



BOARD OF TRUSTEES  
OF THE  
PERALTA COMMUNITY COLLEGE DISTRICT  
MINUTES  
APRIL 9, 2013

**CALL TO ORDER (5:00 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)), PCCD v. KYJ Associates, Alameda County Superior Court, Case No. RC08376707. \* Conference with Legal Counsel (54956.9(a)), Jackson v. PCCD, Alameda County Superior Court, Case No. RG11601534. \* Conference with Legal Counsel (54956.9(a)), Kogo v. PCCD et al., Alameda County Superior Court, Case No. RG12613106. \* Conference with Legal Counsel (54956.9(a)), Burk v. PCCD, Alameda County Superior Court Case No. RG12633720. \* Conference with Legal Counsel (54956.9(a)), Chabala v. PCCD; Opong-Mensah, Alameda County Superior Court Case No. RG12655323. \* 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)), Kimberly Alexander v. Peralta Community College District, etc., Case No. RS12657695. \* Conference with Legal Counsel (54956.9(a)), Emmanuel Tril v. Laney College et al., U.S. District Court, Northern District of CA, Case No. C131464 LB \* Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (6 cases). Conference with Real Property Negotiator (Government Code § 54956.8): \* Negotiator Ikharo, 2120 University Avenue, Berkeley, California, 94704. \* Negotiator Ikharo, 2025 Center St, Berkeley, California, 94704. \* Negotiator Ikharo, 1950 Addison Street, Berkeley, California, 94704. Public Employee Appointment - Employment, Performance, Evaluation, Discipline, Dismissal, Release - All Employees (Government Code § 54957).

**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 Cervantes Pr Ab .**

Present: Trustee Brown, Trustee Gulassa, Trustee Guillén, Trustee González Yuen, Trustee Withrow, Trustee Riley, Student Trustee Cervantes, Student Trustee Clegg, and Trustee Handy.

Absent: None.

(Trustee González Yuen attended the closed session meeting via conference call. He was not in attendance at the open session meeting.)

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

None.

**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 will move to the Action Calendar items with public speakers.**

Agenda

MOTION: Motion by Trustee Withrow, second by Trustee Guillén to approve the agenda, and to discuss Items 9 and 11.

AYES: Trustee Brown, Trustee Gulassa, Trustee Guillén, Trustee Withrow, Trustee Riley, and Trustee Handy.

NOES: None

ABSTAIN: None

ABSENT: and Trustee González Yuen.

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 (3 minutes per individual maximum) will be provided for speakers under this agenda section. 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, where both have completed a speaker's card, and the yielder must identify him/herself to the Board. Written statements can be submitted for inclusion into the Board minutes to the Board Clerk, and members of the public 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.)**

Speaker Sealund thanked those who participated in the recent successful classified staff development day event.

Speaker Lanza is the local SEIU 1021 representative. He heard that 150 classified employees that attended that it was fabulous. He asked the Board to continue to look at student success ratios and classified staffing levels as next year's budget is being formulated and negotiated.

Speaker Cook is an older student at BCC and Laney College. She praised her human values and ethics class and is enjoying her education. She's mentoring an ASBCC student leader. She feels that the Black student

union group experienced a lot of administrative runaround related to an event, and she thinks the politics are unnecessary.

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

#### Minutes

MOTION: Motion by Trustee Withrow, second by Trustee Guillén to approve APPROVAL OF THE MINUTES (7:03 P.M.)

AYES: Trustee Brown, Trustee Gulassa, Trustee Guillén, Trustee Withrow, Trustee Riley, and Trustee Handy.

NOES: None

ABSTAIN: None

ABSENT: and Trustee González Yuen.

The motion passed.

1. Consider Approval of the Regular Board meeting Minutes of March 26, 2013. Consider approval of the regular Board meeting minutes of March 26, 2013. The minutes are posted on Granicus.

### PUBLIC HEARING (7:20 P.M.)

2. Sunshining of Initial Proposal for Contract Re-Openers for SEIU Local 1021 to Peralta Community College District Presenter: Vice Chancellor Largent Pursuant to Government Code 3547 (a), the public shall have an opportunity to comment upon the Service Employees International Union (SEIU) Local 1021's notice for Permanent and Hourly Employees, received at the March 26, 2013 Board meeting for the purpose of public notice, for re-openers for Articles IX (Pay and Allowance), X (Health and Welfare, and XIX (Reopeners) as well as three non-economic re-openers, for the Successor Agreement dated July 1, 2012 - June 30, 2015. The initial proposal suggested that if any represented/unrepresented employee group/and or other bargaining unit receive a wage increase, Peralta Community College District agrees to increase the salary schedule for SEIU Local 1021 members. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends the adoption of the Service Employees International Union (SEIU) Local 1021's initial proposal.

