



PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, October 22, 2013

6:00 p.m. Closed Session

7:00 p.m. Public Session

333 East 8th Street

Oakland, CA 94606

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

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

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

AGENDA

CALL TO ORDER (7:00 p.m.)

CLOSED SESSION (6:00 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)), 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)), Vogt v. PCCD, Alameda County Superior Court, Case No. RG11-573757.
- 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)), First National Insurance Co. v. PCCD, U.S. District Court, Northern District of CA, Case No. CV12-5943.
- Conference with Legal Counsel (54956.9(a)), Chop v. Peralta Community College District, etc., Case No. RG13681249.
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (7 cases).

Public Employee Appointment – Employment, Performance, Evaluation, Discipline, Dismissal, Release – All Employees (Government Code § 54957).

- Interim Vice President of Student Services, Merritt College
- Interim Dean of Special Programs and Grants, College of Alameda

OPEN SESSION (7:00 P.M.)

PLEDGE OF ALLEGIANCE

ROLL CALL Trustees Brown, Pr_ Ab_, González Yuen Pr_ Ab_, Guillén Pr_ Ab_, Handy Pr_ Ab_, Riley Pr_ Ab_, Withrow Pr_ Ab_, and Gulassa Pr_ Ab_, Student Trustees Clegg Pr_ Ab_ and Li Pr_ Ab_.

REPORT OF ACTION TAKEN IN CLOSED SESSION (7:01 P.M.)

(Any public employee contracts are subject to contractual agreement by the Chancellor, and provided salaries are for informational purposes only.)

APPROVAL OF THE AGENDA (Please state the Agenda Item Number and Identify the Issue) (7:02 P.M.)

At this time, Board members or the Chancellor may request to modify the agenda. Board members may request that items on the consent calendar be removed to be addressed separately on the Action Calendar. Subsequent to the approval of the consent calendar, the items removed from the consent calendar are discussed and voted on separately. Changes to the agenda are to be approved by a majority of the Board. The Board may move to the Action Calendar items with public speakers.

APPROVAL OF THE MINUTES (7:03 P.M.)

1. Consider Approval of the Regular Board meeting Minutes of October 8, 2013.

Consider approval of the regular Board meeting minutes of October 8, 2013. The minutes are posted on Granicus.

PUBLIC COMMUNICATION (7:05 P.M.)

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

REPORTS (7:20 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. José M. Ortiz

Vice Chancellor's Reports

Budget Update

Vice Chancellor Gerhard

Enrollment and

Vice Chancellor Orkin

Student Services Update

General Services

Vice Chancellor Ikhara

Human Resources

Vice Chancellor Largent

College Reports

Berkeley City College

President Budd

College of Alameda

Interim President Gravenberg (5 minutes)

Laney College

President Webb

Merritt College

President Ambriz-Galaviz

4. Board of Trustees' Reports
 - Update on Peralta Colleges Foundation Gala (Trustees Riley and Handy)

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 Karolyn van Putten**

PRESENTATION (7:30 P.M.)

6. State Legislative Briefing Presentation **Presenter: Mark MacDonald, Legislative Advocate, McCallum Group, Inc.** (20 minutes)

The presenter will provide a briefing of legislative activities in 2012-2013.

7. International Education Presentation **Presenter: Sean Brooke, Director of International Education** (10 minutes)

The presenter will discuss the Peralta International Education program, including enrollments, demographics, trends, coordination with the colleges, new initiatives, future plans.

CONSENT CALENDAR (8:00 P.M.)

All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.

BOARD MATTERS

8. Consider Approval of Resolution 13/14-28, Excusing Trustee Absence
Presenter: Trustee Gulassa

It is recommended that Trustees approve Resolution 13/14-28 excusing Trustee Riley from the October 8, 2013 Board meeting due to business. The Chancellor recommends approval.

9. Approval for a 3% increase to the Board Members' Compensation. **Presenter: Trustee Gulassa**

Pursuant to Education Code Section 72024 (e), the Governing Board, on an annual basis, may increase the compensation of individual Board members beyond the limits delineated in this section, in an amount not exceed 5% based on the present monthly rate of compensation of \$400.

