



## PERALTA COMMUNITY COLLEGE DISTRICT

### REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, April 8, 2014

5:00 p.m. Closed Session

7:00 p.m. Public Session

333 East 8<sup>th</sup> Street

Oakland, CA 94606

**Welcome** to a meeting of the Peralta Community College District Board of Trustees. Meetings of the Peralta Community College District Governing Board are Broadcast Live on 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** (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)), Liao v. PCCD, Alameda County Superior Court Case No. RG14717733
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (8 cases).

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

- Consider approval of Interim Dean of Academic Pathways and Student Success, Merritt College.
- Consider approval to extend Interim Dean of Special Programs and Grants, Merritt College.

**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 March 25, 2014.

Consider approval of the regular Board meeting minutes of March 25, 2014. The minutes are posted on Granicus.



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**

## **PRESENTATIONS (7:30 P.M.)**

6. Laney College Program of Distinction Presentation on the National Science Foundation BEST Center **Presenter: President Webb** (15 minutes)

Laney College was the recipient in 2013 of a National Science Foundation 4-year grant to promote advanced technical education in Building Efficiency and Sustainability. In addition to supporting program improvements and innovations at Laney, the Center has provided professional development in energy efficiency and sustainability education to community college educators from around the country. Key topics include Building Automation Systems, Sustainable Building Operations, Energy Auditing, and the College Campus as a Living Laboratory. Laney has also moved rapidly to build out a new laboratory for instruction in building automation systems and advanced lighting controls.

## **CONSENT CALENDAR (7:45 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**

7. Consider Approval of Resolution 13/14-57 to establish a Peralta Community College District Minimum Wage **Presenter: Trustee González Yuen & Trustee Riley**

Consider Approval of Resolution 13/14-57 to establish a Peralta Community College District Minimum Wage. The Board of Trustees and Peralta Community College District supports raising the minimum wage for all workers including students. The Board calls for the District to report back the feasibility of a \$12 per hour minimum wage. The Chancellor recommends approval.

## EDUCATIONAL AND STUDENT SERVICES

8. Consider approval of *ratification* of Out of State Travel to Tennessee for Petural Shelton March 28, 2014 – April 5, 2014 pursuant to Board Policy 7400  
**Presenter: Chancellor Ortiz**

Consider approval of *ratification* of Out of State Travel to Tennessee for Petural Shelton March 28, 2014 – April 5, 2014 pursuant to Board Policy 7400. The Chancellor recommends approval.

9. Consider approval of Out of State Travel to Michigan May 5, 2014 – May 10, 2014 for Evelyn Lord pursuant to Board Policy 7400 **Presenter: Chancellor Ortiz**

Consider approval of Out of State Travel to Michigan May 5, 2014 – May 10, 2014 for Evelyn Lord pursuant to Board Policy 7400. The Chancellor recommends approval.

10. Consider approval of Out of State Travel to Oklahoma April 28, 2014 – May 2, 2014 for Hoi Ko pursuant to Board Policy 7400 **Presenter: Chancellor Ortiz**

Consider approval of Out of State Travel to Oklahoma April 28, 2014 – May 2, 2014 for Hoi Ko pursuant to Board Policy 7400. The Chancellor recommends approval.

11. Consider Approval of a Contract with Collaborative Brain Trust for an amount not to exceed \$93,000 for consulting services necessary for completion of a Peralta Community College District Comprehensive Master Plan **Presenter: Deputy Chancellor Hendrickson**

During the recent Chancellor/Board Special Workshop (November 12, 2013), the Chancellor presented as a district goal the pursuit of a strategic planning activity to be implemented during the Spring 2014. To this regard, an RFQ was published in December 2014, for facilitation services to execute the strategic planning process and the related master plans in Education, Facilities, and Technology. Four respondents to the RFQ can in with a cost ranging from \$.5 to \$1.5 million. The Chancellor considered this cost to be prohibitive and decided on a different approach to arrive at the same result (i.e., a district wide comprehensive plan).

