



BOARD OF TRUSTEES
OF THE
PERALTA COMMUNITY COLLEGE DISTRICT
MINUTES
OCTOBER 8, 2013

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

CLOSED SESSION (5:00 p.m.)

Topics to be discussed include:

Conference with Labor Negotiator Largent, Peralta Federation of Teachers, Local 39, and SEIU 1021 (Government Code 54957.6)

Conference with Legal Counsel, Multiple Cases: (Government Code 54956.9)

*** Conference with Legal Counsel (54956.9(a)), 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).

*** Director of Student Activities and Campus Life, College of Alameda.**

*** Director of Student Activities and Campus Life, Laney College.**

*** Director of Student Activities and Campus Life, Merritt College.**

*** Interim Vice President Finance and Administration.**

*** Interim Budget Director.**

*** Interim Vice President Student Services, Laney College.**

*** Interim Director Student Activities/Student Life.**

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_.

Present: Student Trustee Li, Student Trustee Clegg, Trustee Brown, Trustee Handy, Trustee Gonzalez

Yuen, Trustee Guillen, Trustee Gulassa, and Trustee Withrow.
Absent: Trustee Riley.

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.)

At tonight's closed session: The Board voted to approve the appointment of the following public employee contracts, which are subject to contractual agreement by the Chancellor. Salaries are for informational purposes only, and are not voted by the Board. All of the votes were unanimous with 6 AYES and 1 ABSENT (Riley).

Luis Escobar as Director of Student Activities and Campus Life, College of Alameda, effective October 21, 2013 through June 30, 2015. Annual Salary: \$ 90,000.
Tomoko Roudebush as Director of Student Activities and Campus Life, Laney College, effective October 14, 2013 through June 30, 2015. Annual Salary: \$90,000.
Lasana Hotep as Director of Student Activities and Campus Life, Merritt College, effective October 28, 2013 through June 30, 2015. Annual Salary \$ 95,000.
Susan Rinne as Interim Vice Chancellor for Finance and Administration, effective October 9, 2013 through June 30, 2014, or until the position is filled, whichever comes first. Annual Salary: \$150,000.
Sui Song as Interim Budget Director, effective October 9, 2013 through June 30, 2014. Annual Salary: \$90,000.
Extend the interim appointment of Josefina Baltodano as Interim Vice President of Student Services, Laney College, effective October 1, 2013 through November 15, 2013. Annual Salary: \$135,000.
Extend the interim appointment of Jason Harvey as Interim Director Student Activities & Campus Life, effective September 25, 2013 through October 8, 2013. Annual Salary: \$90,000.

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.

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[Agenda](#)

MOTION: Motion by Trustee Gonzalez Yuen, second by Trustee Withrow to approve Items 6 and 24 are removed from the agenda.

AYES: Trustee Brown, Trustee Handy, Trustee Gonzalez Yuen, Trustee Guillen, Trustee Gulassa, and Trustee Withrow.

NOES: None

ABSTAIN: None

ABSENT: and Trustee Riley.

The motion passed.

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

1. Consider Approval of the Regular Board meeting Minutes of September 24, 2013. Consider approval of the regular Board meeting minutes of September 24, 2013. The minutes are posted on Granicus.

Minutes

MOTION: Motion by Trustee Withrow, second by Trustee Gonzalez Yuen to approve 1. Consider Approval of the Regular Board meeting Minutes of September 24, 2013. The minutes are posted on Granicus.

AYES: Trustee Brown, Trustee Handy, Trustee Gonzalez Yuen, Trustee Guillen, Trustee Gulassa, and Trustee Withrow.

NOES: None

ABSTAIN: None

ABSENT: and Trustee Riley.

The motion passed.

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/>

Romeo Garcia provided updates on happenings at the Foundation. October 1st was the deadline for scholarships for students to apply as well as the deadline for faculty awards. This time last year there were 38 applications for student scholarships. This year they have received 435 applications for student scholarships. Mr. Garcia thanked faculty, staff and leadership groups who have helped get the word out to students and peers. The annual scholarship dinner will be held on November 21 at Scott's Seafood Restaurant in Oakland. This year they will be honoring Merritt College alumnus Joe Morgan. The Foundation will also be honoring The Clorox Company for their support of education in Oakland.