10. Consider Board Meeting Calendar for 2014 **Presenter: Assistant Brenda Martinez**

Consider Board Meeting Calendar for 2014. (This item will return to the next Board meeting for action.)

EDUCATIONAL AND STUDENT SERVICES

11. Consider approval of the contract augmentation for Partners in Leadership, Inc. **Presenter: Chancellor Ortiz**

Consider Approval to Augment the Contract for Partners in Leadership, Inc. to provide additional training services for professional development in the amount of \$7,539.00. The current contract for Partners in Leadership, Inc. is \$22,461, and with the requested augmentation will not exceed \$30,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Fund Unrestricted.**

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

Included for approval are proposed curriculum actions as recommended by the Council for Instruction, Planning and Development (CIPD). The spreadsheet entitled "CIPD October 2013" contains course and program additions, changes and deactivations as approved by the colleges' curriculum committees and CIPD. The Chancellor recommends approval.

13. Consider Approval of Independent Contractor Agreement Extension for Danial Beesley dba EcoVision Consulting to render services for website migration from Drupal to WordPress, Merritt College **Presenter: President Ambriz-Galaviz**

Consider approval of independent contractor agreement extension for Danial Beesley dba EcoVision in the amount of \$15,000 in support of Merritt's website migration from Drupal to WordPress. The initial contracted amount totaled \$8,000. The college is requesting to increase the amount by \$15,000 to bring the total contracted amount for this project to \$23,000. Additional Laney College and District contracts for Mr. Beesley have been approved in the amount of \$14,970, bringing the total amount contracted to this vendor to \$37,970. The scope of work for Mr. Beesley provides support to the migration of web content, content and design updates, and training and technical

support. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Fund unrestricted.**

14. Consider approval of Merritt College's intent to enter into a Collaborative Agreement with Los Angeles Southwest College (LASC) **Presenter: Vice Chancellor Orkin**

Consider approval of Merritt College's intent to enter into an agreement to join Los Angeles Southwest College (LASC) as a consortium member for the application to the California Community College Chancellor's Office HBCU Transfer Agreement Project. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Categorical grant restricted.**

FINANCIAL SERVICES

15. Review of Purchase Order Report **Presenter: Vice Chancellor Gerhard**

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 September 21, 2013 through October 4, 2013 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.

16. 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 from September 21, 2013 through October 4, 2013. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for *ratification* purposes only. The Chancellor recommends *ratification*.

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

Consider approval of budget transfer report covering the period from September 21, 2013 through October 4, 2013. 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 10, 2013. The Chancellor recommends approval.

18. Consider Approval of Resolution #13/14-26 appointing Retirement Board member **Presenter: Vice Chancellor Gerhard**

Approval of Retirement Board resolution #13/14-26 appointing Retirement Board members. At its March 29, 2011 meeting, the Board of Trustees approved resolution number 10/11-62 recognizing the obligations associated with other post-employment benefits (OPEB) and establishing a Retirement Board whose charge is to oversee the investment activities of the District's OPEB Trust. Included in this resolution, the Board appointed five members to serve on the Retirement Board. At its July 16, 2013 meeting, the Board of Trustees approved resolution number 13/14-12 reappointing the original five members and established an alternate member. Resolution number 13/14-26 appoints Ms. Susan Rinne, replacing Mr. Ronald Gerhard. The members include Mr. Bill Withrow, Mr. Cy Gulassa, Dr. William "Bill" Riley, Ms. Meredith Brown (alternate), Ms. Trudy Largent, and Ms. Susan Rinne. The Chancellor recommends approval. **Funding Source: Not Applicable.**

19. Consider Approval to Extend the Contract for ERP Analysts PeopleSoft interface redesign for Admission, Advising, and State Reporting **Presenter: Calvin Madlock**

Consider approval of extending the contract with ERP Analysts to complete the redesign of the PeopleSoft interfaces between student admissions application, State MIS reporting, and academic advising. Approval of an augmentation in the amount of \$40,000 is requested. The full amount of the contract is not-to-exceed \$108,540. The interface system redesign will aid in providing core matriculation services improving student education planning support services.