The new Comprehensive Master Plan (CMP) will integrate all major institutional plans and insure alignment of these plans and resource allocation processes with the ACCJC accreditation standards. The CMP will implement the core outcomes anticipated at the November 12, 2013 Board Study Session on Strategic Planning. In addition, the completion of the CMP will provide a foundation for incorporating funding allocations into the established budget development timeline and public reporting of Measure B expenditures to the Citizens Oversight Committee. The services of the Collaborative Brain Trust with support from

tBP/Architecture include reviewing current plans and processes; recommending improvements and additional planning activities needed; identifying gaps between and among institutional plans, and analyzing the plans in terms of relevant accreditation standards. CMP consultants will meet with the Board to review the overall project, consider initial findings and to request Board input.

Major Comprehensive Master Plan project outcomes include:

- Assurance that overarching mission, vision, values and goals are operationalized and coordinated at each of the four colleges and the district office.
- Integration of the updated Strategic Plan as well as the Peralta Accountability for Student Success (PASS) program, and the EMP/FMP/TMP with each of the colleges.
- Appraisal and recommendations to ensure that all planning (SP/TMP/EMP/FMP) processes and plans are integrated and the development of metrics and timelines for on-going assessment and evaluation as appropriate.
- Evaluation of the Peralta Accountability for Student Success (PASS) program, a Measure B planning and fund allocation process, to ensure integration with the District Strategic Plan and the Budget Allocation Model.

12. Consider approval of a contract with Highstreet IT Solutions to implement the Student Success Initiative - Academic Advising and Student Educational Plan (SEP) modules, in the amount of \$273,800 **Presenter: Associate Vice Chancellor Madlock**

Consider approval of a contract with Highstreet IT Solutions to implement the District's PeopleSoft Academic Advising and Student Educational Plan (SEP) modules and provide technical support during implementation, in the amount of \$273,800.

The current District's Information Technology Strategy does not include an initiative to support Academic Advising and Electronic Student Education Planner modules, because the project will support state mandates resulting from the Student Success Act of 2012 (SB 1456) that requires Community Colleges to provide students with online student education plans and the ability to plan courses of study. Community Colleges that do not comply with this mandate will lose SSSP funding. Colleges will be funded according to the number of SEPs completed.

A formal Request for Proposals (RFP 13-14/23) was released seeking assistance for the implementation of the PeopleSoft Academic Advising and Student Educational Plan (SEP) modules. Four firms attended the pre-proposal meeting and three responded to the RFP. A panel was convened to evaluate the proposals based on: vendors' submitted responses to bidder qualifications/experience; company and project team qualifications/approach; ability to meet the general, functional and technical system requirements; and costs. After detailed analysis and review, Highstreet IT Solutions was the highest-ranking responsive and responsible vendor. The scores are summarized below:

Vendors Scores	
Highstreet IT Solutions	86.2 %
ERP Analyst	69.1 %
People Tech	59.8 %

This project consists of the implementation of the PeopleSoft Academic Advising and Student Educational Plan (SEP) modules. The deliverables include a targeted fit/gap process to see what is needed to augment the current system, configuration of Academic Advising reports for all current academic plans, along with development and testing. There will also be training on configuration & functionality as well as support for end user training.

All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding source: Parcel Tax (Measure B)**

13. Consider Approval of Contract with Hicks Consulting Group **Presenter: Associate Vice Chancellor Madlock**

Consider approval of Contract with Hicks Consulting Group. Project 3.7 of the District's *Information Technology Strategy*, Student Financial Aid System, calls for the implementation of the PeopleSoft Financial Aid module. A vendor has been selected to start working on the implementation of this module, but in the meantime Peralta still needs to maintain the current SAFE Financial Aid System in order to disburse financial aid to students.

The District has contracted with Hicks Consulting Group since 2005 to support the Legacy SAFE Financial Aid System. Hicks was retained, at that time, because existing staff did not have the programming knowledge necessary to keep the SAFE system functioning. It is expected that at the conclusion of the PeopleSoft Financial Aid module implementation project (Fall 2014) Hick's services will be no longer necessary.

