



Tuesday, May 12, 2020
REGULAR MEETING OF THE BOARD OF TRUSTEES

5:00 p.m. Closed Session
6:00 p.m. Public Session

333 East 8th Street
Oakland, CA 94606
VIRTUAL MEETING VIA ZOOM WEBINAR

NOTICE OF TELECONFERENCING IN COMPLIANCE WITH EXECUTIVE ORDER N-25-20

Those that would like to view the meeting can do so Live on Peralta College's YouTube link:
https://www.youtube.com/channel/UCTEVyZCQ1p_yqMRafmQFUww

PUBLIC COMMENTS

In order to equitably facilitate public comments, the following is required:

STEP 1 - Send all public comments to the Clerk of the Board at bmartinez@peralta.edu (Public comments must be received prior to 12:00 p.m. on the day of the meeting.)

STEP 2 - Those participating in public comment and providing institutional reports are also required to register for the webinar at the following link:

https://cccconfer.zoom.us/webinar/register/WN_uHwgV7-lRc2wfpupZW0inQ

After registering, you will receive a confirmation email containing information about joining the webinar.

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 KGPC, 96.9FM, and Peralta TV on Cable Channel 27 in Alameda and Berkeley, Cable Channel 28 - Oakland, Emeryville, and Piedmont and Channel 99 on AT&T U-Verse. 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 BoardDocs: <https://www.boarddocs.com/ca/peralta/Board.nsf>

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

The meeting can also be viewed Live on Peralta College's YouTube link:

https://www.youtube.com/channel/UCTEVyZCQ1p_yqMRafmQFUww

1. CLOSED SESSION

Subject

1.1 Public Comment on Closed Session Items

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

1. CLOSED SESSION

Subject

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

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Information

1. CLOSED SESSION

Subject

1.3 Public Employee Appointment (Government Code Section 54957)

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Information

1. CLOSED SESSION

Subject

1.4 Public Employee Discipline/Dismissal/Release

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

The Board is provided respective salaries in closed session for information purposes only, if any. The Board is reminded not to discuss personnel matters outside of closed session.

1. CLOSED SESSION

Subject

1.5 Public Employee Evaluation

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

1. CLOSED SESSION

Subject

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

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Information

- Conference with Legal Counsel (54956.9(a)), Payne v. Peralta Community College District, U.S. District Court, Northern District of CA, Case No. 3:16-cv-04390-MMC.
- Herrera v. Peralta Community College District et.al, Alameda Superior Court case no. RG18932402
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (2 cases).

2. OPEN SESSION

Subject

2.1 Call to Order

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Procedural

2. OPEN SESSION

Subject

2.2 Report of Action Taken in Closed Session

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Information

2. OPEN SESSION

Subject

2.3 Pledge of Allegiance

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Procedural

2. OPEN SESSION

Subject

2.4 Roll Call

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Procedural

2. OPEN SESSION

Subject

2.5 Approval of the Agenda

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action

Recommended Action

Recommend Approval of the May 12, 2020 Board agenda

2. OPEN SESSION

Subject

2.6 Approval of the Minutes

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action, Minutes

Preferred Date

Apr 21, 2020

Absolute Date

Apr 21, 2020

Fiscal Impact

No

Budgeted

No

Recommended Action

Motion to approve the April 21, 2020 Board Minutes.

2. OPEN SESSION

Subject

2.7 Associated Student Government Reports

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Information

2. OPEN SESSION

Subject

2.8 Peralta Classified Senate Report

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Information

2. OPEN SESSION

Subject

2.9 District Academic Senate Report

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Information

2. OPEN SESSION

Subject

2.10 Public Communication

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Information

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

<http://web.peralta.edu/trustees/board-policies/>

2. OPEN SESSION

2.11 Chancellor's Reports

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Information

- COVID-19 Response Update
- Campus Updates

File Attachments

BCC - NewsfortheBoard05-08-2020.pdf (1,189 KB)

COA - May_12_Presidents_Report.pdf (534 KB)

Laney College Board Highlight May 5_Updated.pdf (15,310 KB)

5.12.20 Merritt College BOT Report.pdf (580 KB)

05122020 chancellor report-COVID 19 update.pdf (474 KB)

3. INFORMATIONAL

3.1 First Reading of Resolution 19/20-56 Authorizing the Amendment of the 2005 Indenture of Trust relating to the District's Other Post Employment Benefit (OPEB) Bonds, Authorizing and Directing the Conversion of the Series B-3 Bonds to an Alternative Interest Rate, and Approving Forms of Documents and Actions of Officers of the District Necessary and Desirable in Connection Therewith. Presenter: Chancellor Stanback Stroud

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Information

TO: Peralta Board of Trustees

FROM: Dr. Regina Stanback Stroud, Chancellor

PREPARED BY: Chancellor's Office

This Resolution is being presented to this meeting for a first reading of the Board and will be presented again at the Board's May 26th meeting for approval.

In 2005, the District issued \$153.7 million of Other Post Employment Benefit (OPEB) bonds, \$133.7 million of which were issued as convertible auction rate securities. In 2015, the District converted the Series B-2 of the OPEB Bonds, which were convertible auction rate securities, to weekly variable rate bonds supported by a letter of credit. This Resolution authorizes the District to proceed with the same plan of finance for the Series B-3 Bonds.

The Resolution also authorizes the Chancellor and the Vice Chancellor of Finance and Administration or their designees to finalize, execute and deliver the agreements and documents necessary to effectuate the plan of finance, including a second supplemental indenture providing for amendments to the indenture of trust relating to the OPEB Bonds, a reimbursement agreement with Barclays Bank PLC relating to the letter of credit supporting the B-3 Bonds, a fee letter relating to the fees the Bank will charge in connection with the letter of credit, a Custody Agreement with U.S. Bank and Barclays Bank PLC relating to the custody of bonds after certain drawings under the letter of credit and a remarketing agreement with Barclays Capital Inc, the remarketing agent. A substantially final form of each such document is included with this Resolution.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

The District currently anticipates closing the transaction in August 2020.

Evaluation and Recommended Action:

This is the first reading of this Resolution. It will be presented again at the May 26th Board meeting for approval.

File Attachments

District Resolution - OPEB Remarketing 2020 4137-9083-5236 3.pdf (136 KB)
Second Supplemental Indenture - Peralta CCD OPEB 2020 4165-7322-0387 2.pdf (380 KB)
BB - Peralta Community College District Reimbursement Agreement (Series B-3).pdf (290 KB)
BB Custody Agreement - Peralta Community College District (2020).pdf (30 KB)
2020 Remarketing Agreement Peralta CCD OPEB.pdf (139 KB)
Peralta Community College District Letter of Credit (Series B-3 Bonds).pdf (89 KB)
BB - Peralta Community College District Fee Letter (Series B-3).pdf (34 KB)

3. INFORMATIONAL

Subject

3.2 First Reading of the CCAP Agreement with Alameda Unified School District. Presenter: President Karas Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Information

Goals

C: Build Programs of Distinction
B: Engage and Leverage Partners
A: Advance Student Access, Equity, and Success

TO: Peralta Board of Trustees

FROM: Dr. Tim Karas

PREPARED BY: Dr. Tim Karas

BACKGROUND/ANALYSIS:

Assembly Bill 288 (Holden) was enacted January 1, 2016 and added to the California Education Code section 76004. Assembly Bill 288 enables the governing board of a community college district to enter into a College and Career Access Pathways (CCAP) partnership with the governing board of a school district.

AB 288 provides that a CCAP Partnership Agreement can (and must) be used for the purpose of offering or expanding dual enrollment opportunities for students who may not already be college bound or who are underrepresented in higher education, with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness.

For the first time in California's Education Code, the term "dual enrollment" is identified to define "special part-time" or "special full-time" students, ie high school or other eligible special admit students enrolling in community college credit courses.

PCCD currently has non-CCAP dual enrollment partnership with Alameda Unified School District (AUSD). It has now coordinated with AUSD to create this CCAP agreement which will allow PCCD to expand its relationship with AUSD in order to serve underrepresented youth by offering closed courses that occur during the high school day. This CCAP Agreement also provides the opportunity for students to enroll in up to 15 units per term, providing opportunity for PCCD to expand its dual enrollment partnership and integrate Guided Pathways into the college and career pathways that students seek.

Community college districts may claim full-time equivalent student (FTES) and state apportionment for courses given through AB 288 College and Career Access Pathways (CCAP) Partnership Agreements provided that the California Education Code and California Code of Regulations, Title 5 requirements are met.

This is the first read of this agreement.

DELIVERABLES/SCOPE OF WORK:

PCCD and AUSD collaborated on the CCAP agreement and identified specific courses to be scheduled. The identified courses to be taught will be reviewed annually. The CCAP agreement required the approval of both PCCD and AUSD governing boards.

ANTICIPATED COMPLETION DATE:

N/A

EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends approval.

File Attachments

AUSD CCAP Dual Enrollment 2019-20 AUSD_PCCD_4-18-2020 (1).docx (144 KB)

4. PRESENTATIONS

Subject

4.1 Regular Bond Update. Presenter: Keith Kajiya, AECOM
Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Information

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Dr. Leigh Sata, Vice Chancellor, Department of General Services

BACKGROUND/ANALYSIS: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.):

Keith Kajiya, Vice President and Program Manager from AECOM, will present a progress report on the bond program

File Attachments

200512 PCCD Bond Update_DRAFT_200421.pdf (1,069 KB)

4. PRESENTATIONS

Subject

4.2 Oracle Presentation: Counsel Delisle Warden, Director Mehoulley & Mike Toolan
Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

TO: Peralta Board of Trustees

FROM: Information Technology

PREPARED BY: Delisle Warden, General Counsel & Chief of Staff

BACKGROUND/ANALYSIS:

DELIVERABLES/SCOPE OF WORK:

ANTICIPATED COMPLETION DATE:

EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends approval.

File Attachments

Peralta Board Presentation PeopleSoft_BoardDocs upload 05072020.pdf (729 KB)

5. CONSENT CALENDAR - CHANCELLOR

Subject

5.1 Consider Ratification of Monthly Contract Report in accordance with Administrative Policy 6340. Presenter: Chancellor Stanback Stroud
Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Budgeted

Yes

Budget Source

General Funds

Recommended Action

Ratify Monthly Contract Report in accordance with Administrative Policy 6340.

TO: Peralta Board of Trustees

FROM: Dr. Regina Stanback Stroud, Chancellor

PREPARED BY: Dr. Regina Stanback Stroud, Chancellor

BACKGROUND/ANALYSIS:

Consider Ratification of the Monthly Report of Contracts for the months of April 2020 and May 2020. In accordance with Administrative Policy 6340, all contracts and amendments regardless of dollar amount must be ratified by the Board of Trustees within 60 days, if not approved in advance as otherwise required herein.

DELIVERABLES/SCOPE OF WORK:

Scope of Work for each contract can be found in the monthly report.

ANTICIPATED COMPLETION DATE:

N/A

EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends approval.

File Attachments

~~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.~~

6. CONSENT CALENDAR - ACADEMIC AFFAIRS

6.1 Consider Approval of Course and Program Additions, Deactivations and Changes. Presenter: Vice Chancellor Brown

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

No

Budgeted

No

Budget Source

N/A

Recommended Action

Approval of Course and Program Additions, Deactivations and Changes that were approved at Apr 6, 2020 CIPD meeting.

BACKGROUND/ANALYSIS:

The attached PDF entitled "Apr 2020 CIPD Report" and "Apr 2020 Program Proposals" contain course and program additions, changes and deactivations as approved by the colleges' curriculum committees and The Council for Instruction, Planning and Development (CIPD).

The Chancellor recommends approval.

