.M.

APPROVAL OF THE AGENDA 7:02 P.M.

(Please state the agenda item number and identify the issue.)

MINUTES 7:03 P.M.

1. Consider Minutes of the Board Meeting of September 27, 2011.

Copies of the minutes of the Board of Trustees' Meetings are posted on Granicus. Please submit all minute corrections to the Board Clerk.

IDENTIFICATION OF ITEMS TO BE REMOVED FROM THE CONSENT CALENDAR FOR DEBATE 7:04 P.M.

(Please state the agenda item number and identify the issue.)

IDENTIFICATION OF ITEMS TO REMAIN ON THE CONSENT CALENDAR AND PULLED FOR DISCUSSION 7:05 P.M.

(Please state the agenda item number and identify the issue.)

IDENTIFICATION OF ITEMS WITH PUBLIC SPEAKERS 7:06 P.M.

ASSOCIATED STUDENT GOVERNMENT REPRESENTATIVES REPORT 7:07 P.M.

At this time in the meeting, representatives of the associated student governments will be afforded an opportunity to address the Board. (Please provide your name and position, and line-up to speak.)

COMMUNICATIONS FROM MEMBERS OF THE PUBLIC 7:15 P.M. (Please line-up to speak when your name is called.) This portion of the agenda provides an opportunity for members of the public to address the Board on matters not included on this agenda. **A maximum of 15 minutes (3 minutes per individual maximum) will be provided for speakers under this agenda item.** Requests to speak which cannot be honored within the time limit will be scheduled for subsequent meetings in the order received. Under the Brown Act, Trustees and District staff are not allowed to discuss and/or take formal action at today's meeting on items brought before them under this item. Trustees and District staff are only allowed to respond briefly. Persons submitting cards to address an item included on the agenda will be called upon at the time the agenda item is

considered by the Board, 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 by the recording secretary. Written statements can be submitted to the Board Clerk for inclusion in the Board minutes.

PRESENTATIONS 7:30 P.M.

- P1. Chancellor Search Process Update **Presenter: Vice Chancellor Largent** (10 minutes)

The Board will receive an update on the Chancellor Search process.

- P2. FCMAT Presentation **Presenters: Vice Chancellor Gerhard and Michelle Plumbtree,**
FCMAT (10 minutes)

The Board will receive a presentation on the FCMAT report commissioned to assess the District's current and past practices.

INFORMATIONAL ITEMS AND WRITTEN REPORTS 8:00 P.M.

CHANCELLOR

2. Chancellor's Report **Presenter: Chancellor Allen**

Vice Chancellors' Reports

State Budget Update **Presenter: Vice Chancellor Gerhard**

Enrollment Update **Presenter: Vice Chancellor Budd**

EasyPass, Financial Aid, Student Health Fee, and Health Services Initiative Update

Presenter: Vice Chancellor Ng

General Services' Update **Presenter: Vice Chancellor Ikharo**

College Reports

Merritt College **Presenter: President Adams**

Laney College **Presenter: President Webb**

College of Alameda **Presenter: President Jackson**

Berkeley City College **Presenter: President Inclan**

BOARD OF TRUSTEES' ANNOUNCEMENTS

DAS PRESIDENT REPORT **Presenter: DAS President van Putten**

ACTION ITEMS

As a matter of policy (Board Policy 1.10), no action shall be taken on any item not identified as an "action item."

CONSENT CALENDAR (FOR ACTION) 8:15 P.M.

All action items are to be considered to be a part of a consent calendar. Trustees are given the opportunity to pull specific items off of the consent calendar for discussion and action. All items that have not been pulled by a Trustee will be considered in a block for comments by the public and action by the Board. All Board approved contracts are subject to final negotiation and execution by the Chancellor. Items pulled for Debate by the Trustees will be addressed later in the meeting, at approximately 8:15 p.m. Meeting times are estimates.