This contract with Hicks Consulting Group will ensure maintenance to our SAFE Financial Aid System during the implementation of the PeopleSoft Financial Aid module in order to streamline verification of eligibility determination and issue financial aid checks. The contract costs will also include, but are not limited to, the implementation of the financial aid system for the District, submission of FISAP and BFAP reports, as well as reporting management information systems (MIS) data for FY 2013-14. The not to exceed cost for this contract is \$190,000. The term of the contract is through June 30, 2015. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure E.**

14. Consider Approval for a Contract Extension for Kathi Roisen to provide Project Management Services for Laney College for the TAACCCT Grant (D.O.L) and the Bay Area Workforce Funding Collaborative. **Presenter: President Webb**

Consider approval for Laney College to extend the contract of Kathi Roisen to provide project management services. Kathi's total contract amount for the fiscal year will increase from \$19,125 to \$35,325. Roisen will provide project management support for the TAACCCT grant and Bay Area Funding Collaborative. Roisen will manage student support services, as well as outreach and program enhancement. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Federal Department of Labor TAACCCT grant and Bay Area Funding Collaborative grant.**

15. Consider Approval of Agreement for iParadigms, LLC to Render Services for a Merritt College Turnitin Site License. **Presenter: President Ambriz-Galaviz**

Consider approval of agreement for iParadigms, LLC in the amount of \$26,847.06 in support of protecting and promoting academic integrity in Merritt's curriculum as a tool for detecting and preventing plagiarism. The college is requesting to pay for a two year site license service that is comprised of an annual licensing fee and a per-student fee based on the colleges FTES. The subscription includes unlimited instructor access to all other licensing campuses, submission of student work, phone and email support for all instructors and access to all online and web-based training and professional development resources. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Funds.**

16. Consider Approval of a Contract Addendum with Jennifer Lough Kennedy for Berkeley City College. **Presenter: President Budd**

Consider approval of a contract addendum for Jennifer Lough Kennedy in the amount of \$20,000, (total contracted amount increased to not exceed \$27,000 for the 2013-14 fiscal year) for continued institutional effectiveness support, including research and technical writing for Accrediting Commission for Community and Junior Colleges (ACCJC) accreditation self-evaluation. This addendum is to the original contract in fall semester 2013 with Carl D. Perkins CTE grant funding and January 2014 addendum with Career Advancement Academy funding. **Funding Source: District General Fund**



## FINANCIAL SERVICES

17. Consider Ratification of the AP, Travel, and Consulting Contract Warrant Register **Presenter: Interim Vice Chancellor Rinne**

Consider *ratification* of the AP, Travel, and Consulting Contract Warrant Register from March 8, 2014 through March 21, 2014. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for *ratification* purposes only. The Chancellor recommends *ratification*.

18. Consider Acceptance of Purchase Order Report **Presenter: Interim Vice Chancellor Rinne**

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 March 8, 2014 through March 21, 2014 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.

19. Consider Approval of Budget Transfer Report **Presenter: Interim Vice Chancellor Rinne**

Consider approval of budget transfer report covering the period from March 8, 2014 through March 21, 2014. 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.

20. Review of Annual Measure B Special Parcel Tax Report **Presenter: Interim Vice Chancellor Rinne**

The Annual Measure B Special Parcel Tax Report is being presented for review in accordance with Section 53411 of the California Government Code which states, "The chief fiscal officer of the issuing local agency shall file a report with its governing body no later than January 1, 2002, and at least once a year thereafter. The Annual report shall contain all of the following: (a) The amount of funds collected and expended. (b) The status of any project required or authorized to be funded as identified in subdivision (a) of Section 53410." This

Parcel Tax Report contains the amounts collected and expended for fiscal year 2012/13. The Parcel Tax Report is brought to the Board for informational purposes only.

