

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

*Meetings of the Peralta Community College District Board of Trustees are Broadcast Live on Peralta TV—
Cable Channel 27-Alameda and Berkeley, Cable Channel 28-Oakland, Emeryville and Piedmont,
or LIVE on the web at www.peralta.tv*

** Please note: Live stream of the meetings, agendas, minutes, and meeting materials are available on Granicus at:
http://peraltaccd.granicus.com/ViewPublisher.php?view_id=2

PERALTA COMMUNITY COLLEGE DISTRICT



A Closed Session is scheduled at 5:00 P.M., July 19, 2011, Chancellor's Conference Room, District Administrative Center, 333 East Eighth Street, Oakland, California.

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)), Flippin v. PCCD, Alameda County Small Claims Court Case No. BS10542521.
- Conference with Legal Counsel (54956.9(a)), Abdur-Rasheed v. PCCD, United States District Court, Case No. CV 11-1744.
- 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)), Abboud v. PCCD, Alameda County Superior Court, Case No. RG11-572374.
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (8 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.

Public Employee Appointment – Employment, Performance, Evaluation, Discipline, Dismissal, Release – All Employees (Government Code § 54957 and BP 3.62 Temporary Assignments - Interim and Acting definitions).

- Consider Public Employment Appointment, Interim Director of Financial Aid, District Office.
- Consider Dismissal of Academic Employee, Merritt College.

REGULAR MEETING AGENDA

Regular Meeting of July 19, 2011, 7:00 P.M.,

Board Room, District Administration Center

333 East Eighth Street, Oakland, California

PLEASE NOTE

Members of the public may address the Board on any item within the Board's jurisdiction. Cards which must be completed to request to address the Board, and a summary of Board rules concerning communications from the public, are available from the Board Clerk at the meetings. Persons addressing items included on the agenda will be heard at the time the item is considered. Persons requesting to address items or subjects which are not on this agenda will be heard under the agenda item "Communications from Members of the Public." Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours prior to the meeting to the Board Clerk 466-7203 repstein@peralta.edu

CALL TO ORDER:

Time: _____

PLEDGE OF ALLEGIANCE 7:00 P.M.

ROLL CALL Trustees González Yuen Pr_ Ab_ Gulassa Pr_ Ab _ Handy Pr_ Ab_ Hodge Pr_ Ab_ Guillén Riley Pr_ Ab_ Withrow Pr_ Ab_ and Riley Pr_ Ab_, Student Trustees Storm Pr_ Ab_ and Brumfield Pr_ Ab_. **7:00 P.M.**

The Regular Meeting of the Board of Trustees will commence at **5:00 P.M.** in the **Boardroom, District Administrative Center**, 333 East Eighth Street, Oakland, at which time the Board Roll Call will be taken. Immediately following the Board Roll Call at **5:00 P.M.**, the Board will enter Closed Session. The Regular Meeting in Open Session will convene at **7:00 P.M.** The first item of business upon convening in open session after the Pledge of Allegiance will be to report on Closed Session actions, if any, or to announce that Closed Session is in recess. Listed agenda times are estimates.

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

APPROVAL OF THE AGENDA 7:02 P.M.

(Please state the agenda item number and identify the issue.)

MINUTES 7:03 P.M.

1. Consider Minutes of the Board Meeting of June 28, 2011.
Copies of the minutes of the Board of Trustees' Meetings are posted on Granicus. Please submit all minute corrections to the Board Clerk.

IDENTIFICATION OF ITEMS TO BE REMOVED FROM THE CONSENT CALENDAR FOR DEBATE 7:04 P.M.

(Please state the agenda item number and identify the issue.)

IDENTIFICATION OF ITEMS TO REMAIN ON THE CONSENT CALENDAR AND PULLED FOR DISCUSSION 7:05 P.M.

(Please state the agenda item number and identify the issue.)

IDENTIFICATION OF ITEMS WITH PUBLIC SPEAKERS 7:06 P.M.

ASSOCIATED STUDENT GOVERNMENT REPRESENTATIVES REPORT 7:07 P.M.

At this time in the meeting, representatives of the associated student governments will be afforded an opportunity to address the Board. (Please provide your name and position, and line-up to speak.)

COMMUNICATIONS FROM MEMBERS OF THE PUBLIC 7:15 P.M. (Please line-up to speak when your name is called.) This portion of the agenda provides an opportunity for members of the public to address the Board on matters not included on this agenda. **A maximum of 15 minutes (3 minutes per individual maximum) will be provided for speakers under this agenda item.** Requests to speak which cannot be honored within the time limit will be scheduled for subsequent meetings in the order received. Under the Brown Act, Trustees and District staff are not allowed to discuss and/or take formal action at today's meeting on items brought before them under this item. Trustees and District staff are only allowed to respond briefly. Persons submitting cards to address an item included on the agenda will be called upon at the time the agenda item is considered by the Board, and comments on tangential issues not directly related to the item may be ruled out of order. Cards must be received prior to the Board's consideration of the item and are honored in the order the cards are received by the recording secretary. Written statements can be submitted to the Board Clerk for inclusion in the Board minutes.

PRESENTATION 7:30 P.M.

2. Update from the Peralta Foundation **Presenter: Director Casenza** (5 minutes)

INFORMATIONAL ITEMS AND WRITTEN REPORTS 7:35 P.M.