3. Consider Approval of Resolution 10/11-18 Supporting the Federal Pell Grant Program

Presenter: Trustee Riley

Consider approval of Resolution 10/11-18 in support of the Federal Pell Grant Program, and urging the U.S. Congress to reject the proposed changes to the Pell Grant program currently under consideration. The Chancellor recommends approval.

FINANCIAL SERVICES

4. Consider Ratification of Purchase Order Report **Presenter: Vice Chancellor Gerhard**

Consider *ratification* of purchase order report. This item is for informational purposes only. This report is being presented for review in accordance with Education Code section 81656 which states, "All transactions entered into by the District shall be reviewed by the governing board every 60 days". All Purchase Orders listed have been issued in accordance with the District's policies and procedures by an authorized officer of the District and have been budgeted. The Chancellor recommends *ratification*.

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

Consider *ratification* of the AP, Travel, and Consulting Contract Warrant Register. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for *ratification* purposes only. The Chancellor recommends *ratification*.

6. Consider Approval of Budget Transfer Report **Presenter: Vice Chancellor Gerhard**

Consider approval of budget transfer report. Budget transfers shall be made in accordance with California Code of Regulations Section 58307. The Chancellor recommends approval.

7. Consider the Receipt and Filing the FCMAT Report **Presenter: Vice Chancellor Gerhard**

In February of 2010 the Peralta Community College District, working with the State Chancellor's Office, requested that the Fiscal Crisis & Management Assistance Team (FCMAT) provide an assessment of current and past practices that have or may have caused an imminent threat to the fiscal integrity of the District. Under the project schedule contained in the scope of services, FCMAT has submitted its final report and is now being presented to the Board. The Chancellor recommends receipt and filing.

EDUCATIONAL SERVICES

8. Consider Approval of the Student Health Fee Increase, Effective Spring 2012, from \$17.00 to \$18.00 per Semester, and from \$14.00 to \$15.00 for Summer Session **Presenter: Vice Chancellor Ng**

Consider approval of the Student Health fee increase, based upon Board Resolution 10/11-7, effective spring 2012, from \$17.00 to \$18.00 per semester, and from \$14.00 to \$15.00 for summer session. This is in accordance with the State Chancellor's office allowing all community colleges to increase their student health fees by \$1.00. The Board amended Resolution 10/11-7 on March 9, 2010 by removing the following language: "Be it resolved that the Board hereby also assesses ten dollars (\$10) for part-time students (that is, students enrolled less than nine units per semester, summer session, or intercession). For every year afterwards, Board shall assess an increase by one dollar (\$1) whenever the Implicit Price Deflator for State and Local Government Purchase of Goods and Services calculation produces an increase of one dollar above existing fee." The Chancellor recommends approval.

9. Consider Approval of the College to Careers Grant Award Amount for College of Alameda **Presenter: Vice Chancellor Budd**

Request approval of an increase in the College to Careers grant award at the College of Alameda from \$750,000 to \$1,000,000. **Funding Source: Department of Rehabilitation.** This item

previously came before the Board on February 15, 2011. The grant purpose is to support DSPS students with pre-vocational and vocational training through on-campus inclusive training and other related support services. COA will work in partnership with their One-Stop Business and Career Center, industry employers and specialized non-profits to implement this grant. COA has a program that already implements many of the program components through their Workability grant program. COA will review the possibility of working with other campuses in the second or third year of funding. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

PERSONNEL

10. Consider approval of nominations from constituency groups to form the Chancellor’s Search Committee in accordance with Board Policy 2431 **Presenter: Trustee Gulassa**

In accordance with Board Policy 2431, the following constituency groups have submitted nominations of representatives to serve on the Chancellor’s Search Committee, which will be representative of the District and all four colleges for the Board’s consideration: Academic Senate and Peralta Federation of Teachers jointly nominated four (4) representatives; SEIU Local 1021 and the Classified Senate nominated one representative; IUOE Local 39 nominated one representative; and one representative was nominated by the Confidential employee group; thereby providing three nominations for classified employees. The Chancellor nominated two administrators; Student Trustees nominated 1-2 students; and, three (3) community members at large were nominated by the Board. Upon the approval of the nominations by the Board of Trustees, the Chancellor’s Search Committee will begin its work by attending an orientation meeting on Monday, November 7, 2011.