## HUMAN RESOURCES

21. 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
Alvarado	Silvia	4/9/14	6/30/14	Financial Aid Specialist	M
Duffin	Melly	4/9/14	5/23/14	Inst Asst I/DSPS	A
Forlastro	Christana	4/14/14	6/30/14	Library Technician II	M
Groves	Toya	4/9/14	6/30/14	Inst Asst IV/DSPS	A
Hua	Annie	4/9/14	6/30/14	Executive Asst/Finance	D
Jones	McCabe	4/9/14	6/30/14	Inst Asst/English	B
Jones	Myeisha	4/9/14	6/27/14	Inst Asst/Child Development	M
Lyons	Laura	5/1/14	6/30/14	Student Personnel Svc Spec	B
Tobor	Tina	4/9/14	6/30/14	Admissions & Records Clerk	L

22. Consider Recommendation to realign Range III of the July 1, 2013 Management Salary Schedule **Presenter: Vice Chancellor Largent**

The Range III of the Management Salary Schedule incurred a misalignment regarding the percentage amount for step advancement as reflected in the current Management Salary Schedule, effective July 1, 2013. The District is requesting approval to bring Range III percentage between steps in alignment with all other levels of the Management Salary Schedule.

The District further requests that the Board approve the Revised Management Salary Schedule, effective July 1, 2013, which reflects the realignment of Range III.

23. Consider Approval of a Reduced Workload by Faculty Member Becky Sanchez, Full-Time Instructor at College of Alameda **Presenter: Vice Chancellor Largent**

Consider Recommendation to Approve a request from Becky Sanchez, a full-time faculty member at College of Alameda, to participate in the Reduced Workload Program, also known as the "Willie Brown Act" in accordance with California Education Code Section 87483 and Article 27 of the Collective Bargaining Agreement between the District and the Peralta Federation of

Teachers, beginning August 18, 2014, through June 30, 2015 to be served as follows:

67% for the Fall 2014 Semester  
67% for the Spring 2015 Semester

Ms. Sanchez meets the qualifications to participate in the Reduced Workload Program.

24. Consider Approval of a Reduced Workload by Faculty Member Mika Van Spanje, Full-Time Instructor at Merritt College **Presenter: Vice Chancellor Largent**

Consider Recommendation to Approve a request from Mika Van Spanje, a full-time faculty member at Merritt College, to participate in the Reduced Workload Program, also known as the "Willie Brown Act" in accordance with California Education Code Section 87483 and Article 27 of the Collective Bargaining Agreement between the District and the Peralta Federation of Teachers, beginning August 18, 2014, through June 30, 2015 to be served as follows:

100% for the Fall 2014 Semester  
20% for the Spring 2015 Semester

Ms. Van Spanje meets the qualifications to participate in the Reduced Workload Program.

25. Consider Approval of a Reduced Workload by Faculty Member Carolyn Lake, Full-Time Instructor at Merritt College **Presenter: Vice Chancellor Largent**

Consider Recommendation to Approve a request from Carolyn Lake, a full-time faculty member at Merritt College, to participate in the Reduced Workload Program, also known as the "Willie Brown Act" in accordance with California Education Code Section 87483 and Article 27 of the Collective Bargaining Agreement between the District and the Peralta Federation of Teachers, beginning August 18, 2014, through June 30, 2015 to be served as follows:

50% for the Fall 2014 Semester  
50% for the Spring 2015 Semester

Ms. Lake meets the qualifications to participate in the Reduced Workload Program.

**FACILITIES**

26. Consider *Ratification* of a Contract with Rainbow Waterproofing & Restoration Corporation for Laney College Tower Emergency Exterior Building Surface Repair **Presenter: Vice Chancellor Ikharo.**

*Ratification* is requested to approve the emergency contract that was approved by the Chancellor, in the amount not-to-exceed \$69,320. Since this is an emergency project, approval was requested from the Chancellor so the vendor can start work immediately. In compliance with the Public Contract Code, Section 22050, under Emergency Contracting Procedures, the Chancellor may authorize the procurement of services for emergency projects without giving notice for bids, as long as this procurement is reported to the Governing Board of Trustees at the next board meeting.

The Laney College Tower structure is a class A (mixture of concrete and rebar) nine (9) story high rise building that is centrally located at the heart of the college campus. Since its original construction 43 years ago, the concrete has absorbed moisture and if some of the rebar are too close to the exterior surface, they will begin to rust and expand causing concrete to weaken and flake. As the concrete pieces flake off the building, they are falling onto pedestrian walkways, causing a safety hazard in walking areas around the building. Board ratification to accept this proposal is required because we need to provide a safe environment for the general public, students, faculty and staff.