File Attachments

Apr 2020 CIPD Report.pdf (649 KB)

~~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.

6. CONSENT CALENDAR - ACADEMIC AFFAIRS

6.2 Consider Approval of an Addendum for Dave Nguyen in the amount of \$72,710. Presenter: Vice Chancellor Brown

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$22,750.00

Budgeted

Yes

Budget Source

General Funds

Recommended Action

Approve an Addendum for Dave Nguyen in the amount of \$72,710.

TO: Peralta Board of Trustees

FROM: Academic Affairs

PREPARED BY: Laura Leon-Maurice

BACKGROUND/ANALYSIS:

Dave Nguyen is an experience and skilled Financial Aid (FA) technical and training consultant who has years of experience in FA as a Director and Analyst. The District FA Office recently hired a new FA Analyst who is also very skilled and experienced but came to us from a Banner (not People Soft) FA system. Mr Ngyuen has served as consultant to the District for technical training and is aiding the development of new processes to assist PCCD in addressing outstanding audit findings. The ICC extension is based on the need for additional training and support as we hire the second new FA Analyst (expected to begin May, 2020) and continue to address the technical related audit items aimed at strengthening FA district wide.

Laney College generated the first ICC #21243 in the amount of \$24,960.00. The second ICC #19135 generated by Academic Affairs was for \$25,000.00. Addendum #1 is for \$22,750.00. The total amount will be \$72,710.

Description	Number	Amount	Approval Dates
Original Contract-Laney	21242	24,960	7/10/2010
Contract-Academic Affairs	19135	25,000	2/4/2020
1st Amendment	1	22,750	(pending this Board Meeting)
Revised Total		72,710	

DELIVERABLES/SCOPE OF WORK:

If approved, Dave Ngyuen will continue to serve as a Financial Aid Technical Consultant for the District FA Analysts by providing the following:

- Training on PS Related FA Systems
- Training on FA Queries to improve Processes
- Guidance on College and District FA Business Processes
- Technical Guidance on eliminating all Audit Findings

ANTICIPATED COMPLETION DATE:

June 30, 2020

EVALUATION AND RECOMMENDED ACTION:

The VC of Academic Affairs and Student Success has evaluated the deliverables to date for Dave Nguyen and found them to be satisfactory.

The Chancellor recommends approval.

File Attachments

- Original ICC Nguyen.pdf (584 KB)
- DNgyuen ICC Addendum May 2020.pdf (484 KB)

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.

6. CONSENT CALENDAR - ACADEMIC AFFAIRS

Subject

6.3 Consider Acceptance of \$200,000 Service Agreement with County of Alameda to provide access and support success for returning citizens. Presenter: President Gilkerson
Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

Apr 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$200,000.00

Budgeted

Yes

Budget Source

County of Alameda

Recommended Action

Acceptance of the \$200,000 Service Agreement with County of Alameda to provide direct services to expand access and support success for Returning Citizens in higher education.

Alameda County solicited higher education institutions within the county to provide support services to formerly incarcerated citizens returning for education. Through a Request for Proposal process (RFP 901750), Laney College's Restoring Our Communities (ROC) was selected to expand access and support success for returning citizens in higher education. Restoring Our Communities (ROC) is an academic support program at Laney College, by and for formerly incarcerated students. ROC is about supporting and equipping formerly incarcerated students with the tools to be successful at Laney College and beyond.

Deliverables and Scope of Work:

Per the approved proposal, this service agreement is made for the purposes stated below:

1. Provide Prospective Student Engagement and Transfer/Application Support
2. Provide Support Services that Address Academic and Non-Academic Needs.
3. Provide Peer Mentoring
4. Establish Effective Partnerships to Reduce Barriers and Promote Student Success

Anticipated Completion Date:

December 31, 2021

Evaluation and Recommended Action:

Acceptance of the \$200,000 Service Agreement with County of Alameda to provide direct services to expand access and support success for Returning Citizens in higher education.

File Attachments

901750 Higher Ed. SSA Laney 20200414.pdf (1.858 KB)

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.

6. CONSENT CALENDAR - ACADEMIC AFFAIRS

Subject

6.4 Consider Approval of the Cooperative Agreement for the Puente Project in the amount of \$21,5000 awarded to College of Alameda. Presenter: President Karas
Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$21,500.00

Budgeted

Yes

Budget Source

Puente Project Regents of the University of California

Recommended Action

Approve the Cooperative Agreement for the Puente Project in the amount of \$21,5000 awarded to College of Alameda

Goals

B: Engage and Leverage Partners

C: Build Programs of Distinction

A: Advance Student Access, Equity, and Success

TO: Peralta Board of Trustees

FROM: Dr. Tim Karas, CoA President

PREPARED BY: Dr. Tim Karas

BACKGROUND/ANALYSIS:

As part of CoA commitment to equity, inclusion and social justice the college applied and received a federal Hispanic Serving Institutions (HSI) Grant in September 2019. A key intervention and best practice identified was the establishment of a Puente Program at CoA. The HSI grant covers the cost of instructors, counselors, clerical staff, and administrative support. CoA reached out to of UC Berkeley's Center for Educational Partnerships- Puente Project to establish a formal program. Upon acceptance to the Puente Project CoA commits to standard design principles and recieved seed funding the establish the project.

DELIVERABLES/SCOPE OF WORK:

I. RESPONSIBILITIES OF THE RECIPIENT

A. TRAINING AND FIELD TRIP DAYS

1. Recipient shall offer a two-semester sequence of courses consisting of transfer English courses in the fall and spring semesters of 2020-21, 2021-22 and 2022-23 terms for designated Puente students who qualify using the English class assessment process for the Community College(s) and as outlined in the Puente Community College Program Implementation Guidelines. Recipient shall also offer co-requisite course(s) at its discretion.

2. Recipient shall provide services including teaching, counseling, and mentoring components to first-year Puente students, and counseling and follow-up services until the student transfers to a four-year college or leaves the Recipient.

3. Recipient agrees to release counselor(s) and instructor(s) to attend all required Puente training sessions and to take students on field trips to colleges and cultural events. New team members selected for Puente are required to participate in the Puente Summer Institute (PSI), a week-long residential, foundational training held in the summer.

4. Recipient agrees to schedule each semester a Puente-linked Personal Development/Guidance (PD) course taught by the Puente counselor.

University will provide one-time funding of \$15,000 for the initial fiscal year of program implementation (2020-21). Operating funds of \$5,000 to be provided for fiscal year 2021-22 and mentor support funds in the amount of \$1,500 to be provided in the 2022-23 fiscal year.

ANTICIPATED COMPLETION DATE:

June 30, 2023

EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends approval. 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.

7. CONSENT CALENDAR - FACILITIES

7.1 Consider Approval of Agreement for Bleacher Purchase and Installation with KYA Services LLC at College of Alameda Gymnasium Presenter: Vice Chancellor Sata

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$246,289.89

Budgeted

Yes

Budget Source

Bond Fund

Recommended Action

Approve Agreement for Bleacher Purchase and Installation with KYA Services LLC at College of Alameda Gymnasium

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Roebbelen CM

BACKGROUND/ANALYSIS:

College of Alameda staff wishes to replace the existing gym bleachers, which are at end of life. The full replacement will include pull-out bleachers, an electronic control system and related equipment, and the delivery and installation of the equipment ("Equipment"). The gymnasium is located at College of Alameda, 555 Ralph Appezato Memorial Parkway, Alameda, California 94501. KYA, Inc. ("Vendor") provided similar services to the Wiseman Unified School District, a K-12 public school District under a master agreement dated April 26, 2018. The master agreement was made available to the Foundation for California Community Colleges ("FCCC") and the District was provided with a proposal to deliver such Equipment at a cost of \$246,289.89 through the FCCC.

The FCCC is an auxiliary organization and public agency operating pursuant to the Education Code and in conformity with regulations adopted by the Board of Governors of the California Community Colleges. FCCC, as the largest national purchasing consortium for colleges and universities, leverages its buying power to make available, at competitive prices, equipment and services to colleges and universities nationwide under its "CollegeBuys" program.

Public Contract Code Section 20661 is an exception to the public bidding requirements of California law, authorizing California community colleges to enter into contracts awarded by the Chancellor of the California Community Colleges so long as the cost to the community college is better than that which the college could obtain through its own competitive bid process or otherwise through direct negotiation with a vendor.

District staff researched the costs and terms of the FCCC Contract and believes that the price of the Equipment and installation of the Project under the FCCC Contract and the proposal by Vendor are reasonable and that it would be in the best interests of the District to utilize the FCCC Contract to purchase the Equipment from Vendor.

The Contact Information for KYA Services, LLC is:

John Leyds, Principal
1800 E. McFadden Ave.
Santa Ana, CA 92705

DELIVERABLES/SCOPE OF WORK:

The Project consists of the purchase of the Equipment, shipping and delivery, and installation of the Project, including incidental labor and cost of bonding.

ANTICIPATED COMPLETION DATE:

The Equipment is expected to be delivered by July 15, 2020. The proposal indicates that it takes 2-8 weeks for delivery of Equipment from the date the District issues Vendor a purchase order. The Project is expected to be installed and completed by August 7, taking approximately 21 consecutive calendar days to install.

EVALUATION AND RECOMMENDED ACTION:

The College President, Vice Chancellor of General Services and Chancellor recommend award of the Agreement to KYA Services LLC, in an amount not to exceed \$246,289.89.

File Attachments

Agreement with KYA for COA Gym.pdf (173 KB)

CB-162-18_KYA Sports Equipment_Final_Fully Executed_3535889_1(DMS).pdf (33,100 KB)

200512 Resolution KYA COA Bleacher Replacement.pdf (90 KB)

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.

7. CONSENT CALENDAR - FACILITIES

7.2 Consider Approval of the Construction Manager contract for Swinerton Builders d/b/a Swinerton Management & Consulting for construction management services for designated projects at the Laney College campus. Presenter: Vice Chancellor Sata

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$8,573,883.00

Budgeted

Yes

Budget Source

Bond Funds

Recommended Action

Approve the Construction Manager contract for Swinerton Builders d/b/a Swinerton Management & Consulting for construction management services in the amount of \$8,573,883.00 for designated projects at the Laney College campus.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Vice Chancellor Sata

BACKGROUND/ANALYSIS:

On July 10, 2018, the Board approved Resolution 18/19-12, approving seven (7) Construction Management (CM) vendors deemed qualified to manage large construction projects for the District, consistent with Government Code qualifications-based procurement for construction management services (Gov. Code, § 4525, *et seq.*). One of the vendors is AECOM, which the District hired as the Bond Program Manager on February 4, 2020. The remaining six (6) Construction Management firms were asked to submit proposals to manage State and Bond funded design and construction work at the District’s four colleges.

The six (6) firms were asked to present a team of managers with experience overseeing projects of similar scope and size, providing design and construction management services in a participatory governance decision-making system, facilitating the DSA process, understanding State funding deadlines, and strategizing on the various project delivery methods within California Community Colleges.

The proposals were reviewed by a combination of DGS staff, campus management, procurement staff and the Program Management team using a set of scoring criteria delineated in the request for proposal. Swinerton Management & Consulting was selected to manage the District’s Laney College site and a contract is now brought to the Board for approval.