CHANCELLOR

3. Chancellor's Report **Presenter: Chancellor Allen**
Vice Chancellors' Reports
State Budget Update **Presenter: Vice Chancellor Gerhard**
Enrollment Update **Presenter: Vice Chancellor Budd**
EasyPass, Financial Aid, Student Health Fee, and Health Services Initiative Update
Presenter: Vice Chancellor Ng
General Services' Update **Presenter: Vice Chancellor Ikharo**
College Reports
Merritt College **Presenter: President Adams**
Laney College **Presenter: President Webb**
College of Alameda **Presenter: President Jackson**
Berkeley City College **Presenter: President Inclan**

BOARD OF TRUSTEES' ANNOUNCEMENTS

DAS PRESIDENT REPORT **Presenter: DAS President van Putten**

ACTION ITEMS

As a matter of policy (Board Policy 1.10), no action shall be taken on any item not identified as an "action item."

CONSENT CALENDAR (FOR ACTION) 8:00 P.M.

All action items are to be considered to be a part of a consent calendar. Trustees are given the opportunity to pull specific items off of the consent calendar for discussion and action. All items that have not been pulled by a Trustee will be considered in a block for comments by the public and action by the Board. All Board approved contracts are subject to final negotiation and execution by the Chancellor. Items pulled for Debate by the Trustees will be addressed later in the meeting, at approximately 8:00 p.m. Meeting times are estimates.

4. Consider Approval of Proclamation Honoring Outgoing PFT President Debra Weintraub
Presenter: Trustee Riley

Consider approval of proclamation honoring outgoing PFT President Debra Weintraub. The Chancellor recommends approval.

5. Consider Approval of Resolution 11/12-7 in Support of SB 810 to Establish a Universal, Single-Payer Health Insurance System in California **Presenter: Trustee Riley**

Consider approval of Resolution 11/12-7 in support of SB 810 to establish a universal, single-payer health insurance system in California. The Chancellor recommends approval.

6. Consider Approval of Resolution 11/12-8 in Support of AB 52 to Authorize the State Insurance Commissioner to Regulate Health Insurance Rates in California **Presenter: Trustee Riley**

Consider approval of Resolution 11/12-8 in support of AB 52 to authorize the State insurance commissioner to regulate health insurance rates in California. The Chancellor recommends approval.

7. Consider Approval of Resolution 11/12-9 on Board Operating Protocol **Presenter: Trustee Withrow**

Consider approval of Resolution 11/12-9 on Board operating protocol.

8. Consider Approval of the Tri-party Agreement between the City of Oakland, Peralta Community College District, and the Rotary Development, LLC **Presenter: Trustee Riley**

This Amended and Restated Agreement is a tri-party agreement between the City of Oakland, Peralta Community College District and Rotary Development LLC to facilitate a program for the acquisition of residential lots suitable for construction of residential structures in the City of Oakland, California, the construction of said residence(s), and the sale of said residence(s) at an affordable price to low or moderate income households. **Funding Source: No fiscal impact.** Pursuant to the agreement, the City of Oakland provides abandoned residential homes that are in poor condition (at no cost) and the Rotary takes responsibility for overseeing the rehabilitation and sale of the completed home as affordable housing to low or middle-income Oakland residents. Although Rotary as project manager will engage a general contractor to oversee and perform construction tasks, students from Laney College's Building Trades program will provide some of the labor during the construction process. This Amended and Restated Agreement amends and replaces the existing tri-party agreement between the City of Oakland, Peralta Community College District and Rotary Club dated as of August 24, 2001. The Amended and Restated Agreement primarily:

- 1) replaces the Rotary Club as a party with the Rotary Development LLC, its subsidiary;
- 2) clarifies with more specificity the limited roles of the parties; and
- 3) corrects the insurance coverage each party must carry. Neither the building trades program students nor Laney receives any compensation for the student services or training, nor does Laney make any financial contribution to the project. Laney is required to carry certain insurance coverage. This Amended and Restated Agreement was negotiated by outside legal counsel for the District and was reviewed by the District's Risk Manager. This type of contract is within the Chancellor's approval authority. Since Chancellor Wise E. Allen is a member of Oakland Rotary, he voluntarily recused himself from participating in the negotiation or approving the contract. Furthermore, since General Counsel Thuy Nguyen is also a member of Oakland Rotary, she voluntarily recused herself from participating in the negotiation or approving the contract as to legal form. The contract was negotiated, reviewed, and approved as to legal form by outside legal counsel, Ms. Ericka Curls-Bartling.

FINANCIAL SERVICES

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

Consider approval of budget transfer report. Budget transfers shall be made in accordance with California Code of Regulations Section 58307. The Chancellor recommends approval.

10. Consider Ratification of Purchase Order Report **Presenter: Vice Chancellor Gerhard**

Consider *ratification* of purchase order report. This item is for informational purposes only. This report is being presented for review in accordance with Education Code section 81656 which states, "All transactions entered into by the District shall be reviewed by the governing board every 60 days". All Purchase Orders listed have been issued in accordance with the District's policies and procedures by an authorized officer of the District and have been budgeted. The Chancellor recommends *ratification*.