To correct this problem, Rainbow Waterproofing & Restoration Company will remove any loose pieces of concrete from the exterior surface of Laney Tower to prevent any injuries. The contractor will provide a scaffolding system to inspect and remove any loose pieces of concrete, patch spalls with Sika Top 123 plus polymer, prep and paint any exposed rebar, and then patch the building surface.

In compliance with the Public Contract Code, Section 20651, an informal competitive bidding was conducted to procure this service. Three (3) written quotes were received from the following contractors providing similar services:

<b>CONSULTANTS</b>	<b>LOCATION</b>	<b>TOTAL BID</b>
<b>Rainbow Waterproofing &amp; Restoration co.</b>	<b>San Francisco CA</b>	<b>\$69,320</b>
Rodan Builders, Inc.	Burlingame, CA	\$83,350
SV Builders	San Jose, CA	Non-responsive

The lowest responsive and responsible bidder was Rainbow Waterproofing & Restoration Co., in the not-to-exceed amount of \$69,320. The corporation is being managed by Chris Abell and Ralph Brown and the business is located at 600 Treat Avenue, San Francisco, CA 94110. The business is registered with the California Department of Consumer Affairs – Contractors State License Board with license #148753. All Board recommended contracts are subject to

negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure E Bond Funds.**

27. Consider Approval of Resolution 13/14-58, Accept Bid and Award Contract, for the Proposition 39 District-wide Exterior LED Lighting Upgrade (Bid No. 13-14/20) **Presenter: Vice Chancellor Ikharo.**

Approval is requested to accept the bid and award a contract to Retro-Tek Energy Services, for the Proposition 39 District-wide Exterior LED Lighting Upgrade (Bid No. 13-14/20), in the amount not-to-exceed \$461,540. Under this contract, vendor will retrofit lighting systems with energy-efficient LED lighting systems. Systems to be retrofitted include lamps, fixtures, and the associated equipment. The equipment is located at the College of Alameda, Laney College, Merritt College, and at the District Administrative Center (DAC).

In compliance with the Public Contract Codes, Section 20651, formal competitive bidding and a request for bid was conducted for this project. A Notice to Bid for the project was advertised in newspaper publications of general circulation on Friday, March 7, 2014, and Friday, March 14, 2014. A mandatory bidder's conference was held on March 17, 2014; the bid opening was held on April 1, 2014. A total of three (3) bids were received, as follows:

<b>CONTRACTOR</b>	<b>LOCATION</b>	<b>TOTAL BID</b>
<b>Retro-Tek Energy Services</b>	Vista, CA	<b>\$461,540</b>
Enlight Efficient Lighting Inc.	Pleasanton, CA	\$861,691
Flouresco Lighting & Sign	Sacramento, CA	\$1,033,398

The lowest responsible and responsive bid was submitted by Retro-Tek, in the amount not-to-exceed \$461,540. Brad Howard is the principal of the Retro-Tek and the business has a current and active contractor's license in California with good standing. The firm is registered with the California Department of Consumer Affairs – Contractors State License Board. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: California Proposition 39, the CCC/IOU partnership program, and technical assistance grants.**

28. Consider Approval of Amendment No. 4 for a Lease Extension with Continental Can Building LLC for Interim Storage Needs for Laney and Merritt Colleges. **Presenter: Vice Chancellor Ikharo.**

Approval is requested for Amendment No. 4 for a lease extension with Continental Can Building LLC for interim storage space located at 5601 San Leandro Boulevard in Oakland, in an amount not-to-exceed \$12,000. The vendor's last lease extension expired on February 28, 2014. Under this Amendment No. 4, the lease term for Continental Can Building LLC is for a period of two (2) months, from March 1 to April 30, 2014, at a cost of \$6,000 per month. This time period will allow the Department of General Services and

college presidents to remove the inventories in the lease space in the proper manner to meet the District's requirement. Currently, the leased space is used to store books and other usable furniture, fixtures, and equipment during the modernization work of the Laney College Administrative Tower Building and the Merritt Learning Resource Center (LRC) and Library. Since these projects are completed, some of the existing furniture was moved back to the Tower. However, old furniture and equipment belonging to Laney College and Merritt College are still stored in the leased space.