In the 2019-20 Fiscal Year, Swinerton Management and Consulting has been awarded the following contracts with the District:

<i>Contract</i>	<i>Amount</i>	<i>Board Approval</i>	<i>Complete or Ongoing</i>
CM Services, Small Projects	\$1,271,000.00	October 8, 2019	Ongoing
CM Services, Capital Projects	\$8,573,883.00	This Item	
Total:	\$9,844,883.00		

DELIVERABLES/SCOPE OF WORK:

Swinerton Management & Consulting will provide project-specific construction management services for projects funded by the State, Measures A and G. The project-specific construction managers will be responsible for managing the day to day activities of the design and construction teams, including (but not limited to): communicating with campus staff and leadership about the status of projects, ensuring that proper safety procedures are followed during construction, organizing meetings, presenting at community forums and providing other project related communication from the campus. In addition, they will interface with the Program Management team to implement design and sustainability standards, providing project status reports and other deliverables to support the bond program.

The contract will be effective as of May 13, 2020 and the term will be for three years, with two one-year extensions and shall not exceed five years.

Projects at Laney College include:

- Learning Resource Center and Library
- Cooling Towers
- Theater Modernization
- STEM Tower

- Student Activity Center Modernization
- Student Welcome Center Modernization
- Infrastructure, Site and Landscape Improvements

ANTICIPATED COMPLETION DATE:

The contract for CM services is anticipated to be completed by April 30, 2025.

EVALUATION AND RECOMMENDED ACTION:

The Program Manager, Vice Chancellor of General Services and Chancellor recommend approval of the Construction Manager contract for Swinerton Builders d/b/a Swinerton Management & Consulting for construction management services in the amount of \$8,573,883.00 for designated projects at the Laney College campus.

File Attachments
 SIGNED 200414 FINAL R2 2020-05-12 Swinerton Laney Construction Management Agreement.pdf (1,121 KB)
 101000 Swinerton Independent Consultant Services Agreement (DMK 9.12).pdf (282 KB)

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.

7. CONSENT CALENDAR - FACILITIES

Subject

7.3 Consider Approval of the Construction Manager contract for Roebelen Construction Management Services, Inc. for construction management services for designated projects at the College of Alameda campus. Presenter: Vice Chancellor Sata

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$4,979,499.00

Budgeted

Yes

Budget Source

Bond Funds

Recommended Action

Approve the Construction Manager contract for Roebbelen Construction Management Services, Inc. for construction management services in the amount of \$4,979,499.00 for designated projects at the College of Alameda campus.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Vice Chancellor Sata

BACKGROUND/ANALYSIS:

On July 10, 2018, the Board approved Resolution 18/19-12, approving seven (7) Construction Management (CM) vendors deemed qualified to manage large construction projects for the District, consistent with Government Code qualifications-based procurement for construction management services (Gov. Code, § 4525, *et seq.*). One of the vendors is AECOM which the District hired as the Bond Program Manager on February 4, 2020. The remaining six (6) Construction Management firms were asked to submit proposals to manage State and Bond funded design and construction work at the District's four colleges.

The six (6) firms were asked to present a team of managers with experience overseeing projects of similar scope and size, providing design and construction management services in a participatory governance decision making system, facilitating the DSA process, understanding State funding deadlines, and strategizing on the various project delivery methods within California Community Colleges.

The proposals were reviewed by a combination of DGS staff, campus management, procurement staff and the Program Management team using a set of scoring criteria delineated in the request for proposal. Roebbelen Construction Management Services, Inc. was selected to manage the District's College of Alameda site and a contract is now brought to the Board for approval.

DELIVERABLES/SCOPE OF WORK:

Roebbelen Construction Management Services, Inc. will provide project-specific construction management services for projects funded by the State, Measures A and G. The project-specific construction managers will be responsible for managing the day to day activities of the design and construction teams, including (but not limited to): communicating with campus staff and leadership about the status of projects, ensuring that proper safety procedures are followed during construction, organizing meetings, presenting at community forums and providing other project related communication from the campus. In addition, they will interface with the Program Management team to implement design and sustainability standards, providing project status reports and other deliverables to support the bond program.

The contract will be effective as of May 13, 2020 and the term will be for three years, with two one-year extensions and shall not exceed five years.

Projects at College of Alameda include:

- Auto and Diesel Technology Center
- New Science Center
- Building F Modernization (Student Center)
- Infrastructure, site and landscape improvements

ANTICIPATED COMPLETION DATE:

The contract for CM services is anticipated to be completed by April 30, 2025.

EVALUATION AND RECOMMENDED ACTION:

The Vice Chancellor of General Services and Chancellor recommend approval of the Construction Manager contract for Roebbelen Construction Management Services, Inc. for construction management services in the amount of \$4,979,499.00 for designated projects at the College of Alameda campus.

File Attachments

SIGNED: 2020-05-12 10:12 AM by Board of Trustees - CM Agreement - 353986-1 (DMS) signed by Board of Trustees (1.239 KB)
All matters listed under the Consent Calendar are considered by the Board of Trustees to be Board approved and 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.

7. CONSENT CALENDAR - FACILITIES

7.4 Consider Approval of the Construction Manager contract for Kitchell/CEM, Inc. for construction management services for designated projects at the Merritt College campus. Presenter: Vice Chancellor Sata Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$7,304,456.00

Budgeted

No

Budget Source

Bond Funds

Recommended Action

Approve the Construction Manager contract for Kitchell/CEM, Inc. for construction management services in the amount of \$7,304,456.00 for designated projects at the Merritt College campus.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Vice Chancellor Sata

BACKGROUND/ANALYSIS:

On July 10, 2018, the Board approved Resolution 18/19-12, approving seven (7) Construction Management (CM) vendors deemed qualified to manage large construction projects for the District, consistent with Government Code qualifications-based procurement for construction management services (Gov. Code, § 4525, *et seq.*). One of the vendors is AECOM which the District hired as the Bond Program Manager on

February 4, 2020. The remaining (6) Construction Management firms were asked to submit proposals to manage State and Bond funded design and construction work at the District's four colleges.

The six (6) firms were asked to present a team of managers with experience overseeing projects of similar scope and size, providing design and construction management services in a participatory governance decision-making system, facilitating the DSA process, understanding State funding deadlines, and strategizing on the various project delivery methods within California Community Colleges.

The proposals were reviewed by a combination of DGS staff, campus management, procurement staff and the Program Management team using a set of scoring criteria delineated in the request for proposal. Kitchell/CEM, Inc. was selected to manage the District's Merritt College site and a contract is now brought to the Board for approval.

In the 2019-20 Fiscal Year, Kitchell/CEM, Inc. has been awarded the following contracts with the District:

<i>Contract</i>	<i>Amount</i>	<i>Board Approval</i>	<i>Complete or Ongoing</i>
CM Services, Small Projects	\$885,120.00	October 8, 2019	Ongoing
CM Services at BCC	\$3,719,979.00	Pending	
CM Services at Merritt College	\$7,304,456.00	This Item	
Total:	\$11,909,555.00		

Jim Swanson is President and CEO of the Kitchell. Kitchell will manage the project from the Oakland office, located at 1901 Harrison Street, Suite 1100 Oakland, CA, 94612. <https://www.kitchell.com>

DELIVERABLES/SCOPE OF WORK:

Kitchell/CEM, Inc. will provide project-specific construction management services for projects funded by the State and Measures A and G. The project-specific construction managers will be responsible for managing the day-to-day activities of the design and construction teams, including (but not limited to): communicating with campus staff and leadership about the status of projects, ensuring that proper safety procedures are followed during construction, organizing meetings, presenting at community forums and providing other project related communication from the campus. In addition, they will interface with the Program Management team to implement design and sustainability standards, providing project status reports and other deliverables to support the bond program.

The contract will be effective as of May 13, 2020 and the term will be for three years, with two one-year extensions and shall not exceed five years.

Projects at Merritt College include:

- Renovate Building D and complete Building S
- New Child Development Center
- New Horticulture Center
- Art Building
- Renovate Building E and F
- Infrastructure, site and landscape improvements

ANTICIPATED COMPLETION DATE:

The contract for CM services is anticipated to be completed by April 30, 2025.

EVALUATION AND RECOMMENDED ACTION:

The Program Manager, Vice Chancellor of General Services and Chancellor recommend approval of the Construction Manager contract for Kitchell/CEM, Inc. for construction management services in the amount of \$7,304,456.00 for designated projects at the Merritt College campus.

File Attachments

SIGNED R1 2020-05-12 Kitchell Merritt Construction Management Agreement REDLINE_3539296_1(DMS).pdf (1,128 KB)

191022 Kitchell Independent Consultant Services Agreement (DWK 9.16).pdf (758 KB)

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.

7. CONSENT CALENDAR - FACILITIES

7.5 Consider Approval of the Construction Manager contract for Kitchell/CEM, Inc. for construction management services for designated projects at the Berkeley College campus. Presenter: Vice Chancellor Sata

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Budgeted

Yes

Budget Source

Bond Funds

Recommended Action

Approve the Construction Manager contract for Kitchell/CEM, Inc. for construction management services in the amount of \$3,719,979 for designated projects at the Berkeley College campus.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Vice Chancellor Sata

BACKGROUND/ANALYSIS:

On July 10, 2018, the Board approved Resolution 18/19-12, approving seven (7) Construction Management (CM) vendors deemed qualified to manage large construction projects for the District, consistent with Government Code qualifications-based procurement for construction management services (Gov. Code, § 4525, *et seq.*). One of the vendors is AECOM which the District hired as the Bond Program Manager on February 4, 2020. The remaining six (6) Construction Management firms were asked to submit proposals to manage State and Bond funded design and construction work at the District's four colleges.

The six (6) firms were asked to present a team of managers with experience overseeing projects of similar scope and size, providing design and construction management services in a participatory governance

decision-making system, facilitating the DSA process, understanding State funding deadlines, and strategizing on the various project delivery methods within California Community Colleges.

The proposals were reviewed by a combination of DGS staff, campus management, procurement staff and the Program Management team using a set of scoring criteria delineated in the request for proposal. Interviews were held on April 22, 2020 and Kitchell/CEM, Inc. was selected to manage the District’s Berkeley College site and a contract is now brought to the Board for approval.

In the 2019-20 Fiscal Year, Kitchell/CEM, Inc. has been awarded the following contracts with the District:

<i>Contract</i>	<i>Amount</i>	<i>Board Approval</i>	<i>Complete or Ongoing</i>
CM Services, Small Projects including ADA	\$885,120.00	October 8, 2019	Ongoing
CM Services, Capital Projects at Merritt College	\$7,304,456.00	Pending	
CM Services, Capital Projects at Berkeley City College	\$3,719,979.00	This Item	
Total:	\$11,909,555.00		

Jim Swanson is President and CEO of the Kitchell. Kitchell will manage the project from the Oakland office, located at 1901 Harrison Street, Suite 1100 Oakland, CA, 94612. <https://www.kitchell.com>

DELIVERABLES/SCOPE OF WORK:

Kitchell/CEM, Inc will provide project-specific construction management services for projects funded by the State, Measures A and G. The project-specific construction managers will be responsible for managing the day-to-day activities of the design and construction teams, including (but not limited to): communicating with campus staff and leadership about the status of projects, ensuring that proper safety procedures are followed during construction, organizing meetings, presenting at community forums and providing other project related communication from the campus. In addition, they will interface with the Program Management team to implement design and sustainability standards, providing project status reports and other deliverables to support the bond program.

The contract will be effective as of May 13, 2020 and the term will be for three years, with two one-year extensions and shall not exceed five years.

Projects at Berkeley College include:

- 2118 Milvia Classroom Building
- 2050 Center Street Main Campus Reconfiguration
- Infrastructure

ANTICIPATED COMPLETION DATE:

The contract for CM services is anticipated to be completed by April 30, 2025.

EVALUATION AND RECOMMENDED ACTION:

The Vice Chancellor of General Services and Chancellor recommend approval of the Construction Manager contract for Kitchell/CEM, Inc. for construction management services in the amount of \$3,719,979.00 for designated projects at the Berkeley College campus.