Mark Wilson, student at Laney College spoke about his Financial Aid. Mr. Wilson spoke about the reversal of his fee waivers. Mr. Wilson also spoke about the changes happening with the Peralta Student Council. He suggested that the Board invite the other student leaders to present their concerns about all these changes taking place. He has written letters documenting his concerns.

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. \(Please provide your Name, College, and Position, and line-up to speak.\)](#)

Danny McCarty, student at Berkeley City College and currently serving as a member of the judicial student council announced that the Civic engagement club will be holding their annual blood drive event on October 15-16 in the Basement foyer. Mr. McCarty also commended the Gay Straight alliance for proactively branching out into the community. They have recently been awarded a donation by the Berkeley Law School career caucus of \$250 which sets an example that encourages their clubs to seek out available resources for the improvement of club functions. The Berkeley City College will be sending six students to the General Assembly to represent Berkeley City College at the assembly. He invited everyone to attend their regular meetings which are held on Wednesdays at 12pm at the BCC Campus. Mr. McCarty also introduced all the associated students of Berkeley City College.

Edward Chavez, secretary for the Associated Students of Laney College congratulated Tomoko Roudebush on her new position as Director of Student Activities and Campus Life for Laney College. The Tower Art Gallery will be hosting the Day of the Dead reception on October 29.

Student Council Vice President of Operations at College of Alameda spoke on events at the college. The Latin Club is having a Hispanic heritage month event on October 15 from 11-2 where there will be food, dancers and music. There will be a Veteran's Luncheon in the Student Center on October 25 from 12-2.

Speaker Tracy Christian, President of Merritt College, Associated Students will be hosting their National Shakeout on October 17.

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 Ikharo](#) [Human Resources](#) [Vice Chancellor Largent](#) [College Reports](#)

Chancellor Ortiz has been preparing for an accreditation visit to the College of San Mateo for four days beginning on November 21 which means he will not be at the October 22 Board meeting.

Vice Chancellor Orkin spoke about California Community Colleges Online Education Initiative grant. The idea is to have a portal with a searchable database. Second part of it is to establish a common learning management system that students can use.

Trustee Gulassa asked if all of the Community Colleges will be eligible for offering courses? VC Orkin said that any student at any community college who is in this registry can take a course at any participating Community College.

Trustee Gonzalez-Yuen asked if we are doing comparisons in our online classes to look at retention classes so that we are setting a baseline? VC Orkin said we do and part of this initiative is the institutional research. Trustee Gonzalez-Yuen also asked about faculty participation. VC Orkin said that the faculty participation will come at the college level.

Trustee Withrow asked if international students could still participate in this program? VC Orkin said all students who are registered to participate (resident or non-resident) can participate in the program.

Berkeley City College President Budd

College of Alameda Interim President Gravenberg

Laney College President Webb

Merritt College President Ambriz-Galaviz

4. [Board of Trustees' Reports At this time, the Board of Trustees will report on matters related to attendance at conferences, professional affiliations, and community involvement directly related to their functions as Board members.](#)

Trustee Withrow bid a fond farewell to Ron Gerhard.

Student Trustee Li thanked all four colleges for providing resources to their students.

Trustee Gonzalez-Yuen wished VC Ron Gerhard the best of luck as he moves on to CCSF. Trustee Gonzalez-Yuen is grateful for the Peralta team. Trustee Gonzalez-Yuen also expressed his gratitude to the public that supported a bond measure, parcel tax and sales tax increase.

Trustee Guillen reminded everyone that the Foundation is looking for scholarship support for the November 21 foundation dinner honoring Joe Morgan.

Trustee Handy encourages everyone to be a reader for the Peralta Community Foundation which gives an opportunity to understand the hardships that students have gone through.

Trustee Clegg spoke about the Congressional Black Caucus that she attended in Washington and felt the caucus provided students with hope and encouragement. Trustee Clegg thanked all the college presidents for allowing the students to be a part of this. She also gave kudos to David Jones and Cynthia for being one of the Laney Culinary Art Students on the national stage.

Trustee Brown reminded everyone about the Trial of the Century on October 9 at 6:30pm at Laney College. She thanks Laney President Webb for hosting the event.