The District's Board approved a CCC Electronic Transcript Mini Grant mini-grant in June 2013 to support the colleges in converting from a paper-based transcript process to electronic transcripts. This interface required modifications to the PeopleSoft interfaces that directly impacted Academic Advising. Although the mini-grant empowered the district by allowing the system the capability to extract transcript data from the student information system and begin sending electronic transcripts, several other critical system interfaces to support student success initiatives were found in need of a redesign, such as the CCC Apply and MIS Interfaces. The Chancellor recommends approval. **Funding Source: General Fund Unrestricted.**

20. Consider Approval to issue a Contract to Fresh & Natural Food Service Group for Cafeteria Food Service at Merritt College **Presenter: Vice Chancellor Gerhard**

Authorization and approval to use Fresh & Natural Food Service Group of Milpitas for cafeteria food service at Merritt College for a period of up to three years. The initial

contract is good for one year, with the option to extend up to three years, contingent upon the satisfactory performance of the vendor to maintain the District's standards.

Through RFP # 12-13/20, the Peralta Community College District sought proposals from established food service providers for the Merritt College cafeteria. Prospective providers were to have the capability to improve the diversity and quality of food offered, provide a creative menu at reasonable prices for day, evening students and staff, while maintaining a facility sanitized and free of debris. The proposals were evaluated based on their submitted responses to Company Information, Resources, and Key Personnel; Nutritional Plan; References, Knowledge and Experience; sales commission; Menu variety, Price, and Marketing Promotions; Environmentally Sustainable Procurement and SLBE affiliation.

Fresh & Natural Food Service Group has proven itself capable of meeting the District's standards for cafeteria food service. They are the vendor currently serving in this capacity. There were two proposals received, although five prospective bidders attended the pre-bid meeting. Of the two bidders, Fresh & Natural Food Service Group and Horta Food Service, only the bid from Fresh & Natural was complete and deemed responsive. Horta Food Service failed to provide the information as requested in the RFP packet. Due to the incumbent being the only responsive bidder, a committee did not review the bids, but Purchasing and the Vice President of Student Services did. This contract will generate funds for the Associated Students at Merritt College. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Not Applicable.**

21. Consider Approval to Purchase Equipment and Services for the Wired Network Infrastructure Refresh Project **Presenter: Vice Chancellor Gerhard**

Approval is requested to purchase equipment and services for the Wired Network Infrastructure Refresh Project from NE-Systems using the piggyback-able contract California Multiple Awards Schedules (CMAS) in the not-to-exceed amount of \$716,536.81. This project is a Measure A project that will refresh the District Offices Wired Network Infrastructure. The primary goals for the project are the following:

- Consolidate as many network functions into multi-purpose network devices.
- Network devices must be designed in a highly available and redundant configuration.
- Replace load balancers and VPN devices.
- Simplify firewall design.
- Redesign network architecture to achieve high reliability, ease of management, and reduced troubleshooting
- Successfully cutover old equipment to new equipment.
- Improve user experience through faster network speeds.
- Train IT Technology Services team on how to maintain and utilize infrastructure.

The existing wired network infrastructure will not accommodate the increased demand of bandwidth required by users of PCCD's wired network. New infrastructure is needed to support this increase. A request for piggyback-able WSCA, CMAS, GSA contract

quotes was conducted for this project by NE-Systems, Netxperts, and Mainline. Each of these partners represented a group of manufacturers to present a package that met the requirements of the District:

NE-Systems – Enterasys Networks, Arista Networks, A10 Networks, Fortinet Netxperts – Cisco, F5 Networks Mainline – HP Networks, F5 Networks, Juniper Networks NE-Systems turned in two quotes under two contracts (CMAS, CMAS/GSA) for comparison as well as Netxperts (CMAS, WSCA). Mainline turned in only one quote under WSCA. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A.**

HUMAN RESOURCES

22. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified 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. The Chancellor recommends approval.