File Attachments

2020-05-12 Kitchell BCC Construction Management Agreement UPDATED CLEAN_3544708_1(DMS).pdf (532 KB)

2020-05-12 Kitchell Independent Construction Services Agreement (DWI 9-16).pdf (759 KB)

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.

7. CONSENT CALENDAR - FACILITIES

Subject

7.6 Consider Approval of Amendment #2 for Noll & Tam Architects, to add LEED Certification design and commissioning services for the new Library-Learning Resource Center building at Laney College in the amount of \$136,600.00. Presenter: Vice Chancellor Sata.

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$136,600.00

Budgeted

Yes

Budget Source

Bond Funds

Recommended Action

Approve Amendment #2 for Noll & Tam Architects, to add design and commissioning services to achieve a LEED rating for the new Library-Learning Resource Center Building at Laney College in the amount of \$136,600.00.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Swinerton Management and Consulting

BACKGROUND/ANALYSIS:

The programming and design phases for the District's new Library and Learning Resource Center Project at Laney College commenced in 2019, with Noll & Tam ("N & T") as architects for the project. Since then, N & T has worked closely with the User Group, engineers and District staff to create a building that meets the needs of the users and State Funding requirements. At the request of the District, N & T has been asked to include LEED services in the project design. LEED standards are part of a four part rating system developed by the United States Green Building Council ("USGBC"), indicating the environmental sustainability of a project. Please see <https://www.usgbc.org/> for more information about the USGBC and the LEED rating system. The LRC goal is to achieve a Gold rating, with the aspirational goal of achieving a Platinum rating, the highest rating available. In order to meet this challenge, additional documentation is required. This documentation exceeds the scope of professional design services included in the original Independent Contractor/Consultant Services Contract dated December 11, 2019 ("Agreement"). This Amendment #2 to the Agreement adds the services needed.

In the 2019-20 Fiscal Year, Noll and Tam Architects has been awarded the following contracts and contract amendments with the District:

<i>Contract</i>	<i>Amount</i>	<i>Board Approval</i>	<i>Complete or Ongoing</i>
Berkeley City College 2118 Milvia Transition Analysis	\$151,594.00	July 23, 2019	Complete
Laney College LRC, Programming	\$101,000.00	November 12, 2019	Complete
Berkeley City College 2118 Milvia Housing Options	\$13,600.00	December 10, 2019	Complete
Laney College LRC, Architectural Design Contract	\$5,233,222.00	December 10, 2019	Ongoing
Laney College LRC, Amendment #1, Central Plant Study	\$20,500.00	February 25, 2020	Ongoing
Merritt College Horticultural Complex, Architectural Design Contract	\$1,925,946.00	February 25, 2020	Ongoing
Laney College LRC, Amendment #2, LEED Certification Services	\$136,600.00	This Item	
Total:	\$7,582,462.00		
Laney College LRC, Amendment #3, Smoke Control Design Services	\$54,746.00	Pending	

DELIVERABLES/SCOPE OF WORK:

1. Noll & Tam will register the project on the USGBC site and log all team members for access to it.
2. At the beginning of the Design Development Phase, issue the list of applicable LEED points for this building that will satisfy the requirements for the highest level certification of LEED that can be reasonably achieved for this building. Submit required documentation to the United States Green Building Council (USGBC).
3. During Design Development, incorporate the means to achieve those LEED points into the design of the building and site improvements. Provide a narrative at the conclusion of the Phase describing how LEED points are being satisfied.
4. During the preparation of Construction Documents, include the means to satisfy the LEED points in the fully developed drawings and specifications. Work with the Commissioning Agent to confirm that those systems under the Agents purview are fully described. Provide a narrative at 50% completion and the conclusion of the Phase describing how LEED points are being satisfied.
5. During Construction, monitor and enforce the Contractor's compliance with all aspects of the LEED requirements as spelled out in the contract documents. Work with the Commissioning Agent to confirm that those systems under the Agents purview are fully compliant with the contract documents.
6. During Commissioning, work with the Commissioning Agent to ensure that the performance of all systems under the Agents purview follow the LEED requirements.
7. Manage the LEED process and confirm all points have been uploaded, processing all comments, and tracking progress.
8. During Project Close-out, collect all LEED-related documentation and ensure that all requirements of the USGBC are satisfied, and that these documents are submitted to the USGBC.

ANTICIPATED COMPLETION DATE:

The work will be completed during Project Closeout, as some documentation must be prepared once the construction is complete. Project completion is expected to occur in the second quarter of 2023.

EVALUATION AND RECOMMENDED ACTION:

The Swinerton Project Manager, Vice Chancellor of DGS and the Chancellor recommend approval of the Additional Service Request #2, for Noll & Tam Architects, for the work needed to provide LEED Design

and Commissioning Services for the New Laney Library + Learning Resource Center Project, in an amount of \$136,600.00.

File Attachments

2020 04 16 Amendment #2 - Laney Library -LEED Services.pdf (114 KB)

2020-02-05 Amendment #1 to Architectur Agreement - Laney Library + LRC (Noll & Tam)_3514413_1(DMS) (2).pdf (54 KB)

2020 05 12 BOT Noll & Tam LRC Contract with Exhibit A Card (27078 KB)

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.

7. CONSENT CALENDAR - FACILITIES

Subject

7.7 Consider approval of Amendment No. 1 to CMAS Purchase Contract with GonLED for a change in terms at no increase to original contract amount. The approval of this amendment will allow the Contractor, with defined advanced written notice to the District, to be subject a non-compensable schedule extension in the event of an unavoidable "Force Majeure" event. Presenter: Vice Chancellor Sata
Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

No

Budget Source

N/A

Recommended Action

Approve Amendment No. 1 to CMAS Purchase Contract with GonLED for a change in terms at no increase to original contract amount. The approval of this amendment will allow the Contractor, with defined advanced written notice to the District, to be subject, to a non-compensable schedule extension in the event of an unavoidable "Force Majeure" event.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Kitchell CM

BACKGROUND/ANALYSIS:

On March 24, 2020, the Governing Board approved a CMAS Purchase Contract with Hallpass Capital, Inc., doing business as GonLED ("GonLED"), for the purchase of LED Lighting materials and installation for the Peralta CCD in the amount of \$1,530,811.19 ("Agreement").

Following the Board's approval of the Agreement, County and State shelter in place orders were issued relating to coronavirus. Project delays are not currently anticipated. However, the Board is now asked to approve Amendment No. 1 to the Agreement, which provides greater detail regarding how unavoidable events causing unavoidable delays (often referred to as "Force Majeure" events) will be addressed. The new language requires GonLED to provide advance written notice to the District of claimed Force Majeure events and delays, and support for any claim. The District will review the facts and notice provided by GonLED, and evaluate the existence and extent of the claimed delay. The District will grant a non-compensable schedule extension if the District determines the delay meets the contract requirements, including that the delay was unavoidable and caused by a Force Majeure event.

Contact information for GonLED:

1835 Whittier Ave. Suite D-12

Costa Mesa, CA 92627

Justin Swedlow is the main point of contact for the company

DELIVERABLES/SCOPE OF WORK:

No change to the original scope of work.

ANTICIPATED COMPLETION DATE:

No change to the original contract completion date.

EVALUATION AND RECOMMENDED ACTION:

The Construction Manager, Vice Chancellor of General Services, and Chancellor recommend approval of Amendment No. 1 to CMAS Purchase Contract with GonLED for a change in terms at no increase to original contract amount. The approval of this amendment will allow the Contractor, with defined advanced written notice to the District, to be subject to a non-compensable schedule extension in the event of an unavoidable "Force Majeure" event.

File Attachments

200324 GonLED_CMASAgreement_Products&Services_w-Exhibit.pdf (30,447 KB)

200512 GonLED Amendment No. 1 3542543-1(DMS)02.pdf (275 KB)

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.

7. CONSENT CALENDAR - FACILITIES

Subject

7.8 Consider Approving an Agreement for Construction Services (Small Projects) Contract with Mars Construction, Inc., Berkeley City College ADA Barrier Removal Project Phase 2, in the Amount Not to Exceed \$113,700.00. This approval will ensure compliance with the American with Disabilities Act (ADA) requirements addressed in a legal settlement. Presenter: Vice Chancellor Sata

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$113,700.00

Budgeted

Yes

Budget Source

Bond Funds

Recommended Action

Approve an Agreement for Construction Services (Small Projects) Contract with Mars Construction, Inc., Berkeley City College ADA Barrier Removal Project Phase 2, in the Amount Not to Exceed \$113,700.00. This approval will ensure compliance with the American with Disabilities Act (ADA) requirements addressed in a legal settlement.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Kitchell CM

BACKGROUND/ANALYSIS:

This work is necessary to ensure District compliance with ADA requirements identified in the District's remediation plan included in the Delson v. Peralta settlement. A public bid process was conducted by the District's Purchasing Department for the "Berkeley City College Barrier Removal Project Phase 2" (Bid #19-20/08). Five bids were received before the 2:00 p.m. deadline on March 12, 2020. Purchasing Department representatives, DGS Staff and the Construction Manager reviewed bids from the following bidders:

<i>Contractor</i>	<i>Bid Amount:</i>
Mars Construction, Inc.	\$113,700.00
Ashron Construction	\$118,000.00
A&E Emaar Company	\$143,600.00
DMR Builders	\$185,000.00
Bay Construction	Non Responsive

Mars Construction, Inc. was deemed the lowest responsive, responsible bidder, supplying all mandatory documents at the time of bid opening, and was selected to perform work for the Berkeley City College ADA Barrier Removal Project Phase 2.

Contact information for the vendor is provided.

Mars Construction, Inc.
4888 Clayton Road #14
Concord, CA 94521.

Maria Serova is the Principal for the company.

DELIVERABLES/SCOPE OF WORK:

The following scope of services will be performed at Berkeley City College as a part of this contract:

- Accessible Restroom Modifications, including new shelves and resetting of various fixture heights;
- Theater Seating Modifications;
- Casework and Furniture Adjustments to meet ADA clearances; and
- Electronic Door Actuator Adjustments to meet ADA push pressure requirements.

ANTICIPATED COMPLETION DATE:

The term of this contract is 60 days from the date of the Notice to Proceed, and not later than September 30, 2020.

EVALUATION AND RECOMMENDED ACTION:

The Kitchell Project Manager, the Vice Chancellor of General Services, and Chancellor recommend approval of an Agreement for Construction Services (Small Projects) Contract with Mars Construction, Inc., for the Berkeley City College ADA Barrier Removal Project Phase 2, in the Amount Not to Exceed \$113,700.00. This approval will ensure compliance with the American with Disabilities Act (ADA) requirements addressed in a legal settlement.

File Attachments

Bid 19 20 08 Results.pdf (135 KB)

2020 04 22: Bid 19 20 08 Agreement Mars Construction.pdf (159 KB)

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.

7. CONSENT CALENDAR - FACILITIES

Subject

7.9 Consider Approval of Purchase Order with NetXperts for Dell Servers for New Center for Liberal Arts Building, in the amount not to exceed \$47,301.31. Presenter: Vice Chancellor Sata.

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$47,301.31

Budgeted

Yes

Budget Source

Bond Funds

Recommended Action

Approve Purchase Order with NetXperts for Dell Servers for New Center for Liberal Arts Building, in the amount not to exceed \$47,301.31.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Roebbelen CM

BACKGROUND/ANALYSIS:

The New Center of Liberal Arts is a project being constructed to provide a new classroom building at the College of Alameda. Multiple orders are being made by the District to furnish computers and other IT equipment for the building. Through discussions with the Campus and District IT Managers, the DELL Server as described in the attachment was selected to host the network for the new building.