Trustee Gulassa attended the ACCT conference and had an opportunity to hear a forty minute discussion from guest speaker Bill Gates, who spoke about classrooms in the future.

5. [District Academic Senate Report Presenter: DAS President Karolyn van Putten PRESENTATION Report](#)

6. Presentation on Purchasing Policy & Law Presenter: Director of Purchasing Marie Hampton (15 minutes)

[Background Material](#)

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.

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BOARD MATTERS

MOTION: Motion by Trustee Guillen, second by Trustee Withrow to approve Including agenda items 7-23, 25.

AYES: Trustee Brown, Trustee Handy, Trustee Gonzalez Yuen, Trustee Guillen, Trustee Gulassa, and Trustee Withrow.
NOES: None
ABSTAIN: None
ABSENT: and Trustee Riley.

The motion passed.

7. Consider Approval of Resolution 13/14-22, Excusing Trustee Absence Presenter: Trustee Gulassa It is recommended that Trustees approve Resolution 13/14-22 excusing Trustee Handy from the September 24, 2013 Board meeting due to illness. The Chancellor recommends approval.

Resolution

8. Consider Approval of Resolution 13/14-23, Excusing Student Trustee Absence Presenter: Trustee Gulassa It is recommended that Trustees approve Resolution 13/14-23 excusing Student Trustee Clegg from the September 24, 2013 Board meeting due to illness. The Chancellor recommends approval.

Resolution

EDUCATIONAL AND STUDENT SERVICES

9. Consider approval of additional contractual projects between Peralta Community College and Jennifer Lough Kennedy Presenter: Vice Chancellor Orkin * Approved contracts for Jennifer Kennedy, Merritt College external site project (already paid by grant, Title III) The amount of the contract is \$10,000. * Approved contract with Berkeley City College for grant writing and planning projects. The amount of the contract is \$10,000. * California Community Colleges Online Education Initiative for grant writing (district project). The amount of the contract is \$7,500 US Department of Education. * Fulbright Hayes external evaluator grant funded (Merritt College). The amount of the contract is \$3,000. Jennifer Scope of work for The Online Education Initiative: * Review RFA guidelines and

webinar from California Community Colleges Chancellor's Office (CCCCO). * Work with project team to plan the multi-year proposal and create detailed project plan. * Write and revise the required narrative sections (i.e., work plan, narrative, and abstract) and create table of contents. * Work with project team to ensure completion of other required components (i.e., cover form, budget, and attachments) and make sure that these components are in compliance with RFA and consistent with the proposed project. * Oversee finalization of grant package contents, compilation, and submission. Jennifer Lough Kennedy has agreed to serve as the Project Evaluator for the Merritt College Fulbright-Hays Group Projects Abroad Program, Culture as Power: Teaching Afro-Brazilian History, Politics, and Culture--A Curriculum Development Project for Merritt Community College and Oakland Unified High School Educators.

[Background Materials](#)

10. Consider approval of submission for the California Community Colleges Online Education Initiative grant Presenter: Vice Chancellor Orkin The Peralta Community College District (PCCD) is preparing an application to the California Community Colleges Chancellor's Office (CCCCO), in response to the recently-released California Community Colleges Online Education Initiative (RFA Specification No. 13-082). Peralta seeks to serve as the lead agency and fiscal agent for this new, multi-year statewide initiative, which aims to increase student retention, transfer, and degree completion rates through the creation of a comprehensive online course exchange, the California Virtual Campus (CVC), specifically for the California community college system. If selected, Peralta will work closely with the Chancellor's Office to develop the infrastructure to bring state-of-the-art online education to all 112 of California's two-year colleges. The grant, which is due October 14, 2013, will start on December 1, 2013. Funding allocations will total \$26.9 million over the next two years (\$16.9 million in 2013-2014 and \$10 million in 2014-2015).

[Background Material](#)

FINANCIAL SERVICES

11. 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 7, 2013 through September 20, 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.

[Background Materials 1](#)

[Background Materials 2](#)

12. 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 7, 2013 through September 20, 2013. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for ratification purposes only. The Chancellor recommends ratification.

[Background Materials](#)

13. Consider Approval of Budget Transfer Report Presenter: Vice Chancellor Gerhard Consider approval of budget transfer report covering the period from September 7, 2013 through September 20,

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.