#### Background Material

Speaker Lanza spoke about the reopening of salary and benefit negotiations. He noted that Social Security payroll taxes are increasing, and that health care companies continue to raise fees. He feels it's a better economic climate since we don't have to face layoff notices, and that the Union and District have come a long way together with a very good working relationship.

3. Sunshining of Contract Reopeners for Negotiations for Peralta Community College District to the Service Employees International Union Local (SEIU) 1021 Presenter: Vice Chancellor Largent Pursuant to Government Code 3547 (a), the public shall have an opportunity to comment upon the District's notice of its contract reopeners with the Service Employees International Union Local (SEIU) 1021. This item, received at the March 26, 2013 Board meeting, introduced the re-opening proposals for the 2012-2015 Successor Agreement on Articles 5 (Employee Evaluations) and Article 21 (Grievance Procedures) to the Service Employees International Union Local (SEIU) 1021 for the purpose of public notice. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends the adoption of the District's initial proposal.

[Background Material](#)

**REPORTS (7:30 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.**

4. [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.)

Speaker Kresy, ASBCC President, shared that they are meeting consistently and with many upcoming events, including Earth week, and the African American culture club. More outlets are being considered in their lounge, and more student scholarships. They will send 8 delegates to the SSCCC. Their new constitution will be on spring ballot, with upcoming elections followed by a leadership retreat.

5. [Chancellor's Reports](#) [Chancellor's Report Dr. José M. Ortiz](#) [Vice Chancellor's Reports](#) [Budget Update](#) [Vice Chancellor Gerhard](#) [Enrollment and Interim](#) [Vice Chancellor Orkin](#) [Student Services Update](#) [General Services Update](#) [Vice Chancellor Ikharo](#) [Human Resources](#) [Vice Chancellor Largent](#)

The Chancellor provided an update on some of his recent activities. The Accreditation visiting teams were at the colleges and District to evaluate our progress reports. The classified staff development day last week was very successful, and the leadership was commended for their hard work. He met with Sheila Jordan regarding Prop 39 and the sustainable energy training component that could help retrofit some of our educational institutions. The District wide (DW) student council has been meeting with him monthly which has been a very positive experience, allowing students to voice concerns and clarify issues.

## **College Reports**

### **Berkeley City College President Budd**

**[College of Alameda President Jackson Intent to Apply for Deputy Navigator Sector Grant](#)**

[Background Material](#)

### **Laney College President Webb**

### **Merritt College President Ambriz-Galaviz**

[Merritt College President Report](#)

6. [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.

Student Trustee Cervantes thanked the Chancellor for meeting with the student council about the advisor position and working to improve communication issues. Student association elections will occur May 6-7. Representatives from all four schools and the two student trustees will attend the SSCCC this year. Trustee Guillén shared that many of our students are concerned about the violence in our community and the great personal losses of within our student body. He emphasized the importance of our Administration of Justice program working to ensure resident protection, and encourages applications to this

program. He suggested a future report on the program, and an update on how we partner with similar community programs. Trustee Riley announced that Chancellor Ortiz will be the guest speaker at the Lake Merritt breakfast club meeting on April 18th, 7:30 am at the Garden Center. Student Trustee Clegg thanked the Chancellor for meeting with the DW council, working to change the culture of student interaction. Adela Esquivel-Swinson was also thanked for immediately taking care of student problems. Trustee Brown thanked the Chancellor and staff for conducting a How to do business with Peralta workshop April 11th. Trustee Gulassa thanked the College Presidents and their teams for their progress reports and positive accreditation team visits. He thanked Speaker Lanza for his positive comments.