Because this equipment purchase is for less than \$95,200, the District was not required to bid this purchase through formal competitive bidding under the Public Contract Code. However, three (3) quotes were procured by the IT team. These were from NetXperts Inc., from Computacenter Fusionstorm Inc., and as a direct order from Dell. The proposal from NetXperts Inc. is the lowest bid.

<i>Proposal #</i>	<i>Proposing Company</i>	<i>Quote Value</i>
1	NetXperts Inc.	\$47,301.31
2	DELL EMC	\$73,604.00
3	Computacenter Fusionstorm Inc.	\$83,161.77

Because the NetXperts has an existing contract with the District exceeding \$50,000 this fiscal year, the Board is asked to approve this new contract. The existing contract is to install network infrastructure at the New Center for Liberal Arts Building.

A history of NetXperts' contracts with the District this year is shown below:

<i>Contracts</i>	<i>Approved Amount</i>	<i>Board Approval Date</i>	<i>Contract Status</i>
NCLA Network Install per CB-180-15	\$ 429,127.89	3/10/2020	Ongoing
Server Quote NETQ18351	\$ 47,301.31	This Item	
Total:	\$476,429.20		

Contact Information

NetXperts Inc.
1777 Botelho Drive, Suite 102
Walnut Creek, CA, 94596
Tel: 925-806-0800
Fax: 925-806-0899

DELIVERABLES/SCOPE OF WORK:

As described in the NetXperts proposal, the scope of work includes providing three (3) Dell PowerEdge R7515 servers with the specified parts and accessories. This agreement includes delivery, the software

and BIOR to run the servers, basic hardware services including basic deployment into the server racks in the building MDF room, and manufacturer warranties.

ANTICIPATED COMPLETION DATE:

This PO will be a one-time purchase. The servers are scheduled to be procured and installed in June of 2020 with Campus IT completing programming and integration of the New Center for Liberal Arts' network in July.

EVALUATION AND RECOMMENDED ACTION:

The Roebbelen Project Manager, the District's Director of IT, the Vice Chancellor of General Services, College President, and Chancellor, recommend approving this purchase order from NetXperts Inc. in the amount not to exceed \$47,301.31.

File Attachments

~~MLA Servers NetXperts Bid (Dell - B7515) - NET018351-35418931 (DMS).PDF (54 KB)~~

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.

7. CONSENT CALENDAR - FACILITIES

Subject

7.10 Consider Approval of the Ground Lease with the Port of Oakland, to provide additional parking and ancillary facilities for the College of Alameda Aviation Program for a total amount of Sixty-Six 00/100 dollars (\$66.00).

Presenter: Vice Chancellor Sata

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$66.00

Budgeted

Yes

Budget Source

Federal Economic Development Administration Grant

Recommended Action

Approve the Ground Lease with the Port of Oakland, to provide additional parking and ancillary facilities for the College of Alameda Aviation Program for a total amount of Sixty-Six 00/100 dollars (\$66.00).

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Vice Chancellor Sata

BACKGROUND/ANALYSIS:

The Port of Oakland has agreed to lease to the District, pursuant to the terms and conditions of the attached Lease, additional property adjacent to the existing College of Alameda (COA) Aviation Center near the Oakland Airport, totaling approximately 0.5 acres. The additional contiguous parcel of land, combined with the existing property, will be used for the development and construction of additional parking and other Facilities to accommodate the Aviation program. The COA Aviation program has been growing as evidenced by the award of \$3,000,000 in Federal Economic Development Administration Funds (EDA Funds) to renovate two buildings to house a workforce training facility as part of the COA Aviation Technology Maintenance Training Facility Expansion and Improvement Project (Project No. 07 01 07451). This award was approved by the Board on September 27, 2018.

As the Aviation Program continues to grow, it has been determined that additional parking and ancillary facilities are necessary to serve the program. The term of this Lease shall be for sixty-six (66) years. The District will be solely responsible for all costs associated with designing and constructing the new parking facilities and the installation and repair of related infrastructure. As a result, the Port has agreed to nominal rent in the amount of One Dollar (\$1.00) annually.

ANTICIPATED COMPLETION DATE:

Assuming Board approval on May 12, 2020, and execution of the contract by the Port of Oakland not later than May 30, 2020, the terms state that the lease begins in the month following execution, likely June 2020. Therefore, projected end of lease is June 30, 2086.

EVALUATION AND RECOMMENDED ACTION:

The Vice Chancellor of General Services, the College President, and the Chancellor recommend approval of a ground lease with the Port of Oakland, in order to provide additional contiguous land for parking and ancillary facilities for the College of Alameda Aviation Program, for a total amount of Sixty-Six 00/100 dollars (\$66.00).

File Attachments

All matters listed under the Consent Calendar are considered by the Board by 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.

7. CONSENT CALENDAR - FACILITIES

Subject

7.11 Consider Professional Services Agreement with Allana Buick & Bers for the Laney Podium Waterproofing Replacement Phase 3 Project in an Amount Not-to-Exceed \$265,160.00. Presenter: Vice Chancellor Sata

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$265,160.00

Budgeted

Yes

Budget Source

Bond Funds

Recommended Action

Approve Resolution No. 19/20-55 Declaring the Futility of Proceeding with Requests for Qualifications / Proposals for Design Services for Laney College Phase 3 Water Intrusion Remediation Work, and (2) approve Phase 3 Professional Services Agreement with Allana Buick & Bers for the Laney Podium Waterproofing Replacement Phase 3 Project in an Amount Not-to-Exceed \$265,160.00.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Swinerton CM

BACKGROUND/ANALYSIS:

In late 2013, the Peralta Community College District experienced extensive water intrusion and numerous complaints from faculty and students at Laney College Campus. At such time the District retained the services of Gale Associates to investigate the leaks and provide design documents to address the leaks. Such work was performed in 2014 by Valentine Corporation. Since then the initial repairs did not address the leaks, they continued, and as a result, substantial rework had to be performed.

The District engaged the engineering services of Allana Buick & Bers (ABB) to investigate the leaks and prepare remedial design documents. After its initial investigations it was decided to proceed with the overall scope of work in three phases. ABB prepared the design for phases 1 and 2 in 2017 and 2018 respectively. Construction of both phases were performed pursuant to the ABB designs, and the work was completed in 2018 and 2019, respectively.

The scope of work for phase 1 included repair work at various locations below southern courtyard B. The construction cost was approximately \$998,000. The scope of work for phase 2 included completing repairs at center courtyard A; center, east, and west courtyards F; and center courtyard G. The construction cost was approximately \$3,140,000. The scope of work for phase 3 will entail repairs at courtyard A east, courtyard E south, various walkways throughout the campus, and miscellaneous leak repairs throughout the campus specifically at the Tower 9th floor, Student Center basement level and 4th floor, men's and women's restrooms in the breezeway below Tower Building, Fitness Center, Building A west, Building B north, and Building C. The construction cost is estimated to be approximately \$2,900,000.

As ABB is qualified and the District previously retained and approved ABB to provide design professional services for phases 1 and 2, it is prudent and more economical to request the continued services of ABB to prepare the remedial design repairs for phase 3 as well. ABB's prior experience, familiarity with the campus, and qualifications are more than adequate to prepare the design necessary to remedy the remaining leaks at Laney. If the District were to proceed with a new qualification and procurement process to perform the remedial design for phase 3, it would require additional forensic investigation by another consultant, who is not as familiar with the campus, and result in economic waste and unnecessary delay that would be at the detriment to Laney and the District as a whole.

Contact Information for Allana Buick & Bers:

Eugene Buick
990 Commercial Street
Palo Alto, CA 94303
650-543-5648
www.abbae.com

The company has been in the waterproofing / architectural engineering business providing forensic investigation and design services for remedial and new construction. The firm was established in 1987. Eugene Buick is one of the Principals, and has been involved with the forensic investigation of the leaks, and has also been actively involved in the remedial design and repairs for phases 1 and 2.

DELIVERABLES/SCOPE OF WORK:

For the full scope of Services for the Laney Podium Waterproofing Replacement Phase 3, see attached proposal and contract.

Construction Document Phase Services, including:

Courtyard & Walkways. This proposal includes the following areas: Courtyard A East (A2), walkway G3 (between Theater and CY G North, walkway D1 (between Bldg D and CY E North), courtyard E South, small walkway G2 near Courtyard G South, walkway B/C2 (between Bldg C and Gym).

- Prepare construction documents for the continued replacement of the podium waterproofing.
- Perform site visit to confirm extent of work and review visible field conditions.
- Prepare technical specification sections
- Submit construction details and specifications for Client Review, assume 3 meetings to review site conditions, confirm scope and extent of work, and review the design documents. (approximately 75% and final CDs)
- Assist with Preparation bid form with options, alternates, unit pricing, and allowances.
- Provide rough order of magnitude pricing

Miscellaneous Leak Repair. This proposal includes the following areas: 9th Floor Tower leaks, Student center leaks, Tower leaks at restroom breezeway, Building A skylight, Building B electrical lab, Building C laundry room/ fitness center, and mechanical pipes and roof leaks. In addition to the miscellaneous work at courtyards and walkways, ABBAE is including limited investigation and inclusion of repair scope for miscellaneous leak locations listed above, which were defined by the College during a recent site walk. ABBAE has allocated a time and expense budget for further testing and investigation, and we have also included a budget for miscellaneous design associated with this effort.

DSA Assistance Services - Not Required

Bidding Phase Consulting Services. Attend pre-bid meeting, review bidding RFIs and provide answers as related to the waterproofing and roofing, assist with issuing addenda if needed, assist with the review of the waterproofing bids and provide recommendations, attend meeting with owner and architect to review recommendations.

Construction Administration Services. Review and offer recommendations regarding roofing and podium submittals, attend one pre-construction meeting, assist PCCD in providing answers to Contractor RFIs relating to the repairs. If necessary, we will provide our suggested field directives or recommended supplemental instructions to clarify the intent of the building envelope design. Attend weekly progress meetings for a construction duration of six (6) months. In order to confirm Contractor performance and review installations for compliance with the intended design, ABBAE will conduct periodic visits to the project site. Observations noted during these jobsite visits will be provided to PCCD for review.

Assist PCCD with project punch list and final walkthroughs, including reviewing manufacturer warranties.

Construction Monitoring and Observation Services. Provide specialized construction observations/monitoring services for the duration of the project. This service consists of specialized quality assurance on behalf of the owner to observe critical building envelope components during construction, which entails monitoring the project for quality assurance which requires 20 to 40 hours per week of observations during construction.

ANTICIPATED COMPLETION DATE:

Work will be completed by December 31, 2021.

EVALUATION AND RECOMMENDED ACTION:

The Project Manager, Vice Chancellor of General Services and Chancellor recommend (1) approval of Resolution No. 19/20-55 Declaring the Futility of Proceeding with Requests for Qualifications / Proposals for Design Services for Laney College Phase 3 Water Intrusion Remediation Work, and (2) Approval of Phase 3 Professional Services Agreement with Allana Buick & Bers for the Laney Podium Waterproofing Replacement Phase 3 Project in an Amount Not-to-Exceed \$265,160.00.

File Attachments

Peralta Futility Reso re ABB - Phase 3 Remediation (SD).pdf (49 KB)

1611-02552.01 - Laney College Phase III design ca and mon DWK ABBAE 0421....pdf (336 KB)

Peralta PCCD Short Form Engineer Agreement - With Exhibits (March 2020) r...pdf (226 KB)

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.