The Board of Trustees approved the original agreement (\$54,000) on February 15, 2011; Amendment No. 1 (\$55,000) was approved on June 12, 2012; Amendment No. 2 (\$48,000) was approved on September 30, 2013; Amendment No. 3 (\$30,000) was approved on December 10, 2013. Including this Amendment No. 4, the total contract amount will be \$199,000 for all contracts.

Continental Can Building LLC is an active business entity registered with the California Secretary of State. The business is located in Oakland, California; Francis M. Rush III is the company's management representative. 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 of Change Order No. 4 for Merritt College's Chilled Water Infrastructure (Bid No. 12-13/03), Taber Construction, Inc. **Presenter: Vice Chancellor Ikharo.**

Approval is requested for Change Order No. 4 to the contract with Taber Construction, Inc., in the amount of \$90,380.00. This Change Order is 2.2% of the original contract amount of \$4,076,000. Including the previously Board approved Change Order No. 1 (\$56,471) approved on October 22, 2013; Change Order No. 2 (\$89,547) approved on December 11, 2013; and Change Order No. 3 (\$34,987) approved on February 25, 2014, the cumulative Change Order total to date is \$271,385. Change Order No. 4 is based on the following unforeseen conditions and deletion in scope of work.

**Change Order No. 4 scope of work includes the following:**

- Due to unforeseen underground obstructions, the layout of the cooling tower equipment pad was redesigned and portions re-excavated; impacted electrical connection at Building Q, unforeseen wall obstruction and oversized bedrock led to revisions and added work;
- Unforeseen underground utilities and structural support caused the redesign of the fence and posts around the equipment pad; the footing and new grade beams were adjusted;
- The new trench path changed to accommodate unforeseen utilities. The new chilled water pipes were rerouted, which required pressure testing to be performed. A new catch basin was added to correct standing water issue at Building Q;

- Credit for deletion of manhole #17 and three (3) blank electrical distribution structure, placing project soil spoils on campus in lieu of hauling off site, and revising the chilled water valves to the appropriate model, and reducing the scope of work to build a new retaining wall; and
- Cost for providing an analysis of existing roofing membrane for potential asbestos; and
- The existing storm drain line next to Building Q was rerouted because it interfered with the new chiller water line and catch basin.

The project is near completion and the project's original contracted completion date is on schedule. In accordance with the Board Policy 6600, Change Order No. 4 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 change order. The Chancellor recommends approval. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Funds.**

30. Consider Approval of Change Order No. 1 for Merritt College's Center for Science & Allied Health Project (RFP No. 11-12/01), Clark & Sullivan / Walsh Construction. **Presenter: Vice Chancellor Ikharo.**

Approval is requested for Change Order No. 1 to the contract with Clark & Sullivan / Walsh Construction, in the amount of \$294,534.00. This amount is 0.7% of the original base contract of \$42,760,000 approved by the Board of Trustees on June 12, 2012. Including this Change Order, the cumulative total to date is \$43,054,534. Change Order No. 1 is based on changes due to both unforeseen conditions and additions in scope of work required of the contractor.

**Change Order No. 1 scope of work includes the following:**

- Removal and remediation of unforeseen underground hazardous material obstructions. During planned excavation of soil for new underground utilities, the project encountered remnants of abandoned existing underground piping that contained asbestos.
- Addition to project of new mechanical heat exchanger. During the project design phase, it was discovered that the existing campus heating and hot water infrastructure was too antiquated to support the new facility. A new "booster" pump heat exchanger is required to supplement the existing infrastructure.

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 change order. BJ Sullivan is the owner of the company; the business has a current and active contractor's license (#796486) in California. They are registered with the California Department of Consumer Affairs – Contractors State License Board. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Funds.**

31. Consider Approval of Resolution No. 13/14-56, Acceptance of Completed Work and Release of Retention for Merritt College’s Electrical Connection to the Library Learning Resource Center (LRC) and Building ‘L’ Project (Bid No. 11-12/22), Dan Electric Inc. **Presenter: Vice Chancellor Ikharo.**