11. Consider Approval of Designating Academic Manager Positions **Presenter: Vice Chancellor Largent**

Pursuant to Education Code Section 87002(B), "Educational administrator" means an administrator who is employed in an academic position designated by the District Governing Board as having direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services program of the college or district. Educational administrators include, but are not limited to, Chancellors, presidents, and other supervisory or management employees designated by the Governing Board as educational administrators. (Pursuant to the Education Code and District practice, the District exercises its authority to designate these categorically funded management positions as academic management without retreat rights.) Some of the positions may be grant funded. It is recommended that the Board approve the designation of the following academic manager positions, and the Chancellor recommends approval. Academic Administrator Positions include:

- Dean of Academic Pathways and Student Success
- Dean of Enrollment Services (grant funded)
- Dean of Special Programs and Grants
- Dean of Workforce Development and Applied Sciences
- Dean of Disabled Student Programs & Services (DSPS) and Trio Student Success (grant funded)
- Chief Administrative Officer, Technology & Information Systems (the position will sunset on June 30, 2012)

12. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified Short-Term Employees on an Emergency Basis **Presenter: Vice Chancellor Largent**

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Last Name	First Name	Date of Hire	End Date	Position Title	Site
Ashworth	Jamalia	10/12/11	6/30/12	Staff Assistant/Payroll	D
Cheng	Man	10/12/11	6/30/12	Instructional Asst/Music	L
Guo	Wanpeng	10/12/11	6/30/12	Instructional Asst/Music	L
Li	Lily	10/12/11	6/30/12	Instructional Asst/Music	L
Liu	Hecheng	10/12/11	6/30/12	Instructional Asst/Music	L
Lu	Xian	10/12/11	6/30/12	Instructional Asst/Music	L
McCullough	Gloria	10/12/11	12/23/11	Accounting Technician	L
Peng	Lu	10/12/11	6/30/12	Instructional Asst/Music	L
Vilchis-Lent	Leticia	10/12/11	12/23/11	Accounting Clerk II	L
Zhitova	Aren	10/12/11	6/30/12	Instructional Asst/Biology	B

FACILITIES

13. Consider Approval of Resolution 11/12-18, Accept Bid and Award Contract, Laney Tower Modernization Project (Bid No. 11-12/04), AJF/BHM A Joint Venture **Presenter: Vice Chancellor Ikharo**

Approval is requested to accept the bid and award a contract to AJF/BHM A Joint Venture, in the amount of \$3,997,351, for the Laney Administration Tower Modernization Project (Bid No. 11-12/04). **Funding Source: Bond Measure A.** This project provides exterior ground-level improvements, mechanical upgrades, fire and life safety, installation of new finishes throughout the Laney Tower, VoIP phone system, and ADA improvements. All work will be performed per the construction documents prepared by YHLA Architects and Chevron Energy Systems. The scope of work for this project includes:

- Installation of three (3) bays of new exterior ground floor storefront
- Interior demolition
- Interior improvements consisting of:
 - New full and ceiling height partitions
 - Restroom and drinking water fountain modifications for accessibility
 - New energy efficient lighting, electrical and telecommunications devices and infrastructure
 - New millwork with sinks
 - New floor, wall and ceiling finishes
 - Signage
 - Ground floor lobby improvements also include new cosmetic steel wall features, acoustical panels and banners
- Mechanical system upgrades
- Lighting and electrical upgrades (including low voltage)

- Ceiling replacement

A formal bid was conducted for this project (Bid No. 11-12/04), and a bid opening was held on September 28, 2011. Five (5) bids were received, as follows:

CONTRACTOR	LOCATION	TOTAL BID
AJF/BHM A Joint Venture	Vallejo, CA	\$3,997,351
W. A. Thomas Co., Inc.	Martinez, CA	\$4,089,000
Taber Construction Inc.	Martinez, CA	\$4,416,000
Cal-Pacific Construction, Inc.	Oakland, CA	\$4,475,000
Rodan Builders, Inc.	Burlingame, CA	\$4,838,000

The lowest responsible and responsive bid was submitted by AJF/BHM A Joint Venture in the amount of \$3,997,351. A post bid interview was conducted with AJF/BHM to verify that the bid was comprehensive and accurate per the publically bid plans and specifications. Staff has also undertaken a thorough background check and due diligence in accordance with best practices. This resolution formally accepts the bid and authorizes the contract award to AJF/BHM A Joint Venture for the Laney Tower Modernization Project (Bid No. 11-12/04). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

14. Consider Approval of Resolution 11/12-19, Accept Bid and Award Contract, Library/Learning Resource Center Roof Replacement at Merritt College (Bid No. 11-12/08), Pioneer Contractors Inc. Presenter: Vice Chancellor Ikharo

Approval is requested to accept the bid and award a contract to Pioneer Contractors Inc., in the amount of \$271,400, for the Library/Learning Resource Center at Merritt College (Bid No. 11-12/08). **Funding Source: Bond Measure E.** This roof is seventeen years old, the warranty has expired, and new roofing needs to be installed prior to the installation of any additional roof mounted cell phone equipment. The Library is currently undergoing modernization. It is critical to perform the reroofing before the modernization is completed and before additional equipment is installed on the roof. There is a sense of urgency to complete this project, as the rainy season is fast approaching. This scope of work for this project includes:

- Removal of existing roofing, insulation and related flashings to substrate
- Inspection of existing deck and related areas for all abnormalities
- Furnishing and installing two new layers of insulation and multi-ply BUR (built-up roofing) system
- Providing and installing new flashings at walls, penetrations, projections and drains
- Furnishing and installing new flashings at support bases on platforms and related areas
- Providing proper roof protection system under all existing cable trays for cell site equipment
- Installation of white aggregate “Cool Roof” surfacing system

A formal bid was conducted for this project (Bid No. 11-12/08), and a bid opening was held on October 5, 2011. Seven bids were received, as follows:

CONTRACTOR	LOCATION	TOTAL BID
Pioneer Contractors Inc.	San Francisco, CA	\$271,400

State Roofing Systems, Inc.	San Leandro, CA	\$278,500
Petersen Dean	Newark, CA	\$279,000
Best Contracting Services, Inc.	Union City, CA	\$293,516
Western Roofing Service	San Leandro, CA	\$303,800
Stronger Building Services	Hayward, CA	\$330,000
King's Roofing	Sacramento, CA	\$358,752

The lowest responsible and responsive bid was submitted by Pioneer Contractors Inc., in the amount of \$271,400. A post bid interview was conducted with Pioneer Contractors Inc. to verify that the bid was comprehensive and accurate per the publically bid plans and specifications. This resolution formally accepts the bid and authorizes the contract award to Pioneer Contractors Inc. for the Library/Learning Resource Center Roof Replacement at Merritt College (Bid No. 11-12/08). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

15. Consider Ratification of Change Order No. 4 to the Design-Build Agreement with Gilbane Building Company for the Laney Athletic Complex **Presenter: Vice Chancellor Ikharo**