7. CONSENT CALENDAR - FACILITIES

Subject

7.12 Consider Approval of Amendment #3 for Noll & Tam Architects, to add Smoke Control System Services for the new Library-Learning Resource Center building at Laney College, in the amount of \$54,746. Presenter: Vice Chancellor Sata

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$54,746.00

Budgeted

Yes

Budget Source

Bond Fund

Recommended Action

Approve Amendment #3 for Noll & Tam Architects, to add Smoke Control System design services for the new Library-Learning Resource Center Building at Laney College, in the amount of \$54,746.00.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Swinerton CM

BACKGROUND/ANALYSIS:

The programming and design phases for the District's new Library and Learning Resource Center Project at Laney College commenced in 2019, with Noll & Tam ("N & T") as architects for the project. Since then, N & T has worked closely with the User Group, engineers and District staff to create a building that meets the needs of the users and State Funding requirements. As part of their due diligence, N & T met with the Department of the State Architect (DSA) for a preliminary design review. In this review, DSA interpreted the building code differently than the architect. Instead of utilizing fire-rated glazing and automatic fire sprinkler system for the Atrium, DSA has asked for a different approach. This approach to designing a Smoke Control System exceeds the scope of professional design services included in the original Independent Contractor/Consultant Services Contract dated December 11, 2019 ("Agreement"). Amendment #3 to the Agreement adds the services needed.

In the 2019-20 Fiscal Year, Noll and Tam Architects has been awarded the following contracts and contract amendments with the District:

<i>Contract</i>	<i>Amount</i>	<i>Board Approval</i>	<i>Complete or Ongoing</i>
Berkeley City College 2118 Milvia Transition Analysis	\$151,594.00	July 23, 2019	Complete
Laney College LRC, Programming	\$101,000.00	November 12, 2019	Complete
Berkeley City College 2118 Milvia Housing Options	\$13,600.00	December 10, 2019	Complete
Laney College LRC, Architectural Design Contract	\$5,233,222.00	December 10, 2019	Ongoing
Laney College LRC, Amendment #1, Central Plant Study	\$20,500.00	February 25, 2020	Ongoing
Merritt College Horticultural Complex, Architectural Design Contract	\$1,925,946.00	February 25, 2020	Ongoing
Laney College LRC, Amendment #2, LEED certification services	\$136,600.00	Pending	
Laney College LRC, Amendment #3, Smoke Control System	\$54,746.00	This Item	
Total:	\$7,637,208.00		

DELIVERABLES/SCOPE OF WORK:

1. At the beginning of the Design Development Phase, provide a Basis of Design narrative description of the smoke control system and how it is integrated into the building design.
2. During Design Development, incorporate the building components required to provide a functioning smoke control system.

3. During the preparation of Construction Documents, include all specifications and drawings required to construct the smoke control system.
4. During Construction, monitor and enforce the Contractor's compliance with the smoke control system construction as shown on contract documents,
5. During Commissioning, work with the Commissioning Agent to ensure that the performance of smoke control system satisfies all Fire-Life-Safety requirements.

ANTICIPATED COMPLETION DATE:

The work will be completed during the conclusion of the building construction, as Commissioning of the mechanical components of the building, including the Smoke Control System, occurs as one of the last processes during construction. Project completion is expected to occur in the second quarter of 2023.

EVALUATION AND RECOMMENDED ACTION:

The Swinerton Project Manager, the Vice Chancellor of DGS and the Chancellor recommend approval of Amendment #3 for Noll & Tam Architects, for additional work needed to provide Smoke Control System design services for the New Laney Library and Learning Resource Center Project, in the amount of \$54,746.00.

File Attachments
 200512 BOT_Noll&Tam_LRC_Amendment #3_SmokeControl.pdf (483 KB)
 200512 BOT_Noll&Tam_LRC_Amendments#1and#2.pdf (165 KB)
 200512 BOT_Noll&Tam_LRC_Contract with Exhibits A-C.pdf (271.076 KB)

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.

7. CONSENT CALENDAR - FACILITIES

7.13 Consider Approval of Construction Agreement with Pacific Power & Systems, Inc. for Miscellaneous Electrical Work at the Laney Community College Pool in the Amount Not-to-Exceed \$4,571.00. Presenter: Vice Chancellor Sata
 Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$4,571.00

Budgeted

Yes

Budget Source

Scheduled Maintenance

Recommended Action

Approval of Construction Agreement with Pacific Power & Systems, Inc. for miscellaneous electrical work at the Laney Community College Pool in the not-to-exceed amount of \$4,571.00

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Kitchell CM

BACKGROUND/ANALYSIS:

While inspecting the pool heater and other related equipment housed in the mechanical pit adjacent to the Laney Pool, existing electrical outlets, wiring and junction boxes were identified as safety issues that required replacement. The Kitchell Project Manager contacted Pacific Power & Systems, Inc. (PPS), a licensed design-build electrical contractor, asking their team to assess the unsafe electrical items and to provide a proposal for mitigation work.

PPS is the General Contractor and has been serving northern California since 1999 in electrical services, including design-build, emergency communication systems and power, and fire and security protection systems. PPS is the electrical company that resolved the electrical safety issues in the Laney College Welding Lab, the Tower, and the Art Center.

Contact Information for Pacific Power & Systems, Inc. is as follows:

Attn: Michael Messer
4970 Peabody Rd
Fairfield, CA 94533
Website: rbigroup.net
Company License # 458315.

In the 2019-20 Fiscal Year, PPS has been awarded the following contracts and Change Orders with the District:

<i>Contract</i>	<i>Approved Amount</i>	<i>Time Extension</i>	<i>Board Approval Date</i>	<i>Complete or Ongoing</i>
Laney College Welding Shop Original Contract	\$287,774.97	N/A	February 25, 2020	Complete
Laney College Welding Shop Change Order No. 1	\$26,679.00	N/A	March 24, 2020	Complete
Laney College Welding Shop Change Order No. 2	\$161,959.00	130 days	April 21, 2020	Complete
Tower Basement and Arts Building Exterior	\$6,400.00	N/A	April 21, 2020	Complete
Laney Pool Mechanical Pit Electrical Work	\$4,571.00	New Contract	This Item	

New Contract Sum	\$487,383.97			
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DELIVERABLES/SCOPE OF WORK:

1. Change out three receptacles to GFCI type / add new labels.
2. Add one 4 11/16" blank to open J -Box.
3. Demo ¾" PVC & safe off wires in existing gutter.
4. Add two "C" conduit covers ¾".
5. Add new 4 square boxes to accommodate splicing.
6. Add one single gang weatherproof blank on open J box.

ANTICIPATED COMPLETION DATE:

Project to be completed by July 12, 2020.

EVALUATION AND RECOMMENDED ACTION:

The Kitchell Project Manager, the Vice Chancellor of General Services and the Chancellor recommend approval of the Construction Agreement with PPS for miscellaneous electrical work at the Laney College Swimming Pool Mechanical Pit, in the amount not-to-exceed \$4,571.00.

File Attachments

PPS Construction Services Laney College Pool.pdf (476 KB)
 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.

7. CONSENT CALENDAR - FACILITIES

Subject

7.14 Consider Approval of Amendment No. 1 to the Agreement with Interior Motions increasing the scope of exterior furniture to be procured for the College of Alameda New Center for Liberal Arts project and Approval of Related Cost Increases. Presenter: Vice Chancellor Sata.

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$137,843.34

Budgeted

Yes

Budget Source

Measure A

Recommended Action

Approval of an Amendment No. 1 to Agreement with Interior Motions increasing the scope of exterior furniture to be procured for the College of Alameda New Center for Liberal Arts project.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Roebbelen CM

BACKGROUND/ANALYSIS:

The New Center of Liberal Arts is a project being constructed to provide a new classroom building at the College of Alameda. Interior Motions has been contracted for the programming, space planning, procurement, delivery, and installation of furniture services and products at the New Center for Liberal Arts. The Original Agreement with Interior Motions was approved by the District on September 10, 2019, as an exception from a cooperative purchasing arrangement among public agencies jointly exercising common powers, including the power to contract, in accordance with Section 6500, et seq., of the Government Code (the "JPA Act").

Under the JPA Act, the District is authorized to use contracts made available through the US Communities Purchasing Alliance ("US Communities"), without further competitive bidding. The District previously joined US Communities in order to reduce its costs of procurement by utilizing the competitively bid contracts made available through US Communities. The District is a participating public agency in US Communities, memorialized and effectuated through a Master Intergovernmental Cooperative Purchasing Agreement ("MICPA") among several public agencies, including the County of Fairfax, Virginia.

Interior Motions, a reseller and agent of Herman Miller furniture, has made available its agreement with the County of Fairfax, Virginia, for the purchase of office furniture and related services and solutions through US Communities Contract No. 4400003403.

Subsequent to entry into the Original Agreement, the District received additional input from students, faculty, and staff at the College of Alameda related to the selection of furniture and classroom layout. Amendment No. 1 is being requested to allow for the full scope of exterior furniture be procured as designed by Interior Motions and supported by the faculty that make up the user group. The increased cost as a result of the additional outdoor furniture is \$137,843.34. See the table below for a history of this Agreement, including approval dates and changes in approved contract amount.

Contract	Approved Amount	Board Approval Date
Original Agreement	\$ 1,953,216.62	9/10/2019
Amendment No. 1	\$ 137,843.34	This Item
Total Contract Sum	\$ 2,091,059.96	

Contact Information

Interior Motions
4701 Doyle Street, Suite 14
Emeryville, CA 94608

DELIVERABLES/SCOPE OF WORK:

Amendment No. 1 increases the scope of design consulting services, programming, space planning, procurement, delivery and installation of furniture services and products at the New Center for Liberal

Arts (NCLA) at the College of Alameda. Additional exterior furniture to be procured under Amendment No. 1 is described in the exhibit to Amendment No. 1, in the cost proposal from Interior Motions, and available to the Board for review.

ANTICIPATED COMPLETION DATE:

The Contract for Interior Motions expires on December 31, 2020. All interior furniture is scheduled to be installed by July 24, 2020. The exterior furnishings will not be delivered and installed until September 2020, due to current production delays caused by the COVID-19 challenges. This delay is not expected to impact the overall functionality of the project, as the interior usability of the New Center for Liberal Arts will remain on schedule for an opening in August 2020.

EVALUATION AND RECOMMENDED ACTION:

The Roebbelen Project Manager, Vice Chancellor of General Services, College President, and Chancellor recommend approving Amendment No. 1 to the District's Original Agreement with Interior Motions to increase the purchase price by \$137,843.34, with a total not-to-exceed purchase price under the Agreement, as amended, of \$2,091,059.96.

File Attachments

Amendment No. 1 to Agreement Incorporating Master Agreement with Interior Motions [Furniture for NCLA Building at CoA]_3544008_1(DMS).pdf (280 KB)

Proposal Quote for Additional Outdoor Furniture [Interior Motions]_3541985_1(DMS).PDF (2,397 KB)

Original Agreement with Interior Motions [Furniture at CoA - fully signed]_3541987_1(DMS).PDF (1,643 KB)

Amendments 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.

7. CONSENT CALENDAR - FACILITIES

Subject

7.15 Consider Approval of Futility Resolution and Approval of Change Order No. 3 to Agreement for Construction Services with Professional Glass Installations, Inc. for the Laney College Window Repairs (Bid No. 18-19/28) in an Amount Not-to-Exceed \$6,494.38 and Approval of a time extension of 62 days. Presenter: Vice Chancellor Sata Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Dollar Amount

\$6,494.38

Budgeted

Yes

Budget Source

General Fund or Redevelopment Agency Fund

Recommended Action

Approve Futility Resolution and Change Order No. 3 to Agreement for Construction Services with Professional Glass Installations, Inc. for the Laney College Window Repairs (Bid No. 18-19/28) in an Amount Not-to-Exceed \$6,494.38 and approve a time extension of 62 days.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Swinerton CM

BACKGROUND/ANALYSIS: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)

Professional Glass Installations, Inc. was approved to replace twenty-nine broken glass window panes of various sizes and thicknesses throughout Laney College for the Amount Not-to-Exceed \$20,574.66 at the Board of Trustees meeting on July 23, 2019. A formal bid (Bid No. 18-19/28) was conducted for this project in compliance with Public Contract Code Section 20651 with a bid opening that was held on July 9, 2019. A total of three vendors bid on the project, but one bid was nonresponsive, and as a result was rejected by the administration in accordance with Board Policy, and Professional Glass Installations, Inc., was selected as the lowest responsible and responsive bidder. Following award of the contract, Professional Glass Installations, Inc. commenced work on the project.