11. Consider Ratification of the AP, Travel, and Consulting Contract Warrant Register **Presenter:**

Vice Chancellor Gerhard

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

12. Consider Approval of EB5C Contract Amendment. **Presenter: Vice Chancellor Gerhard**
Consider Approval of EB5C Contract addendum to include Asset Management implementation. This request seeks to extend the time and scope of the existing contract to include the implementation of the Asset Management module within PeopleSoft. This implementation will bring the District into compliance with Governmental Accounting Standards Board statement number 35 and address an outstanding audit finding (finding number 2010-10) related to capital asset accounting. The existing contract is for \$425,000. This addendum would increase the contract amount by \$250,000 bringing the total contract not to exceed value to \$675,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

13. Consider Approval of Bartel & Associates Contract Amendment. **Presenter: Vice Chancellor Gerhard**
Consider Approval of Bartel & Associates contract addendum. The Governmental Accounting Standards Board issued Accounting Standard 45 that requires public agencies to accrue the cost of retiree health benefits provided to employees and to record this liability on their financial statements. The District commissioned Bartel and Associates LLC, to conduct an actuarial study for the period ending June 30, 2010 that provides the liability valuation through fiscal year ending June 30, 2012. The additional work was required in order to complete the actuarial study. The existing contract is for \$25,000. The addendum would increase the contract amount by \$22,000 bringing the total contract not to exceed value to \$47,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

14. Contract with Hicks Consulting Group (Financial Aid Support) for the 2011-12 Fiscal Year
Presenter: Vice Chancellor Ron Gerhard

Request approval for a new contract with Hicks Consulting Group to transfer Peralta's Mainframe and Legacy Financial Aid application (SAFE) to an online software Financial Aid system. This agreement covers the transfer of existing mainframe software packages for Fiscal Year 2011-12. The compensation shall not exceed \$145,000. On December 7, 2010 the Board approved services through Fiscal Year 2010-11. Contractors will be responsible for developing custom reports related to Federal and State Compliance Audits, integration from SAFE to PeopleSoft Financial (GL), and data retrieval of historical information. In addition, they will be making necessary system modification to accommodate for new Financial Aid disbursement process between SAFE and PeopleSoft Student Financials. The source of funds is Measure E.

15. Consider Approval of Bond Underwriter Contract Services **Presenter: Vice Chancellor Ron Gerhard**

As part of our efforts to restructure the District's OPEB program, the District released Request for Qualification (RFQ) number 10-11/32 for bond underwriting services. The RFQ was issued and advertised on May 12, 2011 and closed on June 9, 2011. The scope of service sought was for qualified underwriting firms to provide underwriting and investment banking services for the District related to our General Obligation Revenue Bonds and Other Post-Employment Bonds (OPEB). The Retirement Board served as the evaluation committee. Fifteen (15) firms submitted proposals and upon evaluation by the Retirement Board ____ () firms were invited for a second level

interview. Based upon the evaluation of their proposal and the evaluation of their interview _____ is being recommended as the successful candidate. It is recommended that the Board of Trustees award RFQ number 10-11/32 and approve contract to _____. This contract award is time sensitive, and cannot wait until the next Board meeting for approval. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

16. Consider Approval of TBWB Strategies Contract **Presenter: Vice Chancellor Gerhard**

Consider approval of TBWB Strategies Contract. The District is contemplating a parcel tax measure at an upcoming election that would support the District in fulfilling its institutional mission of serving the community and students. Under this contract, TBWB would provide the District with a feasibility assessment, voter demographic analysis, and assist with the development of the ballot measure and general advice with regard to the parcel tax. The contract amount shall not exceed \$50,000. Funding Source: General Fund Unrestricted. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

17. Consider Approval of the Creation of Two Advisory Committees to the Retirement Board
Presenter: Vice Chancellor Gerhard

To promote and encourage participation and general awareness of the operations of the Peralta Community College District Other Post Employment Benefit Trust, the Retirement Board is recommending the creation of two advisory committees each composed of three representatives. The first advisory committee would be comprised of current retirees representing the entire retirement community. The second advisory committee would be comprised of representatives from each of the three bargaining units within the Peralta Community College District. At present, the bargaining units include Local 39, Local 1021, and Peralta Federation of Teachers. The scope of the advisory committees would be to: 1) advise the Retirement Board on all issues related to the investments and operations of the Peralta Community College Other Post Employment Retirement Benefit Trust; and 2) to make recommendations to the Retirement Board concerning items that will enhance the efficiency of the operations of the Trust and maintain and preserve the continued viability of the negotiated health and welfare benefits provided to current and future retirees of the Peralta Community College District. Both advisory committees would be recommending bodies whose recommendations would be nonbinding. The Chancellor recommends approval.

EDUCATIONAL SERVICES

18. Consider Approval of a Contract Extension with Wisdom InfoTech **Presenter: Vice Chancellor Budd**

Consider approval of a contract extension with Wisdom InfoTech to provide consultant services to the District's Business Intelligence (BI) Project. An additional amount not to exceed \$40,000 is needed for a contract extension. The scope of work remains the same. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

19. Consider Approval of Resolution 11/12-1 Granting Authority for the EDD Green Jobs Grant between the California Employment Development Department and Laney College
Presenter: Vice Chancellor Budd

Consider approval of Resolution 11/12-1 granting authority for the EDD Green Jobs grant between the California Employment Development Department and Laney College. The funding amount shall not exceed \$494,139. This resolution authorizes Chancellor Allen or his designee the authority to approve, sign, and execute the EDD Green Jobs grant – Laney College agreement on behalf of the Governing Board. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

