



BOARD OF TRUSTEES
OF THE
PERALTA COMMUNITY COLLEGE DISTRICT
MINUTES
OCTOBER 11, 2011

CALL TO ORDER

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.

Present: Trustee Bill Riley, Trustee Bill Withrow, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, Trustee Nicky Gonzalez Yuen, Student Trustee Jurena Storm, and Student Trustee Esteem Brumfield.
Absent: Trustee Abel Guillen.

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

None.

APPROVAL OF THE AGENDA 7:02 P.M. (Please state the agenda item number and identify the issue.)

Item 17 - Short-listed firms is removed from the agenda. Item 11 - The following language is added: "Once the District sufficiently recovers from the state financial crisis, the current Dean titles will be restored to their former titles of Division Dean II and Dean of Student Support Services (EOPS), and the current academic titles will sunset."

MOTION: Motion by Trustee Bill Withrow, second by Trustee Cy Gulassa to approve.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.
NOES: None
ABSTAIN: None
ABSENT: and Trustee Abel Guillen.

The motion passed.

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.

[Minutes 9-27-11](#)

MOTION: Motion by Trustee Cy Gulassa, second by Trustee Bill Withrow to approve.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.
NOES: None
ABSTAIN: None
ABSENT: and Trustee Abel Guillen.

The motion passed.

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.)

Item 11.

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.

Item 10.

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.)

Student government representatives updated the Board on student campus activities.

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.

Speaker Roper, a parent at Merritt College childcare center, asked the Board to keep the centers open. Speaker Lizette asked for the Board's intent concerning the childcare centers. Speaker Ramberpert asked for the current staff to be allowed to work for six further weeks, as they have a grant writer who they believe can assist with funding, and she asked that the existing relationship with the students not be

severed. Speaker Kim feels there may be a closure in January, and she asked how much it would cost to keep the school open indefinitely. Chancellor Allen shared that the District has no current intentions to close the center, unless the State Department of Education cuts the budget funding. Speaker Scarborough shared that her tuition has been raised, and that the student body is fighting for student rights and staying strong. She asked the Board not to make life harder for the students, and asked that classes not be cut. Speaker Camerer has monitored wildlife conditions, and has seen a serious problem of trash problems in the channel from the Laney College flea market. Speaker Goldstein circulated a petition asking the Board to reconsider the recent passage of consultant contracts. He announced an upcoming rally. Mr. Roberts succeeded his time to the next speaker. The Merritt College childcare families are concerned that there's a pattern with Merritt College staff being laid off, and shared that it makes a difference for the workers to be professional and trained. Dr. Ng will meet with the parents and address any of their concerns. Trustee Handy asked if there are any future grants to bring income to the childcare centers in the future.

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.

Background Material

Speaker Blake addressed AP 1.18, looking for clarity, since there isn't a Districtwide classified senate representative designated. Vice Chancellor Largent involved all parties in this process. He spoke to the decision making process, and he asked that there be more respect to reach better decisions. He asked for better communications on what we're doing and how we're doing it.

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.

Background Material

Vice Chancellor Largent provided an update on the Chancellor search process. Trustee Gulassa thanked her for her excellent work on the committee details, as well as those who assisted with the process thus far. He was very pleased with the professionalism of the groups. He wished everyone good luck with the process. He hopes that all of our mutual interests are collective in pursuit of the best possible Chancellor. He congratulated the current Chancellor for the wonderful tone he has set for the organization. He shared his vision for the new Chancellor. The community choices are Henry Der, Odelle Johnson, and John Brauer.

MOTION: Motion by Trustee Bill Withrow, second by Trustee Cy Gulassa to approve agenda Item 10.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.

NOES: None

ABSTAIN: None
ABSENT: and Trustee Abel Guillen.

The motion passed.

- 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.](#)

Speaker Plumbtree reviewed the findings and assessments. The reports don't address what we are doing right. Trustee Gulassa asked where we go from here. At this point, the FCMAT operation is done. She thinks it does better to have our current employees create their own desk manuals, and that this should be done first prior to training. Trustee Withrow commented that it's an excellent report, and that he hopes to receive the same reports in the future. He asked when this will be prioritized. Trustee Yuen shared that the questions in the report were questions that Board members asked years ago, but are prohibited from seeing the microdetail and trust their administration, as well as having a lay Board who doesn't have the technical training. He asked what the board could have done differently. He asked what agency a board can look to for help. An annual independent audit is the main document a board can have, and when there are audit extensions, there are problems, and financial documents not submitted timely, those are red flags that there were system issues. Also, if one's gut feeling tells that something is wrong, more questions should be provided. Trustee Hodge thanked Vice Chancellor Gerhard and Speaker Plumbtree for the presentation. She appreciates the systems that are in place, so that institutional memory isn't always there. Some of the alarms have gone off about accounting practices in the past.