Subsequent to the executed Agreement, twelve (12) additional glass window panes were discovered to have been broken and/or inadvertently not included in the original proposal. Fire rated glass and glazing gaskets were also required to be replaced and were included with the 12 glass windows under Change Order No. 1. Subsequent to the approval of Change Order No. 1, three (3) additional windows were discovered to have been broken necessitating Change Order No. 2. Each of Change Order No. 1 and Change Order No. 2 constituted a cost that aggregated, together with the other costs of the work previously approved, to a percentage above the 10% re-bid threshold. In addition, the cost of work to be performed under Change Order No. 2 was low (\$956.37) and it would have been impractical to bid a project during construction for such a low amount. As with Change Order No. 1, it would also have been impractical to bid the additional work under Change Order No. 2, given the Contractor's familiarity with the project site, the needs of the site, and the circumstances which gave rise to Change Order No. 2.

A case law exception to bidding exists in such a situation. Notwithstanding Public Contract Code section 20111, California law provides that, "Where competitive proposals work an incongruity and are unavailing as affecting the final result or where they do not produce any advantage . . . the statute requiring competitive bidding does not apply." (*Hiller v. City of Los Angeles* (1961) 197 Cal.App.2d 685, 694.) Accordingly, public entities need not comply with competitive bidding processes where to do so would be impractical or futile and would not serve the purposes of competitive bidding. (See *Los Angeles Dredging Company v. City of Long Beach* (1930) 2 Cal. 348; *Graydon v. Pasadena Redevelopment Agency* (1980) 104 Cal.App.3d 631). Accordingly, the Board approved Change Orders No. 1 and No. 2 by adoption of resolutions declaring the futility of public bidding.

Subsequent to the approval of Change Order No. 2, four (4) additional windows and one (1) full length mirror have been discovered to be broken necessitating an additional scope of work. With Change Order No. 3 the cumulative percentage increase is approximately 81.68%. For the same reasons noted above for Change Orders No. 1 and No. 2, it would be impractical or futile to rebid the work. The scope of services set forth in Change Order No. 3 is supported by documentation submitted by the Contractor, and the amounts contained in Change Order No. 3 have been reviewed by District staff and the Project Manager and were determined to be reasonable. This is anticipated to be the last change order for the glass replacement project.

For clarity, the proposed Change Order No. 3 is listed below with accompanying Board approval dates, approved amounts, and any time extensions. A time extension of 62 days is contemplated under Change Order No. 3 due to the lead time receiving the Student Center glass and time lost due to the Coronavirus (as shown in Change Order No. 3).

<i>Contract</i>	<i>Approved Amount</i>	<i>Time Extension</i>	<i>Board Approval Date</i>	<i>Complete or Ongoing</i>
Original Contract	\$20,574.66	N/A	7/23/19	Ongoing
Change Order No. 1	\$9,355.47	60 days	1/7/20	Complete
Change Order No. 2	\$956.37	0 days	2/25/20	Complete
Change Order No. 3	\$6,494.38	62 days	This Item	
TOTAL	\$37,380.88			

Contact Information for Professional Glass Installations, Inc.:

409 38th Street
Suite 108
Oakland, CA 94609
(510) 253-9017

DELIVERABLES/SCOPE OF WORK:

Items noted in Change Order No. 3 include:

1. Replacing broken window glass at room A154 (10th street side).
2. Replacing broken window glass at room A201 of Financial Department in Building A.
3. Replacing broken window glass at room B100 of Cosmetology.
4. Replacing window glass at Fitness Center along interior courtyard.
5. Replacing full height mirror within Fitness Center.
6. Specifying replacement window glass at IT space on 2nd Floor of Student Center with "Opaci-Coat" and tempered glass. The coating and tempered glass will protect occupants if the overhead glass should break, and the coating also has heat reflective properties to mitigate heat gain in the room. This is a safety-based revision to the original contract.

ANTICIPATED COMPLETION DATE:

Work will be completed by June 1, 2020, which includes the 62-day time extension requested under Change Order No. 3.

EVALUATION AND RECOMMENDED ACTION:

The Project Manager, Vice Chancellor of General Services and Chancellor recommend approval of a Futility Resolution, Approval of Change Order No. 3 to Agreement for Construction Services with Professional Glass Installations, Inc. for the Laney College Window Repairs (Bid No. 18-19/28) in an Amount Not-to-Exceed \$6,494.38 and Approval of a time extension of 62 days.

File Attachments

CLEAN - Futility Resolution Professional Glass CO#3 5.12.20_3544729_1(DMS).pdf (325 KB)

200512 PGI_ChangeOrder#3_Signed_w-PCOs_3544854_1(DMS).PDF (1,733 KB)

200512 PGI_Orig Contract \$20,574,661 (BOT Approved 10/07/20)_3542130_1(DMS).PDF (1,119 KB)

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.

7. CONSENT CALENDAR - FACILITIES

Subject

7.16 Consider Approval of the Independent Consultant Agreement for Professional Architectural Services with Studio T-SQ., Inc. for the Laney College Elevators Modernization Project, in the amount not to exceed \$68,300..

Presenter: Vice Chancellor Sata

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$68,300.00

Budgeted

Yes

Budget Source

Bond Funds

Recommended Action

Approve Independent Consultant Agreement for Professional Architectural Services with Studio T-SQ., Inc. for the Laney College Elevators Modernization Project, in the amount not to exceed \$68,300.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Dr. Leigh Sata, Interim Vice Chancellor

BACKGROUND/ANALYSIS:

The project began in the Summer of 2016 to modernize three elevators including equipment replacement and upgrades located in the Administration Tower and Building E Classroom Complex of Laney College. The construction contract was awarded to Thyssenkrupp Elevator. The drawings were submitted to DSA for review and approval, but the initial DSA plan check comments included a request for original structural drawings of the administration tower and additional structural engineering. The District failed to perform, and the permit application expired prior to fulfilling the requirements of DSA. The intent of this contract is to hire a qualified architect to answer the questioned posed by DSA and to complete the project.

The work includes the modernization of two geared traction passenger elevators and one hydraulic passenger elevator utilizing hoistway, and the removal and disposal of all un-useable equipment.

Consistent with Government Code Sections 4525 et seq., the District conducted a competitive procurement process by issuing a Request for Proposal (RFP) to three local firms that have demonstrated experience with projects similar in size and scope. A proposal summary is included in the matrix below.

<i>Firm</i>	<i>Proposal Amount</i>	<i>Contact</i>
Byrens Kim Design Works	\$98,700	donk@byrenskim.com
Cohn & Associates Architects	\$87,350	jcohn@ca-arch.com
Studio T-SQ., Inc.	\$68,300	acarpentier@studiot-sq.com

The project scope of work was confirmed with each proposer.

Studio T-SQ., Inc. is recommended as the best value based on their experience, proposal, scope of services, and fee. Studio T-SQ., Inc. is full-service architecture, urban design, and planning firm based in Oakland, California.

Contact Information:

1970 Broadway #500

Oakland, CA 94612

Telephone (510) 451-2850

DELIVERABLES/SCOPE OF WORK:

- Provide architectural services for modernization of three (3) elevators.
- Re-open existing DSA application and extend timeline.
- Obtain DSA approval of construction documents.
- Provide structural engineering, mechanical engineering, and life and safety design.
- Provide construction administration services during construction.
- Attend bi-weekly meetings with District Representative and Contractor.
- Provide closeout services at project completion including DSA closeout.

ANTICIPATED COMPLETION DATE:

Laney College Elevators Modernization Project anticipated completion date is July 17, 2021.

EVALUATION AND RECOMMENDED ACTION:

The Kitchell Project Manager, the Vice Chancellor of General Services, Vice Chancellor of Finance and Administration and Chancellor recommend approval of the Independent Consultant Agreement for Professional Architectural Services with Studio T-SQ., Inc. for the Laney College Elevators Modernization Project, in the amount not to exceed \$68,300..

File Attachments

2020-12-05 Architect Agreement (Short Form) (STS Laney College - Elevator Upgrades) CLEAN_3545039_1(DMS).pdf

Agenda items 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.

8. CONSENT CALENDAR - FINANCE

8.1 California Community Colleges (CCC) 323 Estimated Enrollment Fee Revenue Report. Presenter: Vice Chancellor Walter

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Information

TO: Peralta Board of Trustees

FROM: Vice Chancellor Walter

PREPARED BY: Executive Fiscal Director Ahmed

Background/Analysis: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)

The Peralta Community College District's California Community Colleges (CCC) 323 Estimated Enrollment Fee Revenue Report is presented for information purposes.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

N/A

File Attachments

File_20200414_11513725.pdf (237 KB)

8. CONSENT CALENDAR - FINANCE

8.2 Consider approval to enter into an agreement with CLA (CliftonLarsonAllen, LLP) for independent auditing services for FY 2020 through 2023. Presenter: Vice Chancellor Walter Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$246,800.00

Budgeted

Yes

Budget Source

Fund 01 - General fund

Recommended Action

Consider approval to enter into an agreement with CLA (CliftonLarsonAllen, LLP) for independent auditing services for FY 2020 through 2023. California Code of Regulations, title 5, section 59102 requires that arrangements for annual audits shall be made no later than the May 1 preceding the fiscal year under audit. The State Chancellor’s Office requires this by May 15, 2020:

TO: Peralta Board of Trustees

FROM: Dr. Carla Walter, Vice Chancellor for Finance & Administration

PREPARED BY: Richard Ferreira, Executive Assistant

BACKGROUND/ANALYSIS:

Education Code section 84040, Title 5, section 59102, and the Office of Management and Budget (OMB) Circular A-133 requires that the District conduct an annual audit and that the Board of Trustees review the audit at a public meeting. The District is selecting independent audit services for the annual District audit, Measure B Financial and Performance audit, Measure G Financial and Performance Audit, Measure B Parcel

Tax audit, and Measure E Parcel Tax audit for the fiscal years ending June 30, 2020 through June 30, 2023, with the option to renew through June 30, 2025.

The District issued communications to prospective public accounting and auditing firms to respond to the Request for Proposal (RFP 19/20-09). Following standard procurement and bidding procedures, the RFP was released on February 20, 2020, and the bid closed on March 10, 2020. Two (2) firms responded with a proposal. The two (2) firms were CWDL, Certified Public Accountants and CLA (CliftonLarsonAllen, LLP). Each firm was invited to interview and references were requested from each firm. CLA was responsive while CWDL was not responsive for the request for interview and did not provide references. CLA participated in an interview with a panel of PCCD administrators and with favorable reviews of CLA's services. Reference checks were completed, and they were also favorable of the experience and expertise CLA would bring to PCCD.

As such, the recommendation is to select CLA (CliftonLarsonAllen, LLP) for the independent external auditor.