20. Consider Approval to Apply for the Industry Driven Regional Collaborative Grant
Presenter: Vice Chancellor Budd

The IDRC grants is to meet the demand for new, innovative and emerging growth sectors and should be created for short- or long-term responses customized to the duration of the need. Programs and services provided through Industry Driven Regional Collaborative are strategic responses to the needs identified through statewide and regional environmental scanning processes. The grants are also used as pilots to guide the state in new directions that will lead the colleges to offer training in new areas that will need technical workers in the next 5 – 10 years including sectors such as biotechnologies, information technologies, nanotechnologies, digital manufacturing, and Micro-Electro-Mechanical Systems (MEMS). The skills sets developed by these projects will also lead to the integration of new processes, materials and sciences, especially those that are considered part of the “Green Economy. Funding is based on the merit and reasonable cost for the anticipated outcomes and performance. Funding for these projects is limited to two consecutive fiscal years. October 1, 2011 – June 30, 2013. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

PERSONNEL

21. Consider Approval of Resolution 11/12-8 to Reduce/Eliminate Certain Services and Related Layoff Notices **Presenter: Vice Chancellor Largent**

Consider approval of Resolution 11/12-8 to reduce/eliminate certain services and related layoff notices. Under the Principles for Sound Fiscal Management adopted by the Community College Board of Governors, Title 5, California Code of Regulations, §58311, each District shall be responsible for the ongoing fiscal stability of the District through the responsible stewardship of available resources. Benefit costs continue to rise and the California Department of Education has proposed a 16.5% reduction to the Maximum reimbursement Rate for certain child care services. The State fiscal crisis has had a devastating impact on the District’s financial condition. District-wide approaches to address the reduction of funding for Categorically-Funded positions require significant reductions and/or discontinuance/elimination of current services. The Governing Board complies with California Education Code §§88005, 88117, and 88127 in eliminating affected positions; and the District is required by California Education Code §88017 to notify affected classified incumbents no earlier than 45 calendar days prior to the effective date of lay-off. The following classified position allocations are hereby affected by lack of funds, effective September 6, 2011: Position Title Layoff FTE Site/Department Child Care Assistant II 2.0 FTE District - Children’s Center. The Chancellor is directed to: 1. Immediately notify all affected employee organizations of the issues, directions and concerns set forth in this Resolution, in order to allow any affected organization to request to meet and negotiate any resulting effects of lay-off. 2. Comply with all applicable sections of the California Education Code in preparing any and all required lay-off and/or reassignment notices to classified incumbents so affected by lack of funding, and any and all notices as required by the collective bargaining agreement. The Governing Board has determined, after public input, that layoff or reduction of work years of employees are the necessary and last fiscally viable response to the District’s adverse budgetary situation. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

22. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified Short-Term Employees on an Emergency Basis **Presenter: Vice Chancellor Largent**

Pursuant to AB500, attached is a report that contains the name, classification, and date of hire, assignment end date, hourly rate, classification, position title, location, background and experience

department, and fund source of candidates recommended for short-term assignments in non-academic classified positions. Below are the names, and classifications of these candidates. Each candidate's assignment will not exceed the category in which hired. The Chancellor recommends approval.

Last Name	First Name	Date of Hire	End Date	Position Title	Site
Ahmed	Munira	7/25/11	6/30/12	A&R Clerk	M
Allen	Bennie	7/20/11	12/22/11	Library Tech I	L
Berger	Rachel	7/20/11	6/30/12	Instr Asst/English	B
Bynum	Lindsey	7/20/11	6/30/12	Instr Asst/English	B
Casillas	Christine	7/20/11	6/30/12	Instr Asst/ESL	B
Crumpton	Pamela	8/1/11	6/30/12	Clerical Assistant I	L
Desaussure	Laura	7/20/11	6/30/12	Instr Asst/English	B
Doan	Lan	8/18/11	6/30/12	Instr Asst/Culinary Arts	L
Drakes	Daniel	7/20/11	6/30/12	Clerical Asst II, Typing (Conf)	D
Dutton	William	8/18/11	6/30/12	Instr Asst/Photography	L
Esquivel	Anel	7/20/11	6/30/12	Instr Asst/Biology	B
Faw	Randall	8/22/11	6/30/12	Instr Asst I/DSPS	A
Fihe	Lauren	7/20/11	6/30/12	Instr Asst/English	B
Ganding III	Exequiel	7/20/11	6/30/12	Instr Asst/English	B
Herrera	Catalina	7/20/11	6/30/12	Library Tech I	B
Ho	Jenny	7/20/11	6/30/12	Instr Asst/Biology	B
Laiche	Nacira	7/20/11	6/30/12	Instr Asst/Chemistry	B
Le	Connie	8/18/11	6/30/12	Instr Asst/Culinary Arts	L
Lewis	Azul	7/20/11	6/30/12	Instr Asst/Chemistry	B
Lewis	Francine	7/20/11	6/30/12	Secretary	B
Livsey	Andrew	8/22/11	12/16/11	Instr Asst IV/DSPS	L
Luckett	Aaron	7/20/11	6/30/12	Instr Asst/English	B
Lyons	Jeffrey	7/20/11	6/30/12	Instr Asst/Machine Tech	L

Markham	Chauncey	8/1/11	9/30/11	Secretary	M
McGinn	Martin	7/20/11	6/30/12	Sr. Library Tech	B
Meier	Philip	7/20/11	6/30/12	Instr Asst/MMART	B
Murphy	Marcella	7/20/11	6/30/12	Instr Asst/English	B
Perez	Minerva	7/20/11	6/30/12	Secretary	B
Pursley	George	7/20/11	6/30/12	Instr Asst/ESL	B
Riley	Jesse	7/20/11	7/28/11	Instr Asst/Accompanist	L
Roudebush	Tomoko	7/20/11	12/30/11	Program Specialist/AANAPISI	L
Sanchez	Jose	7/20/11	6/30/12	Instr Asst/Biology	B
Scottt	Jessica	7/20/11	6/30/12	Clerical Asst II, Typing (Conf)	D
Segeberg	Von	7/20/11	6/30/12	Clerical Assistant II	M
Smith	Ann-Marie	7/20/11	6/30/12	Sign Lang. Interp. f/t Hearing Impaired/DSPS (Full Cert)	B,C,L,M
Tran	Ben	7/20/11	11/23/11	Instr Asst IV/DSPS	L
Yu	Alice	8/25/11	6/30/12	A&R Clerk	COA