Last Name	First Name	Date of Hire	End Date	Position Title	Site
Cheng	Willard	10/23/13	6/30/14	Inst Asst/Biology	B
Clover	Kirsten	10/23/13	6/30/14	Clerical Assistant II	M
Horrell-Schmitz	Richard	10/23/13	6/30/14	Interpreter III	All
Labadessa	Nino	11/1/13	6/30/14	Staff Assistant/Admin	D
Padilla	Erika	11/4/13	6/30/14	Staff Assistant/Admin	D
Sharp	Louis	10/23/13	6/30/14	Inst Asst/Biology	B

23. Recommendation to approve a Tentative Agreement on contract re-openers for the 2012 -2015 Successor Agreement between the District and the Peralta Federation of Teachers (PFT). **Presenter: Vice Chancellor Largent**

On October 3, 2013, the District and PFT formally signed a Tentative Agreement on contract re-openers for the 2012-2015 Successor Agreement.

On October 10, 2013, PFT ratified the Tentative Agreement.
The Chancellor recommends approval.

FACILITIES

24. Consider approval of a Measure A Bond Budget Transfer and Appropriation (No. 54). **Presenter Vice Chancellor Ikharo.**

Approval is requested for one (1) Measure A bond budget transfer and appropriation (No. 54). The Administration (College of Alameda President, Vice Chancellor of Finance and Administration, Vice Chancellor of General Services and the Chancellor) have approved these budget transfers and appropriations. With the intent of full disclosure, these budget transfers are now presented to the Board of Trustees for approval. On June 23, 2009, the Board of Trustees approved the Bond Measure (A and E) Spending Plan, which included budget appropriations, cash flow projects and budget transfer procedures. In accordance with the Board approved Bond Measure Spending Plan, a budget transfer form will be completed for the budget transaction.

Budget Transfer No. 54 of \$147,340 is to cover an existing Building Modernization deficit of \$98,340, and the Restroom Upgrade Project cost of \$49,000, to accommodate the engineering, design, construction drawings, specifications and obtaining Department of the State Architect's (DSA) approval. On March 26, 2013, the governing Board of Trustees approved the Agreement with WLC Architects Inc. The transferred fund is from the College of Alameda Contingency account (Project no. 2420) to pay WLC Architects Inc. and cover existing Building Modernization deficit (Project no. 2315). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Funds.**

25. Consider an Approval to Enter into a Contract Award for the College of Alameda Cougar Village Expansion Modular Bid Submittal Package, Increment1 (Bid No. 12-13/17), Mobile Modular Inc. **Presenter: Vice Chancellor Ikharo**

Approval is requested to enter into a Contract Award for College of Alameda Cougar Village Expansion Modular Bid Submittal Package, Increment 1 with Mobile Modular Inc. for the lease and construction of portable modular buildings, in the amount not-to-exceed \$1,688,947. The District already owns a number of portable buildings in the Cougar Village complex. However, the existing Cougar village portables only meet one-third of the space needed. In addition to the existing spaces, an additional fifteen (15) portable buildings are required. This Cougar Village Expansion Package is needed to provide appropriate interim housing, (Swing Space) for the educational programs. This interim housing is for classrooms, faculty and staff offices that will be displaced during the construction of the new Buildings C and D project. Staff also reviewed the possibility of owning these portables versus leasing. It was determined that it will not be financially prudent to own these leased portables.

Mobile Modular Inc. will construct and lease the buildings to the District at a cost of \$1,688,947 for a period of three (3) years. The recommendation to lease these portable modular buildings instead of outright purchase, (Ownership), is to reduce the overall projects construction cost as these recent acquisitions are a temporary phenomenon to meet a short term need. This firm will pay their employees prevailing wage as required

by the California Department of Industrial Relation’s regulations. Mobile Modular Inc. is being managed by Dennis Kakures (Chief Executive Officer) and Joseph Hanna (Chief Operating Officer); the business is located in Livermore, California. The anticipated completion date for this service is June, 2014. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Fund.**

26. Consider Approval of Resolution No. 13/14-27 for the Board Approved Agreement with FieldTurf – A Tarkett Sports Company for the Mitigation of Deteriorated District-wide Tracks. **Presenter: Vice Chancellor Ikharo**

Approval is requested of Resolution No. 13/14-27 for the Board approved agreement with FieldTurf – A Tarkett Sports Company for the Mitigation of Deteriorated District-wide Tracks. The Board of Trustees approved the bid award and budget at its previous meeting on October 8, 2013. This approval is only for the resolution as a formal practice. To abide by the District’s formal practice, assignment of a resolution number for a construction contract, the Administration requests for Board approval and adoptions of the following resolution numbers for the previously Board approved project.