[Background Materials](#)

14. Consider Approval of the Annual CCFS 311A. Presenter: Vice Chancellor Gerhard Consider approval of the Annual CCFS-311A: Community College Annual Financial (Fiscal Year 2012-13 and Budget (Fiscal Year 2013-14) Report, in accordance with the California Code of Regulations Section 58300. This report is due to the State Chancellor's Office on or before October 10, 2013. The Chancellor recommends approval.

[Background Materials 1](#)

[Background Materials 2](#)

15. Consider Approval of Bank Signors Resolution No. 13/14-25 Presenter: Vice Chancellor Gerhard Consider approval of bank signors resolution no. 13/14-25 naming signors/key executives authorized to act on behalf of Peralta Community College District. Approval is requested to add Ms. Susan Rinne to the list of approved signors previously approved at the September 10, 2013 Board meeting, Resolution No. 13/14-17. Resolution No.13/14-25 delegates Mr. José M. Ortiz, Mr. Ronald Gerhard, Mr. David Yang, and Ms. Susan Rinne as authorized signors with all banking institutions. The Chancellor recommends approval. Funding Source: Not Applicable.

[Background Materials 1](#)

[Background Materials 2](#)

HUMAN RESOURCES

16. 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.

Last Name		The Chancellor		recommends		approval.	
First Name	Date of Hire	End Date	Position	Title	Site		
Bell	Darynell	10/9/13	12/13/13	Lifeguard		L	
Bingham	Sharonda	10/9/13	5/30/14	Inst Asst/Psychology		M	
Brown	Kevin	10/9/13	12/13/13	Inst Asst II/DSPS		L	
Costa	John	10/9/13	12/21/13	Inst Asst/Diesel Mechanics		A	
Hamilton	Darrian	10/9/13	12/6/13	Inst Asst/Diesel Mechanics		A	
Ishii	Adena	9/25/13	6/30/14	Inst Asst/English		B	
Kamunyu	Naomi	10/9/13	6/30/14	Staff Asst/HR		D	
Ly	Mai	10/9/13	6/30/14	Program Specialist/EOPS		L	
Ndiaye	Ndeye	10/14/13	6/30/14	Inst Asst I/DSPS		A	
Rangel	Jennifer	10/9/13	6/30/14	Clerical Assistant II		L	

Turnipseed Kayla	10/9/13	6/30/14	Inst	Asst/English	B
Watkins Janis	10/9/13	5/30/14	Inst	Asst/Psychology	M
Yee John	10/9/13	6/30/14	Inst	Asst/LRC	L
Yu Guo Yang	10/9/13	12/21/13	Inst	Asst/Diesel Mechanics	A

- Recommendation to approve a Tentative Agreement on contract re-openers for the 2012 -2015 Successor Agreement between the District and Local 39. Presenter: Vice Chancellor Largent On September 26, 2013, the District and Local 39 reached a Tentative Agreement on contract re-openers for the 2012-2015 Successor Agreement for permanent and short-term (hourly) employees. On October 3, 2013 Employees of Local 39 will take a ratification vote.

[Agenda](#)

[Background Materials](#)

- Recommendation to approve salary increase for Unrepresented Employees. Presenter: Vice Chancellor Largent The District is recommending that unrepresented management and confidential employees receive the same salary increase provided to all represented employees effective July 1, 2013, as follows: Regular and Interim Employees * The District will provide currently employed regular or interim unrepresented employees the equivalent of a 3% across-the-board salary increase effective July 1, 2013, on the regular employees' Salary Schedule for fiscal year 2013-2014. * In addition, effective July 1, 2013, for fiscal year 2013-2014, the District will provide currently employed regular and interim unrepresented employees a one-time sum of the equivalent of 1% of prior year (2012-2013) PERS or STRS earned wages credit. Short-term (Hourly) Confidential Employees * The District will provide unrepresented employees the equivalent of a 3% across-the-board salary increase effective July 1, 2013, on the short-term (hourly) confidential employees' Salary Schedule for fiscal year 2013-2014 only for employees employed with the District on July 1, 2013. * In addition, effective July 1, 2013, for fiscal year 2013-2014, the District will provide currently employed short-term (hourly) unrepresented employees the equivalent of a 1% one-time only off the confidential salary schedule salary increase. The Chancellor recommends approval.