FACILITIES

23. Consider Ratification of Change to Natural Gas Providers for the District (This item is for information purposes only) **Presenter: Vice Chancellor Ikharo**

Independent natural gas suppliers are able to supply the commodity at a less expensive rate than PG&E’s standard commercial or industrial rate. The natural gas commodity is still transmitted over PG&E gas lines, but the purchase of the natural gas itself is more economically priced by others than PG&E. SPURR (the School Project for Utility Rate Reduction) for the past few years has provided the District both the core and noncore commodity. The noncore commodity is less expensive but first to be curtailed to resolve any capacity constraint issues (i.e., over-demand), while core pricing is higher but delivery is guaranteed. Tens of thousands of dollars may be saved by the District properly balancing these deliveries. SPURR is a California joint powers authority (JPA) with 200 participating school districts, colleges, universities, and public agencies. The JPA members expect to buy low and have rates kept low. SPURR has no marketing arm to provide support, thus their service and information is marginal. In the past year, SPURR has provided a low price for the noncore gas being delivered to PCCD. The District intends to continue with SPURR for noncore deliveries, which represent approximately 70% of the District’s consumption.

SPURR’s core pricing – the higher priced commodity, but lesser delivered – has been higher than most other commodity deliverers, since California public educational institutions need budget pricing for the next fiscal year by May, meaning that prices must be locked in and gas forward-purchased in late winter (February). For that reason, the District intends to contract with Commercial Energy, an Oakland-based natural gas producer and supplier, for the core commodity which makes up 30% of the District’s gas usage. Commercial Energy conducts business out of its 7677 Oakport Street office (near the Coliseum) and supplies over 2,000 businesses at 7,000 locations within PG&E’s operating

territory. Commercial’s client base spans all major industries including low income housing, hospitality, healthcare, commercial property management, public and private schools, baking, food processing, and metal production enabling it to have a balanced demand regardless of whether one of the 7,000 locations which it serves has a summer or winter gas peak. This has made Commercial the #1 supplier within PG&E’s Core Gas Aggregation Program. The District intends to purchase its core gas from Commercial Energy and its noncore commodity from SPURR beginning August 1, 2011, and continuing until June 30, 2012. In this way the District will benefit from the historical lower price that SPURR has delivered for noncore gas, while utilizing Commercial Energy’s local presence, monthly pricing models, and historical lower priced core natural gas.

24. Consider Approval of Resolution 11/12-2, Accept Bid and Award Contract, District-Wide Security Surveillance Project, Increment 2 (Bid No. 10-11/31), ADT Security Services
Presenter: Vice Chancellor Ikharo

Approval is requested to accept the bid and award a contract to ADT Security Services, in the amount of \$4,850,553.32, for the District-Wide Security Surveillance Project, Increment 2 (surveillance cameras and IT infrastructure) (Bid No. 10-11/31). **Funding Source: Bond Measures E (35%) and A (65%).** The scope of work for this project includes:

- Installation of surveillance cameras at each campus and District Administrative Complex exterior locations
- Interior surveillance cameras in smart classrooms at each campus
- Associated cabling and electrical installation
- Integration of existing analog and digital cameras
- Installation and configuration of a new IT infrastructure including wireless access points
- Signage at designated areas
- Coordination and integration of Increment 2 with Increment 1 at the District Sheriff’s Office Command Center

A formal bid was conducted for this project (Bid No. 10-11/31), and a bid opening was held on June 30, 2011. Three bids were received, as follows:

CONTRACTOR	LOCATION	TOTAL BID
ADT Security Services	Pleasanton, CA	\$4,850,553.32
Applus Technologies, Inc.	Chicago, IL	\$4,965,000.00
Central Sierra Electric	Jackson, CA	\$4,995,552.00

The lowest responsible and responsive bid was submitted by ADT Security Services, in the amount of \$4,850,553.32. This resolution formally accepts the bid and authorizes the contract award to ADT Security Services for the District-Wide Security Surveillance Project, Increment 2 (Bid No. 10-11/31). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

25. Consider Approval of Resolution 11/12-4, Acceptance and Retention, Ratification of Change Order No. 1, Horticulture Complex Improvements at Merritt College, Angotti & Reilly, Inc.
Presenter: Vice Chancellor Ikharo

On September 28, 2010, this Board ratified a contract award to Angotti & Reilly, Inc. for the Horticulture Complex Improvements at Merritt College. The work has now been completed, a Notice of Completion has been filed with the County of Alameda, and project acceptance is recommended. This resolution accepts the work as complete and provides for a retention payment of \$50,405.09, which is 10% of the contract price. **Funding Source: Bond Measure A. Ratification**

is also requested for Change Order No. 1 in the amount of \$5,618.93, which is 1.1% of the original contract amount (\$498,432.00). It was necessary for the contractor to perform the change order work so that the schedule would not be delayed and the sequencing of the work would not be adversely affected. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and the items are now brought before the Board for ratification. The change order was necessary due to extensive dry rot found in the exterior wall of the building when the siding was removed to install the new work. Unforeseen conditions such as this are always anticipated in a modernization project, but cannot be quantified until the wall is opened to determine the extent of dry rot that needs to be replaced. It is in the best interests of the District and financially prudent to authorize this change order. Approval to accept the project as complete and *ratification* of Change Order No. 1 are recommended by the Chancellor. All Board recommended contracts are subject to negotiation and execution by the Chancellor.