Ratification is requested for Change Order No. 4 to the design-build agreement with Gilbane Building Company for the Laney College Athletic Complex project, in the amount of \$165,000. **Funding Source: Bond Measure A.** The Board of Trustees originally approved a negotiated design-build contract with Gilbane Building Company at the Board meeting of November 18, 2008, following a competitive Request for Proposal process. At previous meetings, the Board of Trustees approved Change Order Nos. 1, 2 and 3 to the design-build agreement. Change Order Nos. 1 and 2 established a lump sum contract price of \$17,540,000, based on owner requested additional scope changes beyond the original design-bid services agreement amount of \$12,000,000. Change Order No. 1 included the addition of 3,000 sq. ft. and other changes to the Field House, and added a photovoltaic collection system (funded from the District-wide solar budget). Including these changes, the estimated design-build cost was \$17,650,000. Change Order No. 2 formally accepted the lump sum design-build project cost of \$17,540,000. This was a reduction of \$110,000 from the Change Order No. 1 estimate and was based on the actual bids Gilbane received for the three project phases. Change Order No. 3 was approved by the Board of Trustees at the meeting of July 19, 2011, in the amount of \$263,367. This change order included owner requested additional scope changes, including a turnkey audiovisual package and other minor changes. The District had planned to undertake audiovisual deployment as a separate bid, but due to delays in the main project (field house), this turnkey project was incorporated as part of Gilbane's contract in an effort to save time.

Board *ratification* of Change Order 4, in the amount of \$165,000, is now requested. Change Order No. 4 is the result of unforeseen conditions and college/owner requested scope of work items. An extension of Gilbane's contract until October 15, 2011 has been negotiated based upon the additional scope items in Change Order Nos. 3 and 4, and the added time is non-compensable. The original proposal from Gilbane for the Change Order No. 4 scope of work was \$294,438. Through multiple negotiation meetings, District staff was able to negotiate a global settlement of \$165,000, thus achieving a cost savings of \$129,438. The cumulative total of Change Order Nos. 3 and 4 is \$428,367, which is 2.4% of the final lump sum price established by Change Order No. 2. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and Change Order No. 4 is now brought before the Board for ratification. The project is

scheduled for substantial completion on or about October 15, 2011. It is in the best interests of the District and financially prudent to authorize this change order. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends *ratification*.

16. Consider Approval of Amendment No. 2 to Agreement with Olive Construction Management, Inc. Project/Construction Management Services for the District-Wide Smart Classroom Project **Presenter: Vice Chancellor Ikharo**

Approval is requested for Amendment No. 2 to the agreement for project/construction management services with Olive Construction Management, Inc. (OCM) to continue contract completion for the District-Wide Smart Classroom Project, in the amount of \$28,644. **Funding Source: Bond Measure A.** The amendment will extend the period for construction management services through October 14, 2011. The District-Wide Smart Classroom Project consisted of two phases - Phase I: The PCCD Smart Classroom Electrical/Low Voltage and Phase II: PCCD Smart Classroom Systems Project. Added services under this agreement included:

- Coordination of the installation of the District’s resident computers
- Oversight of a separate security project to install computer mounting and security devices for the resident computers

All audiovisual construction work was performed in the evening hours from 10 p.m. to 6 a.m., as well as during the day from 8 a.m. to 5 p.m. The work was performed at all of the District’s four campuses and included oversight of twelve separate vendors. The original agreement with OCM for Phase I was approved at the Board of Trustees meeting of July 20, 2010, in the amount of \$255,138, and Amendment No. 1, covering services for Phase II, was approved at the meeting of April 12, 2011, in the amount of \$155,060. The scheduled completion date for the Phase II work was August 9, 2011. Due to complexities and redesign requested at all four campuses, the construction work by the two audiovisual contractors, ProMedia and One Workplace, is not complete. There is also outstanding work by D&D Security Resources, Inc., the company that is providing the security devices for the resident computers. This Amendment No. 2 in the amount of \$28,644 will provide construction oversight for the project through October 14, 2011, in order to allow for continuity of the project, negotiation of pending change orders, and punch list oversight, as well as review of close-out submittals. If the projects are not completed by October 14, 2011, all remaining oversight will be turned over to the District’s in-house project managers. This modification will bring the total contract amount to \$438,842. It should be noted that the overall project/construction management oversight by this vendor is exceptional. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

17. Consider Approval of Short-Listed Firms for Construction & Project Management Services District-Wide **Presenter: Vice Chancellor Ikharo**