[Agenda](#)

FACILITIES

- Consider approval of Resolution No. 13/14-24, Accept Bid and Award Contract of Laney College Beautification Project (Bid No. 13-14/05) to The Professional Tree Care Company Presenter Vice Chancellor Ikharo. Approval is requested to accept the bid and award a contract to The Professional Tree Care Company, in the amount not-to-exceed \$78,858.00 for the Laney College Beautification Project (Bid No. 13-14/05). This project redefines the entry to Laney College at Fallon Street. The project involves clearing and grubbing of a circular planting area, changes to paving and seating areas, integrated plantings, ground cover and irrigation system. A formal bid was conducted for this project (Bid No. 13-14 / 05) and a bid opening was held on September 20, 2013. Three bids were received as follows. CONTRACTOR LOCATION TOTAL BID The Professional Tree Care Company Berkeley, CA \$78,858.00 DPI General Contractor, Inc. Livermore, CA \$81,300.00 Surez and Munoz Construction, Inc. Hayward, CA \$135,773.00 The lowest responsible and responsive bid was submitted by The Professional Tree Care Company, in the amount of \$78,858.00. This resolution formally accepts the bid and authorizes the contract award to The Professional Tree Care Company for the Laney College Beautification Project (Bid No. 13-14/05). The company has an active license with the Department of Consumer Affairs - Contractors State License Board (CSLB). The firm is a division of Arboricultural Specialties, Inc. and they are located in Berkeley, California; Charles Slesinger is the Marketing Director at the company. All Board approved contracts are subject to final

negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Measure A Bond Fund.

Background Materials

20. Consider Approval of Amendment No. 1 to the Agreement for Construction Services with FieldTurf for the Laney College Football Field Refurbishment Project (RFP No. 13-14/04) Presenter: Vice Chancellor Ikharo Approval is requested for Amendment No. 1 to the agreement for construction services with FieldTurf for the Laney College Football Field Refurbishment Project (RFP No. 13-14/04), in the amount not-to-exceed \$64,500. On July 16, 2013, the governing Board of Trustees approved for the District to enter into an agreement with FieldTurf (RFP No. 13-14/04), in the amount of \$814,105. However, staff negotiated a lower amount of \$697,311 with FieldTurf's agreement based on selected construction items outlined in the original bid form. Additional services for drainage pipe replacement are needed as the existing pipes have deteriorated. The existing drain pipes need to be replaced so that the drainage system can function properly to handle surface and sub-surface water from the surrounding area. The firm will perform additional services under the terms and conditions of the original Agreement. Including this Amendment No. 1, the total contract amount is \$761,811.00. (Bid Alternates Laney College)
- A3. Perimeter Drain Pipe \$56,437.50
- A4. Perimeter Drain Pipe Fittings \$2,150.00
- A5. Perimeter Drain Pipe Conditions \$5,912.50 TOTAL: \$64,500.00 Prices of bid alternatives were included in the original bid form. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Measure A Bond Funds.

Background Materials

21. Consider Approval of Change Order No. 1 to E. F. Brett & Company Inc. Contract for the Berkeley City College Phase 3 Project Presenter: Vice Chancellor Ikharo Approval of Change Order No. 1 to E. F. Brett & Company Inc. Contract for the Berkeley City College Phase 3 Project. This Change Order No. 1 is a deductive amount of (\$27,169), which will decrease E.F. Brett & Company Inc. original contract sum of \$2,377,704 to a contract amount of \$2,350,535. At the July 17, 2012 Board of Trustees meeting, a bid was awarded to E.F. Brett & Company Inc. for the Berkeley City College Phase 3 Project in the amount of \$2,377,704. This project provided for the build-out of existing unimproved spaces into art studios on the 4th floor and improvement/alterations to labs, classrooms and offices on the 1st, 2nd, 3rd and 5th floors at Berkeley City College with a completion timeline of three hundred thirty four (334) calendar days. This deductive change order is comprised of changes to the architectural finishes requested by the College as well as the remaining allowance and unit pricing dollars that were not needed during construction. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Measure A Bond Funds.