Resolution No:	Project Names (Bid Nos.)	Contractors (Contract Amount)	BOT Approval Dates
13/14-27	Mitigation of the Deteriorated District-wide Tracks at Laney College, College of Alameda and Merritt College	FieldTurf – A Tarkett Sports Company (\$1,438,017.00)	October 8, 2013

All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

27. Consider Approval to Extend Lease with Mobile Modular Inc., for Portable Buildings for Interim Housing Needs at Laney College **Presenter: Vice Chancellor Ikharo**

Approval is requested to extend the Board approved lease with Mobile Modular Inc., for four (4) portable buildings at Laney College for an additional four-month term from September 1, 2013 through, December 31, 2013, in the amount not-to-exceed \$13,860. The billing rate is \$3,465 per month for all four (4) portables, for a total of \$13,860. This lease extension is necessary because the Tower Modernization project has been delayed due to electrical issues arising during construction and delay in the installation of the right furniture by the vendor. The portable buildings were originally leased to house staff, faculty and administrators during the modernization of Administrative Tower Building at Laney College – Phase 1 and 2 Project. Mobile Modular Inc., is being managed by Dennis Kakures (Chief Executive Officer) and Joseph Hanna (Chief Operating Officer); the business is located in Livermore, California. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Fund.**

28. Consider Approval to Enter into an Agreement with Anthonio, Inc. for Division of the State Architect (DSA) Certified Inspection Services for the Center for Science and Allied Health Building at Merritt College (Bid No. 13-14/07). **Presenter: Vice Chancellor Ikharo**

Approval is requested to enter into an agreement with Anthonio, Inc. for Division of the State Architect (DSA) Certified Inspection Services for the Center for Science and Allied Health Building at Merritt College (Bid No. 13-14/07), in an amount not-to-exceed \$583,908. A formal Request for Proposals (RFP) was advertised in a publication of general circulation on August 13, 2013 and August 20, 2013. The Purchasing Department received eight (8) proposals from qualified firms with Division of the State (DSA) Certified Inspection Services experience. The Department of General Services (DGS) issued RFP 13-14/07 for these professional services to provide the required inspection on the Center for Science and Allied Health Building Project. The responses to the RFP were evaluated based on criteria identified in the RFP. The Center for Science and Allied Health Building Project Budget will pay for the cost of services rendered.

Proposal submissions were scored according to the following evaluative criteria: 1) Vendor's knowledge, experience, and capacity to provide these services, 2) Client References, 3) Staffing Plan, 4) Price Proposal, 5) Environmentally Sustainable Procurement, and 6) Small Local Business Enterprise (SLBE) / Small Local Emerging Business Enterprise (SELBE). A technical screening committee comprising of the District's personnel was established to evaluate and score all submissions according to the scoring criteria above. Pursuant to the Public Contract Code (PCC), the District can award this contract to the bidder whose proposal is determined to be the best value to the District based solely on the criteria set forth in the Request for Proposal. Based on the evaluations, approval is requested for Anthonio, Inc., because they received the highest evaluative score of 261 points.

A total of eight (8) proposals were submitted to the District by the following firms: CIS Inc., Structure Consultants Group, Jerome R. Zalinski, Cal Compliance Inc., 4 Leaf Inc., ABC Inspections Inc., Apex Testing Labs and Anthonio Inc. There was a bid protest from one of the competing vendors. The Administration reviewed and verified the concerns that were stated in the protest letter and is satisfied with the recommended vendor. The anticipated completion date of this project is August, 2015. Tony Ogbeide is the owner of the company; the business is located in Oakland, California. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Funds.**

29. Consider Approval to Enter into an Agreement with Hibser Yamauchi Architects, Inc. for Architectural Interior Design Services for Furniture, Fixtures and Equipment (FF/E) for the Center for Science and Allied Health Building Project at Merritt College. Presenter: Vice Chancellor Ikharo

Approval is requested to enter into an Agreement with Hibser Yamauchi Architects, Inc. for Architectural Interior Design Services for Furniture, Fixtures and Equipment (FF/E) on the Center for Science and Allied Health Building Project at Merritt College, in an amount not-to-exceed \$249,000. The Department of General Services contacted five (5) architectural interior design firms in order of top ranking were selected from a short list of firms that were previously approved by the governing Board of Trustees on July 11, 2013. One of the top five (5) firms selected was non-responsive and the other is no longer in business. A formal Request for Proposal (RFP) was then issued to three (3) design firms, Flad Architects, Hibser Yamauchi Architects, and IBI Group Architects.