7. [District Academic Senate Report Presenter: DAS President Karolyn van Putten](#)
8. [Presentation on Open Educational Resources \(OER\) and Reducing Student Textbook Costs Presenters: Interim Vice Chancellor Orkin and Fabian Banga, Ph.D. \(30 minutes\) This presentation will review Open Education Resources \(OER\) initiatives in California: S.B.1052 California OER Council and SB-1053 Public postsecondary education: California Digital Open Source Library](#)

### [Background Material](#)

### [Presentation](#)

Trustee Guillén asked what percentage embraces online textbooks, but we don't know. He thinks this is good for our students, and thinks recording courses would also help faculty with staff development. There are privacy issues with putting student faces online, but audio is acceptable. Video conferencing is also available between our campuses. Vice Chancellor (VC) Orkin shared that education technology is creeping into many educational areas, such as math programs, that are currently free with access to problem solving software and supplemental materials. Social network groups are also used for student interactions, eroding traditional textbook learning models. Contextualized learning will improve our student success rates. K-12 is moving toward common core standards with a technology feature in the future. Trustee Brown asked the timing to support the development of these materials. SB 52 and 53 would currently support these ideas, although the technology is developing faster than any plan could project. Trustee Withrow asked how we communicate to students that they can take a section that offers materials to download from the public domain onto kindles. Instructors have to communicate this, and the District and BCC websites post open educational resources to inform students which sections have these opportunities. The notion of authorship is changing where colleagues now cooperate to write a book with artifacts that get pieced together to create large textbook communities. Trustee Guillén loves books. He'd like to see some programs advertised as not requiring any textbooks. A message could be, "If you want to study ESL, Math, or English, it can all be done online with no textbook costs." Trustee Gulassa explored the site to download a book, and he asked how faculty are paid for these. The faculty aren't paid for this, but it's given to humanity. Software now allows the teacher to see and when the student has opened the online book and read chapters, and the moodle program that hosts online and hybrid courses also logs this. Student Trustee Cervantes asked if a student needs a computer for these services. A student doesn't need to use a computer, as they can choose to print available documents, or use them at the library. The Chancellor shared that a future trend is common core standards with K-12 preparing students for college and aligning their curriculum to what's done at the university system. At least 60% of our students are unprepared for college level work. The speakers were thanked for their presentation.

**[CONSENT CALENDAR \(8:30 P.M.\) 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.

MOTION: Motion by Trustee Withrow, second by Trustee Guillén to approve including agenda Items 10, 12 - 18.

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

The motion passed.

## **BOARD MATTERS**

9. Consider Approval of Resolution 12/13-27 supporting Oakland Vegetarian Week Presenter: President Guillén Consider approval of Resolution 12/13-27 supporting Oakland Vegetarian Week. The Chancellor recommends approval.

### Background Material

MOTION: Motion by Trustee Withrow, second by Trustee Riley to approve 9. Consider Approval of Resolution 12/13-27 supporting Oakland Vegetarian Week Presenter: President Guillén Consider approval of Resolution 12/13-27 supporting Oakland Vegetarian Week. The Chancellor recommends approval.

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

The motion passed.

Trustee Guillén shared information about the resolution with the Board.

## **EDUCATIONAL AND STUDENT SERVICES**

10. Consider an Amendment Regarding Continued Probationary Status of Tenure Track Faculty Presenter: Interim Vice Chancellor Orkin Consider an amendment regarding continued probationary status of Tenure Track Faculty. Six faculty members were inadvertently omitted from the agenda item on March 12. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

### Background Material

11. Consider Approval of a Contract with LifeLong Medical Care for Mental Health Services at Merritt College Presenter: Interim Vice Chancellor Orkin Consider approval of a contract with LifeLong Medical Care for mental health services at Merritt College not to exceed \$50,000 per year for one year. In the original contract with Asian Health Services, AHS was responsible for sub-contracting with community agencies to meet all service needs. Funding Source: Student Health Fees. The

original contract changed as of July 1, 2012. Peralta will now provide the subcontracting for certain health services, including mental health services at specific campuses. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

#### Background Material

#### Contract

MOTION: Motion by Trustee Withrow, second by Trustee Riley to approve.

AYES: Trustee Brown, Trustee Gulassa, Trustee Guillén, Trustee Withrow, Trustee Riley, and Trustee Handy.

NOES: None

ABSTAIN: None

ABSENT: and Trustee González Yuen.

The motion passed.

Trustee Handy asked for clarification about the contract. Vice Chancellor Orkin clarified that LifeLong Medical will just be providing the mental health services at Merritt College, but that Asian Health Services is still assisting us with the Student Health Center at Laney College, as well.

### **FINANCIAL SERVICES**

12. 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 governing board every 60 days." This Purchase Order Report contains all orders issued from March 9, 2013 through March 18, 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.

#### PO Report

#### Background Material

13. 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 March 9, 2013 through March 18, 2013. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for ratification purposes only. The Chancellor recommends ratification.