Approval is requested of short-listed firms that will provide construction & project management services District-wide for the foreseeable future. The District previously solicited for Construction Management/ Project Management (CM/PM) services in December 2007. It was therefore necessary to update this list with current vendors. The firms were selected from proposals received in response to a formal Request for Qualifications (RFQ 10-11/29). The RFQ was publically advertised, and a total of 27 firms responded. The responses were evaluated by a selection committee comprised of representatives from each college and the District Office, based on the evaluation criteria listed in the RFQ (summary, narrative, additional data, experience and references). The committee identified the following twelve (12) firms that received the highest evaluation scores:

FIRM	LOCATION
1. HEERY INTERNATIONAL	Sacramento, CA

2. KITCHELL	San Jose, CA
3. SEVILLE CONSTRUCTION SERVICES	Pasadena, CA
4. CONSOLIDATED CM INC.	Oakland, CA
5. APSI CONSTRUCTION MANAGEMENT	San Francisco, CA
6. SGI CONSTRUCTION MANAGEMENT	San Francisco, CA
7. GKK WORKS	Oakland, CA
8. CAMBRIDGE CM	Palo Alto, CA
9. GILBANE BUILDING COMPANY	San Jose, CA
10. DON TODD ASSOCIATES	San Francisco, CA
11. ANTHONIO INC	Oakland, CA
12. RUDOLPH & SLETTEN	Redwood City, CA

The following Small Local Business Enterprise (SLBE) and Small Emerging Local Business Enterprise (SELBE) firms located within Peralta Community College District’s market area (Alameda, Oakland, Piedmont, Emeryville, Berkeley, and Albany) that are capable of undertaking small to mid-range projects are recommended:

FIRM	LOCATION
1. WLC CONSTRUCTION SERVICES, INC.	Berkeley, CA
2. OLIVE CONSTRUCTION MANAGEMENT	Oakland, CA
3. AMG MANAGEMENT GROUP	Oakland, CA
4. MILLER & ASSOCIATES	Oakland, CA

Compliance verification for each firm that indicated SELBE/SLBE status has been confirmed. As necessities arise for project management services to address immediate and future facilities needs for health/safety and capital improvement projects throughout the District, selection will be made from these short-listed firms, based on their qualifications and experience required for the project. Some of these project management firms offer expertise in specific areas that could assist the District with capital projects. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

18. Consider Amendment to Right of Way Contract with the State of California Department of Transportation **Presenter: Vice Chancellor Ikharo**

The State of California Department of Transportation (CalTrans) has requested an amendment to the Right of Way Contract with the District dated May 17, 2004. Under this contract, CalTrans purchased land from the District through eminent domain, which was necessary for the seismic retrofitting of the 5th Street overpass on Freeway I-880. A provision of the contract provided usage by CalTrans for two parcels of land for temporary construction purposes in connection with the project. The term for usage commenced on June 1, 2005 and terminates on December 31, 2011.

The contract provided that in case of delays in construction, the temporary construction easement for the two parcels could be extended monthly at a rate of \$.50 per sq. ft. **Funding Source: No District expenditure.** The District will receive funds from the CalTrans for extension of the construction easement.

CalTrans has requested an Amendment to the Right of Way Contract which provides that the temporary construction easement on sub-parcels 57905-4 (25,479 sq. ft.) and 57907-5 (63,864 sq. ft.) be extended for an additional forty-two (42) months until June 30, 2015. The parcels of land are located at the back of the I-880 Freeway. The total compensation to the District for continued use of the two parcels will be \$1,876,203. In negotiations with CalTrans, District staff requested an up-front payment for the entire amount, but CalTrans only agreed to pay 50% up-front and the remaining 50% in July of 2014. The first payment is due to the District by January 15, 2012, in the amount of \$938,101.50; and the second payment is due by July 1, 2014, in the amount of \$938,101.50. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

Announcements

ADJOURNMENT OF THE REGULAR BOARD MEETING

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 466-7203 repstein@peralta.edu