Background Materials

22. Consider approval of Measure A Bond Budget Transfers and Appropriations (No. 52 & 53). Presenter Vice Chancellor Ikharo. Approval is requested for two (2) Measure A bond budget transfers and appropriations (No. 52 & 53). The Administration (Laney College 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. 52 is to accommodate the engineering, design, construction specifications provided by Gale Associates Inc. for the Waterproofing and Water Intrusion Remediation Project at Laney College, in the amount not-to-exceed \$99,500. The transfer of \$99,500 is from the Laney Contingency account (project no. 2424) to pay Gale Associates for the engineering design services, which was approved by the Board of Trustees on September 24, 2013. The fund will be transferred into a project account for the Waterproofing and Water Intrusion Remediation Project at Laney College (project no. 2465). Budget Transfer No. 53 of \$118,864 project budget is to cover architectural design services for the Laney College Breezeways-Drainage and Pavement Project provided by Noll & Tam Architects and Planners. This actual project budget will pay for the following project design phases: construction documents, bidding, construction, and occupancy. The transferred fund is from the Laney Contingency account (project no. 2424) to pay Noll & Tam for the architectural design services approved by the governing Board of Trustees on September 24, 2013. The amount of \$118,864 will be transferred into a new project account for the Breezeways-Drainage and Pavement Project at Laney College (project no. 2466). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Measure A Bond Funds.

[Background Materials](#)

23. Consider Approval to Enter into an Agreement with FieldTurf USA Inc. - A Tarkett Sports Company, Inc. to Mitigate the Deterioration of District-wide Tracks at College of Alameda, Laney College and Merritt College. Presenter: Vice Chancellor Ikharo Approval is requested to enter into an agreement with Field Turf USA Inc.- A Tarkett Sports Company (Field Turf), in an amount not-to-exceed \$1,438,017. FieldTurf will remove the existing tracks and install new tracks, junction boxes, additional sand; saw cut and remove existing asphalt (the DIP) at Merritt College; install new pipe, perimeter drain pipe and fitting, perimeter drain pipe connections; install storm drains infrastructure; install ADA accessibility sidewalks and staff parking improvement as required by the California Division of the State Architect (DSA) under Title 24 regulations at College of Alameda, Laney College and Merritt College. This not-to-exceed amount will be negotiated by the Chancellor during the contractual phase of this transaction. A formal Request for Proposal (RFP) was issued on June 11, 2013 and advertised in newspapers of general circulation on June 12 & 18, 2013. On July 3, 2013, the Purchasing Department received bids proposals from Hellas and Field Turf. A selection committee was formed that included stakeholder representatives from each college, including the project design team, a staff member from the Department of General Services and an observer from the Purchasing Department. The new track to be installed at Laney College, College of Alameda and Merritt College is called "Binding." This high quality track, which meets the National Collegiate Athletic Association (NCAA) standards is recommended by the Peralta Athletic Directors. Top universities, such as Oregon University, University of California Berkeley, Stanford University and Washington University are currently using this track for their athletic programs.

[Background Materials](#)

24. 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 175 points.

[Background Materials](#)

25. Consider Approval to Enter into an Agreement with Inspection Services, Inc. for Testing and Special Inspection, Geotechnical and Geohazard Professional Consulting Services on the Center for Science and Allied Health Building Project at Merritt College (Bid No. 13-14/08). Presenter: Vice Chancellor Ikharo Approval is requested to enter into an agreement with Inspection Services, Inc. for Testing and Special Inspection Services on the Center for Science and Allied Health Building Project at Merritt College (Bid No. 13-14/08), in an amount not-to-exceed \$349,388. 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 seven (7) proposals from qualified firms with Testing and Special Inspection, Geotechnical and Geohazard experience. The Department of General Services (DGS) issued RFP 13-14/08 for these professional services to provide the required testing and 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) Price Proposal, 4) Environmentally Sustainable Procurement, and 5) 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 Inspection Services, Inc. to be awarded the contract because they received the highest score of 160 points.

[Background Materials](#)

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.

MOTION: Motion by Trustee Guillen with no second required to adjourn.

Jose' M. Ortiz, Chancellor
Secretary to the Board of Trustees
PERALTA COMMUNITY COLLEGE
DISTRICT