#### Background Material

14. Consider Approval of Budget Transfer Report Presenter: Vice Chancellor Gerhard Consider approval of budget transfer report covering the period from March 9, 2013 through March 18, 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 11, 2012. The Chancellor recommends approval.

[Background Material](#)

**HUMAN RESOURCES**

15. 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
- |                   |         |         |                             |                    |
|-------------------|---------|---------|-----------------------------|--------------------|
| Bryant Marguerite | 4/15/13 | 6/28/13 | Clerical Assistant I        | D Crompton         |
| Pamela            | 4/10/13 | 6/28/13 | Inst Asst/Computer Info Sys | L Dalton           |
| Stephanie         | 4/10/13 | 6/28/13 | Facilities Services Spec.   | L Huynh Duy-hoa    |
|                   | 4/10/13 | 5/31/13 | Inst Asst I/DSPS            | A Ingle Harris     |
|                   | 4/10/13 | 6/28/13 | Staff Asst/Admin            | M LaBadessa Nino   |
|                   | 4/10/13 | 6/28/13 | Principal Clerk             | D Scott            |
| Gareth            | 4/10/13 | 6/28/13 | Library Technician I        | B Seraphin Raymond |
|                   | 4/10/13 | 6/28/13 | Inst Asst/English           | B                  |

**FACILITIES**

16. Consider Approval to Enter into a Contract for Architectural Design Services with Gould-Evans for the District-wide Track and Field Replacement Project Presenter: Vice Chancellor Ikharo Approval is requested to enter into a contract with Gould-Evans for architectural design services for the District-wide Track and Field Replacement Project, not-to-exceed \$100,000. Funding Source: Measure E Bond Funds. Architectural services are needed to replace the tracks at College of Alameda and Merritt Colleges, and replace the track and football field at Laney College. On April 2, 2013, Gould-Evans submitted a firm fee proposal to the District. Gould-Evans will serve as the architect of record and also act as the prime for project coordination. Also under this agreement, Lloyd Civil & Sports will provide civil engineering and sports field consultation. The following are reasons why this service is important: The replacement of the tracks and fields is a high priority issue for the District that addresses health and safety needs while mitigating potential injury to any athletes that may use the existing facilities. Mondo Tracks, the District's previous track and field service provider, utilized an active chemical agent that accelerated the deterioration of the tracks and fields before its anticipated lifecycle and lost its estimated useful life. As shown below, four (4) architectural firms submitted a proposal for this project. The District interviewed and evaluated each architectural firm based on the following District's evaluative criteria: 1) qualifications and experience, 2) client references, 3) price on the service, 4) submittal requirements for product recommendation, 5) environmentally sustainable procurement, and 6) Small Local Business Enterprise (SLBE) qualification. Based on this assessment, Gould-Evans received the highest points of 265 on their interview. Additionally Gould-Evans provided the lowest total cost fee for these services, in the not-to-exceed amount of \$100,000, if awarded all three campuses. Firm Price Evaluation Committee
- |     |                  |                 |            |             |           |     |
|-----|------------------|-----------------|------------|-------------|-----------|-----|
| 1   | 2                | 3               | Total      | Gould-Evans | \$100,000 | 94  |
| 82  | 89               | 265             | Byrens-Kim | \$201,819   | 91        | 72  |
| 82  | 245              | Murakami-Nelson | \$173,200  | 89          | 57        | 79  |
| 225 | Gelfand Partners | \$180,260       | 73         | 38          | 75        | 186 |
- Pursuant to the Public Contract Code (PCC), the District can award this contract to the lowest responsible 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. The anticipated completion date for all projects is September 30, 2013. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)



[Background Material 2](#)

17. Consider Approval to Expand the Existing Contract with Preston Pipelines for their Emergency Performance over the March 29 - 31, 2013 Weekend, Upgrading the Plumbing Infrastructure at the College of Alameda Presenter: Vice Chancellor Ikharo Approval is requested to replace the existing contract with Preston Pipelines to upgrade the mechanical plumbing infrastructure piping in the vicinity of the (COA) Library from an amount of \$14,999 to an amount of \$27,522.79. Funding Source: Measure A Bond Funds. The College of Alameda has been losing water at approximately \$2,500 per month this year through a leak outside the Library, which has been extremely difficult to pinpoint. Three companies have tried to locate the leak, unsuccessfully. Locating the leak had been unsuccessful since in the vicinity of the leak, the drawings showed that three (3) large 4 - 6 inch water lines overlapped under the pavement of the Campus Loop Road closest to Atlantic Avenue. Finally on Thursday, March 28, 2013, Subdynamic, Inc. using a sophisticated underground apparatus, while filling each pipe line independently with compressed air, was able to pinpoint the line of the break and its specific location. With this information, Preston Pipelines was able to give us a not-to-exceed (NTE) estimate of \$14,999 for its repair with the caveat that the required repair was understood as being "minor" and that "additional funds might be necessary arising from a change in the condition in the field or the addition of scope." This original contract was approved by the Chancellor on Thursday, March 28, 2013. Emergency work continued over the weekend with unforeseeable, complicated circumstances. Preston Pipelines' work needed to continue so that the college would have domestic and fire water to each campus building when classes resumed on April 1st with successful resolution and added expenses of \$12,523.79. The work was successfully completed on April 1, 2013. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