Proposal submissions were scored according to the following evaluative criteria: 1) Vendor's proposed project approach, their knowledge and experience, 2) Staffing Plan, 3) Price Proposal, 4) Small Local Business Enterprise (SLBE) / Small Local Emerging Business Enterprise (SELBE). A technical screening committee comprising of the District's personnel was established to evaluate and score all of the submissions according to the scoring criteria above. Pursuant to the Public Contract Code (PCC), the District can award this contract to the bidder whose proposal is determined to be the best value to the District based solely on the criteria set forth in the Request for Proposal. A total of three (3) proposals were submitted to the District: FLAD Architects, Hibser Yamauchi Architects and IBI Group Architects.

Based on the evaluations, approval is requested for Hibser Yamauchi Architects, Inc. to be awarded the contract because they received the highest evaluative score of 375 points. The anticipated completion date of this project is August, 2015. Ken Yamauchi and Marcus Hibser are owners of the firm and the business is located in Oakland, California. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Fund.**

30. Consider Approval of an Amendment No. 2 to the Agreement with Sam Clar Office Furniture for Rental of Furniture for Laney College Portable Buildings (Interim Swing Space) Presenter: Vice Chancellor Ikharo

Approval is requested for an Amendment No. 2 to the agreement with Sam Clar Office Furniture for the rental of furniture for Laney College Portable Buildings (Interim Swing Space), in the amount not-to-exceed \$13,675.00. This request extends the time period of furniture rental for the counseling portable buildings (interim swing space) at Laney College from August 26, 2013 through December 31, 2013. The furniture rental is required until the counselors can move-in and take occupancy of the offices that are allocated to them when this project is complete. Counselors could not move in the middle of the semester due to delays in the delivery and installation of furniture by the vendor and other electrical issues.

There is also the need to make the move into the Tower during December to minimize any disruption of counseling functions to our student in the mid-semester. The cost is \$2,734.75 per month, with the total furniture rental amount not-to-exceed \$13,675.00 for the remainder of this calendar year. Sam Clar is a California corporation managed by John Schwartz (Chief Executive Officer); the business is located in Concord, California. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Fund.**

31. Consider Approval to Enter into an Agreement with Benchmark Inspections for Division of the State Architect, (DSA) Certified Inspection Services for the District-Wide Tracks and Football Fields Refurbishment Projects. **Presenter: Vice Chancellor Ikharo**

Approval is requested to enter into an agreement with Benchmark Inspections for Division of the State Architect, (DSA) certified inspection services for the District-Wide Tracks and Football Field Refurbishment Projects, in an amount not-to-exceed \$20,400.00. To obtain construction services on the projects, a formal Request for Proposal (RFP) was issued on June 11, 2013 and advertised in newspapers of general circulation on June 12 & 18, 2013. Now services are needed for DSA certified inspection services for the District-Wide Tracks and Football Fields Refurbishment Projects, which will occur at Laney College, College of Alameda and Merritt College. Under provisions of the California Code of Regulations and the Education Code, the State of California Division of the State Architect (DSA) reviews plans and oversees construction projects for community college districts to ensure that plans, specifications and construction comply with the California Building Codes (Title 24) and accessibility regulations. For each project subject to DSA review, a qualified and certified inspector must be hired by the District and approved by DSA. Benchmark Inspections is a DSA certified inspector.