26. Consider Approval of Resolution 11/12-5, Acceptance and Retention, Ratification of Change Order No. 1, District-Wide Security Project – Sheriff's Control Center, JUV Inc.
Presenter: Vice Chancellor Ikharo

On September 28, 2010, this Board approved awarding a contract to JUV Inc. for the District-Wide Security Project – Sheriff's Control Center. The work has now been completed, a Notice of Completion has been filed with the County of Alameda, and project acceptance is recommended. This resolution accepts the work as complete and provides a retention payment of \$62,524.29, which is 10% of the contract price. **Funding Source: Bond Measure A.** *Ratification* is also requested for Change Order No. 1, in the amount of \$42,542.91, which is 7.3% of the original contract amount (\$582,700.00). It was necessary for the contractor to perform this work so that the project schedule would not be delayed and the sequencing of the work would not be adversely affected. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and Change Order No. 1 is now brought before the Board for ratification. This project expanded the current Peralta's Police Services Control Center by extending the building envelope, including foundations, roofline, and additional bulletproof windows and bulletproof wall panels. It included the installation of electrical, telephone and data infrastructure, a new console, monitors and a free standing monitor wall. In addition, the Police Services Control Center received a complete interior refurbishment with accessibility compliance in the restrooms, locker rooms and door upgrades. Expansion of the Sheriff's Control Center will support Increments 2 and 3 of the District-Wide Security Project (cameras and IT infrastructure). Most of the items comprising this change order were necessary due to code compliance by the City of Oakland and unforeseen conditions encountered during demolition of the floors, walls and ceilings. It is in the best interests of the District and financially prudent to authorize this change order. Approval to accept the project as complete and *ratification* of Change Order No. 1 are recommended by the Chancellor. All Board recommended contracts are subject to negotiation and execution by the Chancellor.

27. Consider Ratification of Change Order No. 2, Building Q Improvements at Merritt College, Rockaway Construction Inc. **Presenter: Vice Chancellor Ikharo**

Ratification is requested for Change Order No. 2 to the contract with Rockaway Construction Inc. for the Building Q Improvements at Merritt College, in the amount of \$45,322.43. Including the previously Board approved Change Order No. 1, the cumulative total is \$92,167.92, which is 7.1% of the original contract amount (\$1,290,874.00). **Funding Source: Bond Measure A.** Change Order No. 2 primarily includes the cost to address instances of unforeseen conditions discovered during construction. Prior access to many areas was not possible, and the problems were not apparent until demolition occurred. It was necessary for the contractor to perform this work so that the project schedule would not be delayed and the sequencing of the work would not be adversely affected. In

accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and Change Order No. 2 is now brought before the Board for ratification. It is in the best interests of the District and financially prudent to authorize this change order. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends *ratification*.

28. Consider *Ratification* of Change Order No. 3, ADA Improvements at Laney College, IMR Contractors Corporation **Presenter: Vice Chancellor Ikharo**

Ratification is requested for Change Order No. 3 to the contract with IMR Contractors Corporation for the ADA Improvements at Laney College, in the amount of \$29,728. Including the two previously Board approved change orders, the cumulative total is \$229,344, which is 9.9% of the original contract amount (\$2,318,000). **Funding Source: Bond Measure A.** Approximately 80% of the project is complete, and the remaining 20% is expected to be completed by the end of November 2011. This project is comprised of nineteen (19) separate work increments with extensive demolition of concrete ramps, renovations to the Theater, Library and Women's Locker Room restrooms, accessible parking lots, the road crossing at Fallon Street and East 7th Street, various door closers, thresholds, eighteen (18) drinking fountains, and the construction of two new elevators and an inclined lift. Most of the items comprising this change order were necessary due to:

- The complexity of scheduling construction work around the college educational requirements in various and numerous areas
- Due to the aged infrastructure, unforeseen conditions were encountered during the demolition of concrete foundations and footings
- Many changes were required to meet field changes and code compliance with DSA and the City of Oakland

Although every effort has been made to reduce the change order work on this project, because of the number of spaces throughout the campus that require ADA improvements and the age of the infrastructure, these changes were unavoidable. It was necessary for the contractor to perform this work so that the project schedule would not be delayed and the sequencing of the work would not be adversely affected. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and Change Order No. 3 is now brought before the Board for ratification. It is in the best interests of the District and financially prudent to authorize this change order. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends *ratification*.

29. Consider Approval of Change Order No. 3 to the Design-Build Agreement with Gilbane Building Company for the Laney Athletic Complex **Presenter: Vice Chancellor Ikharo**

Approval is requested for Change Order No. 3 to the design-build agreement with Gilbane Building Company for the Laney College Athletic Complex project, in the amount of \$263,367. **Funding Source: Bond Measure A.** The Board of Trustees originally approved negotiation of a design-build contract with Gilbane Building Company at the Board meeting of November 18, 2008, following a competitive Request for Proposal process. The amount of the original agreement was \$12,000,000. On May 25, 2010, the Board approved Change Order No. 1, which amended the project budget to a not-to-exceed amount of \$17,650,000, based on an increased scope of work as requested by the college after the initial scope of work was defined. Change Order No. 2, approved by the Board of Trustees at the meeting of July 20, 2010, formalized the design-build project contract cost at a Lump Sum amount of \$17,540,000, a reduction of \$110,000 from the amended price approved in Change Order No. 1.