18. Consider Approval to enter into a contract with Terraphase Engineers to Provide Topographic, Utility, and Geotechnical Surveys for the Laney College Building Efficiency for a Sustainable Tomorrow (B.E.S.T.) Presenter: Vice Chancellor Ikharo Approval is requested to enter into a contract with Terraphase Engineers to provide topographic, utility, and geotechnical surveys for the Laney College Building Efficiency for a Sustainable Tomorrow (B.E.S.T.) Center, for a not-to-exceed fee of \$35,500. Funding Source: Measure A Bond Funds. A formal Request for Information (RFI) was advertised in a publication of general circulation on February 6 & 13, 2013. On February 26, 2013, the Purchasing Department received four (4) proposals from qualified firms that had licensed professionals to conduct environmental/geotechnical, topographical and utility surveys for the Laney College Building Efficiency for a Sustainable Tomorrow also known as the BEST Center. A selection committee was formed comprising of representatives from the District and an observer from the Purchasing Department. As shown below, four (4) engineering firms submitted proposals and fees for this project. During the interview process, each engineering firm was evaluated by three evaluators and they provided points on their performance. Each engineering firm's performance was evaluated based on the following District's evaluative criteria: 1) qualifications and experience, 2) client references, 3) price on the service, 4) submittal requirements for product recommendation, 5) environmentally sustainable procurement, and 6) Small Local Business Enterprise (SLBE) qualification. Based on this assessment, Terraphase Engineers received the highest points of 293 on their interview. Additionally they provided the lowest total cost fee for the requested service, for a not-to-exceed amount of \$35,500 to provide engineering services for the B.E.S.T. Center. Firms Location Price Evaluation Committee 1 2 3 Total Points Terraphase Engineers Oakland, CA \$35,500 98 100 95 293 BKF/Cornerstone Engineers/Surveyors/Planners Oakland, CA \$128,875 84 60 70 214 SANDIS Civil Engineers, Surveyors, and Planners Oakland, CA \$47,550 68 70 70 208 Geosphere

Consultants Inc. San Ramon, CA \$82,700 91 73 83 247 Under this contract, Terraphase Engineers will produce for the District a Phase 1 Environmental Site Assessment (ESA) report to identify noticeable environmental conditions (RECs) of the project site. The Phase 1 ESA will be performed in general accordance with the American Society for Testing and Materials (ASTM) standard practice E 1527-05 and the U.S. Environmental Protection Agency (EPA) applicable inquiry standard effective November 6, 2006. Additionally Terraphase Engineering environmental scope of services will include but is not limited to the following: Update the existing Geologic Hazards Assessment for Laney College. The final report will satisfy each applicable requirements of Note 48 of the California Geological Survey. Evaluate the presence of hazardous substances and/or petroleum products on the project site or near the site. Review of background information on site setting and history of site usage (e.g., topography, site drainage, local soil and geologic characteristics, groundwater and surface water sources, water and wastewater utilities, and land use. Complete reconnaissance-level site visit and visual observation of neighboring properties Review of regulatory records concerning the site and surrounding area Evaluate data and prepare the final report. Work with sub-consultant, Kister, Savio & Rei, Inc. to perform and complete the topographic survey. Provide a utility survey that will identify sub-surface utilities at future location of the BEST center. The anticipated completion date for the Laney College Surveys for the BEST Center is May 30, 2013. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

**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 will 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**

1. The next regular Board meeting will be held in two weeks on April 23rd here in the District Boardroom.
2. The Board sends get well wishes to Trustee González Yuen upon his recent hospitalization.

**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, repstein@peralta.edu at least 48 hours prior to the meeting.

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