Approval is requested for Resolution No. 13/14-56 for completed work and release of retention for Merritt College’s Electrical Connection to the Library Learning Resource Center (LRC) and Building ‘L’ Project (Bid No. 11-12/22), Dan Electric Inc. On September 11, 2012, the Board of Trustees ratified awarding a contract to Dan Electric, Inc. for this project, in the amount not-to-exceed \$1,000,000. There was one additive (1) change order in the amount of (\$81,952.84) which was approved by the Board of Trustees on July 16, 2013. A Notice of Completion (NOC) has been filed with the County of Alameda. This resolution accepts the project as complete and staff is requesting final acceptance of the project and release of the remaining 5% retention in the amount of \$54,097.64. Approval by the Board of Trustees is recommended to authorize the release of retention amount. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Funds.**

32. Consider approval of Measure E Bond Budget Transfers and Appropriations for the Tower Emergency Exterior Building Surface Repair (No. 64) and Laney College Breezeways – Drainage & Pavement Project (No. 65) **Presenter: Vice Chancellor Ikharo.**

Approval is requested for two (2) Measure E budget transfers and appropriations. Budget Transfer No. 64 (\$69,320) is from Measure E bond fund, which will pay for the Laney College Tower Emergency Exterior Building Surface Repair will be completed by Rainbow Waterproofing & Restoration Corporation. This project budget is transferred from the District-wide Measure E unallocated funds (Project no. 0000) into the new project account (Project no. 2731).

**Budget Transfer No. 64**

#	Project Name	Current Budget	Revised Budget	Transfer Amount
<b>Transfer To:</b>				
2731	Laney Tower Emergency Exterior Building Surface Repair	-	\$69,320	\$69,320
	<b>Total Transfer</b>			<b>\$69,320</b>
<b>Transfer From:</b>				
0000	District-Wide Measure E Unallocated Funds	\$5,644,935	\$5,575,615	\$69,320
	<b>Total Transfer</b>			<b>\$69,320</b>

Description: Create a project account for the Laney Tower Emergency Exterior Building Surface Repair project.



Budget Transfer No. 65 is for the Laney Breezeway Project. The initial engineering construction cost estimate for the Breezeway Project is inadequate. The actual construction cost bid for the entire project budget can now be determined. That amount is estimated to be \$434,500, needed to cover the entire project expenses (i.e. printing and distribution, advertisements and notices, construction costs, inspection costs, material testing and inspection costs, moving of existing materials, design contingency).

**Budget Transfer No. 65**

	<b>Project Name</b>	<b>Current Budget</b>	<b>Revised Budget</b>	<b>Transfer Amount</b>
<b>Transfer To:</b>				
2732	Laney Breezeway Project	-	\$434,500	\$434,500
	<b>Total Transfer</b>			<b>\$434,500</b>
<b>Transfer From:</b>				
0000	District-Wide Unallocated Funds	\$5,575,615.31	\$5,141,115	\$434,500
	<b>Total Transfer</b>			<b>\$434,500</b>

Description: The lowest responsible bidder came in higher than the estimated construction cost and there are additional associated soft costs for the project as outlined in the attachment.

All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure E Bond Funds.**

33. Consider Approval of Resolution No. 13/14-59 for the Previous Board Approved Agreement with NRG eVgo to Install Slow (Dedicated) Electric Vehicle Charging Stations at Laney College, District Administrative Complex, Merritt College, and the College of Alameda. **Presenter: Vice Chancellor Ikharo.**

Approval is requested of Resolution No. 13/14-59 for the Board approved agreement with NRG eVgo to Install Slow (Dedicated) Electric Vehicle Charging Stations at Laney College, District Administrative Complex, Merritt College, and the College of Alameda. The Board of Trustees approved the contract award and budget at its previous meeting on March 11, 2014. This request is only for the approval of 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
13/14-59	Installation of Slow (Dedicated) Electric Vehicle Charging Stations at Laney College, District Administrative Complex, Merritt College, and the College of Alameda.	NRG eVgo	March 11, 2014

All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: District Solar Energy Credit from California Solar Initiative.**

**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 8<sup>th</sup> Street, Oakland, CA, (510) 466-7203, [bmartinez@peralta.edu](mailto:bmartinez@peralta.edu) at least 48 hours prior to the meeting.