Although Change Orders No. 1 and 2 established a lump sum price, Change Order No. 3 is necessary to address a combination of credits to the contract and additional scope requested by the college and district. Change Order No. 3 totals \$263,367 (1.5% of the revised design-build lump sum contract amount of \$17,540,000 approved in Change Order No. 2). The largest item in Change Order No. 3 is a scope change to provide a turnkey audio visual package, in the amount of \$253,342. The provision of an audio visual package by Gilbane provides a single point of accountability with respect to design and installation, allows the scope to be performed concurrently with increment #3, and saves budget which will otherwise have to be expended if the work is performed after the building is completed. By including this scope of work under Gilbane's current contract rather than bidding it separately at a later date, an estimated \$150,000 will be saved. An extension of Gilbane's contract duration as a result of this added scope is to be determined and will be addressed under a future change order. Such time extension will not be compensable. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

30. Consider Approval to Enter into an Agreement with Noll & Tam Architects for Architectural Design Services for the District-Wide Drinking Fountain Project **Presenter: Vice Chancellor Ikharo**

Approval is requested to enter into an agreement with Noll & Tam for Architectural services for the District Wide Drinking Fountain Project, in the not-to-exceed amount of \$200,000. **Funding Source: Bond Measure E.** Architectural services are required to design the installation of exterior, interior and free-standing drinking fountains at each college campus. Drinking fountains must meet the District standard and comply with the Americans with Disabilities Act, providing appropriate cane rails and barriers. Architectural services will include structural engineering requirements, MEP (mechanical, electrical and plumbing) engineering requirements, plumbing code upgrades, and the provision of a water purity certificate that meets the California State Department of Public Health for each drinking fountain. Noll & Tam Architects was selected from the previously Board approved short list of architectural firms. Noll & Tam Architects is located in Berkeley. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

31. Consider Approval of Amendment No. 3 to the Agreement for Architectural Services with George Dedekian, Architect for ADA Renovations (Disabled Barrier Removal Projects) at Laney College **Presenter: Vice Chancellor Ikharo**

Approval is requested for Amendment No. 3 to the agreement for architectural services with George Dedekian, Architect for the ADA Renovations (Disabled Barrier Removal Projects) at Laney College, in the amount of \$39,487. **Funding Source: Bond Measures A.** The amendment is requested because the scope of work increased, resulting in delays to the project completion date and prompting the need for additional architectural services. The services for the additional scope of work will include:

- Additional requirements imposed by the City of Oakland for work in the Public-Right-of-Way including the architectural design and coordination with the civil engineering consultants at the West Campus Entry
- Added scope from the Injunctive Relief Settlement Agreement for Theater changing rooms, accessible parking, interior breezeway road repair, and Art Center ramp handrails

The original agreement with George Dedekian, Architect, in the amount of \$226,455, was approved by the Board of Trustees at the meeting of March 24, 2009. Amendment No. 1, in the amount of \$53,790, was approved at the December 15, 2009 Board meeting. Amendment No. 2, in the amount of \$39,031, was approved at the Board meeting of February 15, 2011. Including this Amendment No. 3, the total agreement amount is \$358,763. Staff is managing the regular project meetings in lieu of the architect, with a view to minimize cost for architectural services. George Dedekian was originally selected for this project because he provided architectural services for the preparation of

the Disabled Access Survey for Laney College. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

32. Consider Approval of Amendment No. 1 to the Agreement with Valley Relocation and Storage and Approval of Amendment No. 1 to the Agreement with Crown Worldwide Moving and Storage for Office and Industrial Moving Services **Presenter: Vice Chancellor Ikharo**

Approval is requested for Amendment No. 1 to the agreement with Valley Relocation and Storage and Amendment No. 1 to the agreement with Crown Worldwide Moving and Storage for Office and Industrial Moving Services, in the amount of \$100,000 each (\$200,000 total). **Funding Source: General Funds or Measure A, depending on the moving service required.** The Board approved the original agreements with Valley Relocation and Storage and Crown Worldwide Moving and Storage in the not-to-exceed total of \$250,000 at the meeting of December 7, 2010. The companies were selected through a formal Request for Proposals process. Agreements were negotiated with Valley Relocation and Storage as the primary mover, in the amount of \$150,000; and Crown Worldwide Moving and Storage as the secondary mover, in the amount of \$100,000. These proposed amendments will extend the contract terms for both movers through June 30, 2012, in the amount of \$100,000 for each mover (\$200,000 total). The prices for moving services will remain the same as the originally quoted prices in the existing contracts. In the original RFP, the District indicated that it would issue a contract for moving services to the highest ranking vendor and a second contract to the next highest ranking vendor. This allowed the District to have another company available for last minute moves, in case the primary vendor was not available. Both companies have performed satisfactorily, and it is recommended that their services be extended. The anticipated moves for the upcoming fiscal year are as follows:

College	Move	Time Schedule
Laney College	Complete Tower Relocations (out and in)	2011/2012
	Laney Athletic Field	2011
Merritt College	Building L Relocation	2012
	Relocate Genomics	2011
	Move Out Storage Containers	2011
College of Alameda	Move to 860 Atlantic Avenue	2011
	Cougar Village Move	2012

Under the existing contracts, the following moves were completed:

Laney Campus

1. Relocation of EOPS supervisor from Student Center to new office in Building A
2. Relocation of IT from the Tower to the Theater Building
3. Relocation of Forum 160 (vacate for ADA compliance)
4. Relocation of Theater Building for ADA compliance project
5. Relocation of IT Department from Tower to Building A
6. Relocation of 2nd floor of the Tower to upper A Building (Financial Aid)
7. Relocation of Counseling (3rd floor Tower) to Counseling Portables
8. Relocation of Tower floors 4 through 8 to the Eagle Village portables
9. Removal and replacement of Nurse’s Station in the Student Center for construction
10. Relocation of Laney Nurse’s station from Tower to Student Center

Merritt College:

1. Relocation of Business Manager’s Office to portables
2. Relocation of IT Department to Building A
3. Relocation of electron microscope from the Department of Energy to Merritt

4. Relocation of Merritt Library from L Building to Building A and to storage
5. Removal of lower L Building to Storage for L Building renovation
6. Relocation of Horticulture to portables at Merritt
7. Relocation of Horticulture back to their original building

College of Alameda:

1. Relocation of Library antiquated furniture for arrival of new replacement furniture
2. Removal of CDC surplus furniture
3. Removal of Alameda surplus furniture for use in Laney Student Center Clinic
4. Move of C and D Chemistry and Biology Labs (pending)

Berkeley City College:

1. Removal of BCC antiquated 3rd Floor furniture for arrival of new furniture
2. Removal of furniture for floor replacement in Chemistry/Biology labs (3 phases)
3. Relocation of Business Office from 4th floor to 1st floor
4. Surplus furniture removal in 18 rooms at BCC and at the 2070 Allston Way Annex to accommodate arrival of new furniture
5. Removal of furniture from Shattuck address to vacate leased facility

Including Amendment No. 1 to the contract with Valley Relocation and Storage, the total will be \$250,000; and including Amendment No. 1 to the contract with Crown Worldwide Moving and Storage, the total will be \$200,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

33. Consider Approval to Purchase Computers and Related Hardware for the District-Wide Smart Classrooms through a Piggyback Contract with ComputerLand of Silicon Valley
Presenter: Vice Chancellor Ikharo

Approval is requested to purchase computers and related hardware for the District-Wide Smart Classroom project, in the amount of \$98,709.93, from ComputerLand of Silicon Valley through a piggyback contract. **Funding Source: Bond Measure A.** Under Public Contract Code Section 20652, the governing board of any community college district, without advertising for bids, and when that board has determined it to be in the best interests of the district, may authorize purchase of materials and equipment utilizing piggyback-able contracts. ComputerLand provided quotes for 45 Hewlett Packard computer workstations and related hardware under the WSCA/NASPO (Western States Contracting Alliance/National Association of State Procurement Officials) Contract #B27164-CA, with the exception of keyboards in the total amount of \$1,958.35 that were not available under the piggyback contract. The quotation from ComputerLand totaled \$98,709.93. They will be required to provide the computers and related equipment before the Fall 2011 semester begins, by August 22, 2011. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

34. Consider Approval of Bond Measure Budget Transfer and Appropriation for the Africana Studies Center at Merritt College **Presenter: Vice Chancellor Ikharo and President Adams**

Approval is requested for a bond measure budget transfer and appropriation for the Africana Studies Center at Merritt College, in the amount of \$400,000. The budget action has been approved by the Merritt College President, Vice Chancellor for General Services, Vice Chancellor for Finance & Administration, and the Chancellor. With the intent of full disclosure, it is now presented to the Board of Trustees for approval. **Funding Source: Bond Measures A.** Following is the budget transfer summary:

Transfer	Project/Budget Name	Current	Revised	Transfer
----------	---------------------	---------	---------	----------

Number		Budget	Budget	Amount
24 (Measure A)	To: Africana Studies Center		\$400,000	\$400,000
	From: Swing Space – Merritt	\$700,000	\$300,000	(\$400,000)
	Description: Create a project to accommodate the Africana Center in the Merritt College Library.			

The Africana Studies Center will be located in the Merritt College Library. The Africana Center will be comprised of two main components to meet the central objectives:

1. There will be five interactive learning modules of museum quality where students will engage with supplemental course materials through visual, touch screen, e-portfolio lessons. The modules for the center will be multilayered and highly visual and kinesthetic. They will be fully ADA compliant to ensure access. The modules will be for educational purposes and will include assessment that impacts the grade of the student. Every Afram course and instructor will link their curriculum and assessment to the modules, thus ensuring high use of the center. It is also intended to have area high school class visits as a means of teaching beyond college and as a means of recruitment to Merritt College.
2. The center will house and collect local African American historical documents on the Black Panther Party, post World War II Black migration, unions, arts and culture, and other areas. This aspect of the center will also have high student involvement, in that Afram majors and minors and interested students will be trained in historical preservation processes including archiving, scanning, and interviewing methods for individual and family histories. Students will be able to receive transferable credit and certification for this work and their projects will become a permanent part of the collection.

The proposal is supported by the campus community: Merritt Facilities Committee, Academic Senate, ASMC (Associated Students of Merritt College), Classified Senate, Black Student Union, Council of Department Chairs and Program Directors, College Council. It is also included in the Department Unit Plan (07-08 and 08-09) and the CWEMP (08-09). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Announcements

ADJOURNMENT OF THE REGULAR BOARD MEETING

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours prior to the meeting to the Board Clerk 466-7203 repstein@peralta.edu