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

[Chancellor Announcements](#)

College Reports

Merritt College Presenter: President Adams

Laney College Presenter: President Webb

College of Alameda Presenter: President Jackson

[COA President Report](#)

Berkeley City College Presenter: President Inclan

[BCC President Report](#)

[BOARD OF TRUSTEES' ANNOUNCEMENTS](#)

[DAS PRESIDENT REPORT Presenter: DAS President van Putten](#)

DAS President Report

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.

MOTION: Motion by Trustee Bill Withrow, second by Trustee Cy Gulassa to approve the consent calendar, including agenda items 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, and 18.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.

NOES: None

ABSTAIN: None

ABSENT: and Trustee Abel Guillen.

The motion passed.

Executed resolutions

3. Consider Approval of Resolution 10/11-19 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.

Background Material

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.

Background Material

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.

Background Material

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.

[Background Material](#)

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.

[FCMAT Report](#)

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.

[Background Material](#)

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.

[Background Material](#)

PERSONNEL

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).

Once the District sufficiently recovers from the state financial crisis, the current Dean titles will be restored to their former titles of Division Dean II and Dean of Student Support Services (EOPS), and the current academic titles will sunset.

Background Material

Trustee Yuen feels that the recommendations hasn't proceeded fully with available job descriptions or background materials. He doesn't feel that the Board needs to name them as academic positions at this time. He feels the simpler solution is to deal with the positions as they arise, rather than at this time. The Chancellor shared the reasoning as to why the administration is recommending this action now, as we had to cut \$10.9M this year, and \$11.9M last year. The district pledged that we'd cut as far away from the classroom as possible, so administration was cut for the Deans positions. We still provide the service. This move will free up the general fund budget so as not to cut more hourly sections. Trustee Withrow doesn't like the state retreat policies, however he is comfortable that the Chancellor has protected the institution from any abuses that could possibly occur, and to provide quality education for our students. Trustee Gulassa is confident that the positions will sunset once the fiscal crisis ends. He shares a deep pride in the teaching profession. He feels this is a creative way to provide the same services and save general funds and use grant funds. He was pleased to hear that the Chancellor would cut as far away from the class as possible.

MOTION: Motion by Trustee Bill Withrow, second by Trustee Cy Gulassa to approve agenda Item 11, as amended.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Linda Handy, Trustee Marcie Hodge, and Trustee Cy Gulassa.

NOES: and Trustee Nicky Gonzalez Yuen.

ABSTAIN: None

ABSENT: and Trustee Abel Guillen.

The motion passed.

12. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified Short-Term Employees on an Emergency Basis
Presenter: Vice Chancellor
Largent Last Name First Name Date of Hire End Date Position Title Site
Ashworth Jamilia 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

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.

Background Material

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.

Background Material

- 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.

Background Material

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.

Background Material

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
HEERY INTERNATIONAL	Sacramento, CA
KITCHELL San	Jose, CA
SEVILLE CONSTRUCTION SERVICES	Pasadena, CA
CONSOLIDATED CM INC.	Oakland, CA
APSI CONSTRUCTION MANAGEMENT	San Francisco, CA

SGI	CONSTRUCTION	MANAGEMENT	San	Francisco,	CA
GKK	WORKS		Oakland,		CA
CAMBRIDGE	CM	Palo	Alto,		CA
GILBANE	BUILDING	COMPANY	San	Jose,	CA
DON	TODD	ASSOCIATES	San	Francisco,	CA
ANTHONIO		INC	Oakland,		CA
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
WLC CONSTRUCTION SERVICES, INC.	Berkeley, CA
OLIVE CONSTRUCTION MANAGEMENT	Oakland, CA
AMG MANAGEMENT GROUP	Oakland, CA
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. (Item removed from the agenda.)

[Background Material](#)

- 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.

[Background Material](#)

Announcements

Board meetings are recorded and stored for viewing on Granicus, posted on the Peralta Board website. The public can always view recorded Board meeting presentations here at your leisure. The next Board meeting will be held here on October 25th at 7 p.m. here in the District Boardroom, which is the fourth Tuesday night of the month. The Board will hold a special retreat meeting on the evening of November 1st, at a time and location to be determined. The Board extends Congratulations to General Counsel Nguyen upon receiving the Trailblazer Award from the Vietnamese American Bar Association of Northern California. The Board wishes both Chancellor Allen and President Webb very happy birthday celebrations this week.

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

Wise E. Allen, Chancellor
Secretary to the Board of Trustees
PERALTA COMMUNITY COLLEGE DISTRICT