Pursuant to the Public Contract Code (PCC) section 20657 and the District's Purchasing Procedures, the District conducted an informal competitive bid by requesting written not-to-exceed price quotations from three (3) firms. Benchmark Inspection's price quote was \$20,400, Anthonio Inc's price quote was \$24,700 and Alisha R. Jensen's price quote was \$30,600. The lowest responsible and responsive bid was submitted by Benchmark Inspections, in the amount of \$20,400.00. Matthew C. Brown is the owner of the company. The Chancellor recommends approval. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Fund.**

32. Consider Ratification of Change Order No. 1 for CHW Infrastructure Project at Merritt College (Bid No. 12-13/03), Taber Construction. **Presenter: Vice Chancellor Ikharo**

Approval is requested to ratify Change Order No. 1 to the contract with Taber Construction in the amount of \$56,471.00. Bret and Valerie Taber are principals of

Taber Construction and the business has a current and active contractor's license in California. They are registered with the California Department of Consumer Affairs – Contractors State License Board. Change Order No. 1 in the amount of \$56,471.00 is 1.385% of the original contract amount of \$4,076,000. Change Order No. 1 is based on the District's requested additional scope change beyond the original services agreement.

The Administration (Chancellor, Vice Chancellor of Finance and Administration, and Vice Chancellor of General Services) have previously approved Change Order No. 1 so that the project will not be delayed. The Chancellor is now bringing this item to the Board of Trustees for ratification.

The District initiated Change Order No. 1 item for Chilled Water Infrastructure Project due to the following reason:

- Roofing specifications were not included in the original contract documents. Extensive mechanical attachments are required on the Merritt Building E roof which is still under warranty from Tremco Roofing Systems. These attachments must be executed per the manufacturer's requirements in order to maintain the existing roof warranty.
- Furnish and install new roofing materials to connect new mechanical support components into existing Tremco Roofing System.

Approval is requested for Change Order No. 1, in the amount of \$56,471.00. In accordance with the Board Policy 6600, approval was requested for the change order work, and Change Order No. 1 is now brought before the Board of Trustees for approval. It is in the best interests of the District and financially prudent to authorize this credit change order. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

33. Consider Approval of Change Order No. 1 for Rehabilitation to Laney College Administrative Tower Project - Phase 2 (Bid No. 12-13/17), Bay Construction Co.
Presenter: Vice Chancellor Ikharo

Approval is requested Change Order No. 1 to the contract with Bay Construction Co., in the amount of \$32,750.59. Mark Lee and Yong Kay are principals of Bay Construction Company and the business has a current and active contractor's license in California. They are registered with the California Department of Consumer Affairs – Contractors State License Board. Change Order No. 1 in the amount of \$32,750.59 is 6.30% of the original contract amount of \$520,000. Change Order No. 1 is based on both the District's requested additional scope change beyond the original services agreement and unforeseen conditions. Approval is requested for Change Order No. 1, in the amount of \$32,750.59. In accordance with the Board Policy 6600, approval was requested for the change order work, and now Change Order No. 1 is brought before the Board of Trustees for approval. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.
Funding Source: Measure A Bond Fund.

34. Consideration of Resolution 13/14-29, Resolution of Intent to Convey an Easement. **Presenter: Vice Chancellor Ikharo**

Consider approval of Resolution 13/14-29, Resolution of Intent to Convey an Easement, in order to permit the District to grant an easement to Pacific Gas and Electric Company (PG&E) as requested by the Bay Area Air Quality Management District (BAAQMD). In order to comply with new monitoring requirements imposed by the Environmental Protection Agency and to assess health risks associated with exposure to roadway pollution, BAAQMD desires to install an air quality monitoring station (trailer) near Interstate 880 in the Laney College parking lot. BAAQMD has agreed to pay the District an annual fee of \$4,800 for use of the property where the trailer will be located. Additionally, BAAQMD will pay for the installation of all items necessary to extend electrical service to the site as required to operate their monitoring station, including the installation of a new electrical conduit to the site.

PG&E must install certain equipment on a small strip of District-owned property between East 8th Street and the Laney College parking lot in order to connect the new electrical conduit to existing underground utilities running along East 8th Street. PG&E requires that the District grant an easement to PG&E, comprising an area of approximately 80 square feet as shown on PG&E's drawing No. 30987316 attached to the resolution, in order to permit PG&E to install, operate and maintain this equipment. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: All costs will be covered by BAAQMD and/or PG&E.**

ACTION CALENDAR ITEMS

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

ANNOUNCEMENTS

ADJOURNMENT

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