DELIVERABLES/SCOPE OF WORK:

The following is an outline of the professional fees and Scope of Work:

Professional Services	2020	2019-2021	2020-2022
District Financial Audit		\$190,000	\$195,600
Measure A - Financial and Performance Audit		\$15,000	\$15,450
Measure G - Financial and Performance Audit		\$15,000	\$15,450
Measure B Parcel Tax - ends June 30, 2020		\$6,000	
Measure E Parcel Tax - begins July 1, 2020		\$0	\$6,200
Total		\$226,000	\$232,700

Professional Services	Optional 2021-2022	Optional 2022-2023
District Financial Audit	\$207,400	\$216,660
Measure A - Financial and Performance Audit	\$16,400	\$16,900
Measure G - Financial and Performance Audit	\$16,400	\$16,900
Measure E Parcel Tax - begins July 1, 2020	\$6,600	\$6,800
Total	\$246,800	\$254,200

ANTICIPATED COMPLETION DATE:

The Fiscal Year ends each June 30th, and work to be completed is by December 31st.

ALTERNATIVES/OPTIONS:

Not applicable.

EVALUATION AND RECOMMENDED ACTION:

Approval to enter into an agreement with CLA (CliftonLarsonAllen, LLP) for independent auditing services. The Chancellor recommends approval.

File Attachments
 Independent Auditing Services-PCCD-02-20-20.pdf (198 KB)
 RFP 19-20-09 Score Sheets.pdf (465 KB)
 Peralta CCD -CLA- Proposal for Audit Services.pdf (3,135 KB)
 Peralta CCD CWDL-Proposal FINAL (electronic).pdf (1,264 KB)
 CWDL-CLA PDE (392 KB)
 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.

9. CONSENT CALENDAR - HUMAN RESOURCES

Subject

9.1 Consider Approval of a Request from Mia Kelly to participate in the Reduced Workload Program (RWP).

Presenter: Vice Chancellor Whittaker

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

No

Recommended Action

Request Board authorization to approve a request from Mia Kelly, a full-time instructor at Merritt College, to participate in the RWP in accordance with CA Education Code Section 87483 and Article 27 of the Collective Bargaining Agreement between the District and the Peralta Federation of Teachers (PFT).

TO: Peralta Board of Trustees

FROM: Chanelle Whittaker

PREPARED BY: Socorro Taylor

BACKGROUND/ANALYSIS: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)

The Office of Human Resources and Employee Relations reviewed the request from Ms. Kelly to participate in the RWP and determined that Ms. Kelly meets the qualifications pursuant to Education Code Section 87483 as follows:

- Ms. Kelly is at least 55 years old.
- She has been a full-time instructor for over 15 years.
- She has been employed on a full-time basis in an academic position for at least five years, with no break in service.

Ms. Kelly's request for a reduced workload at 50% shall become effective in the Fall 2020 semester and 50% in the Spring 2020 semester. This request for approval of the RWP Agreement is in accordance with Article 27, Paragraph C.1 of the Collective Bargaining Agreement, which directs qualified employees to "initiate this procedure by formal written request to the Board of Trustees delivered to the College President."

DELIVERABLES/SCOPE OF WORK:

N/A

ANTICIPATED COMPLETION DATE:

End of Spring 2020 Semester

EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends approval.

File Attachments

Reduced Workload Program CALSTRS Circular.pdf (194 KB)
Announcements 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.

9. CONSENT CALENDAR - HUMAN RESOURCES

Subject

9.2 Consider Ratification of Personnel Items. Presenter: Vice Chancellor Whittaker
Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action (Consent)

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Budgeted

Yes

Budget Source

General Fund

Recommended Action

Ratify personnel items.

TO: Peralta Board of Trustees

FROM: Chanelle Whittaker

PREPARED BY: Socorro Taylor

BACKGROUND/ANALYSIS:

PERSONNEL ITEMS

Ratification of Personnel Items: New employment; changes in assignment, compensation, and placement; leaves of absence; changes in academic and classified personnel; retirements; phase-in retirements and resignations; equivalence of minimum qualifications for academic temporary classified positions.

(NP= New Position *= New Employee)

A. ADMINISTRATIVE APPOINTMENT, REAPPOINTMENT, ASSIGNMENT AND REASSIGNMENT

College of Alameda

Angie Harris*

College Director of Financial Aid Services

Stu

Ratification of the Chancellor's administrative appointment of Angie Harris as the College Director of Financial Aid Services, effective April 15, 2020 through April 14, 2022, at \$111,647 annually.

District Office

Leigh Sata

Vice Chancellor of General Services

Gen

Ratification of the Chancellor's administrative appointment of Leigh Sata as the Vice Chancellor of General Services, effective May 1, 2020 through April 30, 2023, at \$212,130 annually

Laney College

None

Merritt College

Ernesto Nery*

College Director of Financial Aid Services

Stu

Ratification of the Chancellor's administrative appointment of Ernesto Nery as the College Director of Financial Aid Services, effective April 8, 2020 through April 7, 2022, at \$111,647 annually

B. CLASSIFIED AND FACULTY APPOINTMENT

(NP = New Position *= New Employee)

Name

Location

Dep

Berkeley City College

None

College of Alameda

None

Gilbert Solorio
Ratification of the Chancellor's classified appointment of Gilbert Solorio as the Financial Aid Systems Technology Analyst effective April 23, 2020

District Office

Financial Aid Systems Technology Analyst Aca

Brandon Christian
Ratification of the Chancellor's classified appointment of Brandon Christian as the Executive Assistant to the Chancellor, effective May 1, 2020

Executive Assistant to the Chancellor Cha

Shanova Berry
Ratification of the Chancellor's classified appointment of Shanova Berry as the Staff Assistant of Academic Affairs, effective April 22, 2020

Staff Assistant/Academic Affairs Aca

None

Laney College

None

Merritt College

C. REASSIGNMENT THROUGH THE HIRING PROCESS

Name

Location

Dep

None

Berkeley City College

None

College of Alameda

None

District Office

None

Laney College

None

Merritt College

D. TRANSFER/ADMINISTRATIVE REASSIGNMENT

None

E. CHANGES IN STAFF ALLOCATION

None

F. PHASE-IN RETIREMENT

None

G. LEAVE OF ABSENCE

None

H. PUBLIC EMPLOYEE RETIREMENT AND RESIGNATION

1. Retirement

Name

Location

Dep

None

Berkeley City College

College of Alameda

William Andrews

Faculty

Bus

Faculty retirement effective May 23, 2020

District Office

None

Laney College

None

Merritt College

None

2. Resignation

Berkeley City College

None

College of Alameda

None

District Office

None

Laney College

None

None

I. SHORT-TERM NON-CONTINUING POSITIONS

None

DELIVERABLES/SCOPE OF WORK:

N/A

ANTICIPATED COMPLETION DATE:

N/A

EVALUATION AND RECOMMENDED ACTION:

N/A

~~The Chancellor recommends approval~~
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.

10. ACTION ITEMS

10.1 Consider Approval of Resolution 19/20-58 affirming an unwavering commitment to student success and equity. Presenter: Chancellor Stanback Stroud

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Recommended Action

Approve Resolution 19/20-58 affirming an unwavering commitment to student success and equity.

TO: Peralta Board of Trustees

PREPARED BY: Dr. Regina Stanback Stroud, Chancellor

Background/Analysis:

The Joint Caucuses of the Community College League of California collaborated to support colleges' ability to respond to student needs and reduce hardships brought on by the COVID-19 pandemic.

Originally penned by Trustee Meridith Brown of the African American California Community College Trustees (AACCT), and Francisco Rodriguez of the California Association of Latino Community College Trustees and Administrators (CALCCTA) The resolution has received endorsement from AACCT, the Asian Pacific Islander Trustees and Administrators Caucus (APITA), CALCTA, California Community Colleges Veterans Caucus (CCCVC), and the LGBTQ Caucus.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action

The Chancellor recommends adoption of this resolution affirming an unwavering commitment to student success and equity as PCCD responds to and recovers from the COVID-19 pandemic.

File Attachments

PCCD RESOLUTION AFFIRMING UNWAVERING COMMITMENT TO STUDENT SUCCESS AND EQUITY V2.pdf (25 KB)

10. ACTION ITEMS

10.2 Consider Approval of Resolution 19/20-57 denouncing xenophobia and anti-asian sentiment arising due to fears of the COVID-19 pandemic and affirmation of PCCD's commitment to the well-being and safety of Asian American communities. Presenter: Chancellor Stanback Stroud

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Recommended Action

Approval of Resolution 19/20-57 denouncing xenophobia and anti- asian sentiment arising due to fears of the COVID-19 pandemic and affirmation of PCCD's commitment to the well-being and safety of Asian American communities.

TO: Peralta Board of Trustees

PREPARED BY: Dr. Regina Stanback Stroud, Chancellor

Background/Analysis:

The COVID-19 virus outbreak originated Wuhan, China and has spread worldwide. The response to the pandemic has included increased incidents of harassment and bias against people of Asian descent. Inflammatory language and irresponsible references to the virus as the “Chinese-virus” by national leaders have caused students and community members of the Peralta Community College District to experience micro-aggressions and explicit acts of marginalization.

The resolution herein denounces xenophobia and anti- asian sentiment arising due to fears of the covid-19 pandemic and affirms PCCD’s commitment to the well-being and safety of Asian American communities.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

The Chancellor recommends adoption of the resolution denouncing xenophobia and anti- asian sentiment arising due to fears of the covid-19 pandemic and affirms PCCD’s commitment to the well-being and safety of Asian American communities.

File Attachments
PCCD Resolution DENOUNCING XENOPHOBIA AND ANTI-ASIAN SENTIMENT_.pdf (17 KB)

10. ACTION ITEMS

10.3 Consider Approval of Resolution 19/20-51 to Establish A New Treasury Fund For General Obligation Bond Measure G, Fund 43. Presenter: Vice Chancellor Walter
Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

No

Budgeted

No

Budget Source

N/A

Recommended Action

Consider Approval of Resolution 19/20-51 to Establish A New Treasury Fund For General Obligation Bond Measure G, Fund 43.

TO: Peralta Board of Trustees

FROM: Vice Chancellor, Walter

PREPARED BY: Richard Ferreira, Executive Assistant

BACKGROUND/ANALYSIS:

Community College Districts have the authority to levy property taxes upon approval by majority required of 55% of the votes cast on the property tax proposals pursuant to the provisions of Article XIII A, Section 1(b)(3) of the California Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Sections 15264 et seq. of the California Education Code (the "Education Code")); and, District's Governing Board placed on the November 6, 2018 election ballot a property tax to maintain and enhance quality education for the students of the Peralta Community College District; and, the District's Governing Board submitted Measure G – General Obligation Bond, a property tax which was approved by 75.78% of the electorate; and, Peralta Community College District Governing Board does hereby establish a fund in the County Treasury of Alameda County to be known as the Peralta G O Measure G – F u n d 4 3 , for the purpose of recording revenues, expenditures, and other financial transactions directly related to this general obligation bond.

DELIVERABLES/SCOPE OF WORK:

N/A

ANTICIPATED COMPLETION DATE:

N/A

EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends approval.

File Attachments

Resolution 1920-51 Measure G New Fund 04202020.pdf (17 KB)

10. ACTION ITEMS

10.4 Consider Approval of Resolution 19/20-52 to Establish a County Measure E Parcel Tax Fund, Fund 08.

Presenter: Vice Chancellor Walter

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

No

Budgeted

No

Budget Source

N/A

Recommended Action

Consider Approval of Resolution 19/20-52 to Establish a County Measure E Parcel Tax Fund, Fund 08.

TO: Peralta Board of Trustees

FROM: Vice Chancellor, Walter

PREPARED BY: Richard Ferreira, Executive Assistant

BACKGROUND/ANALYSIS:

Community College Districts have the authority to levy special taxes upon approval by two-thirds of the votes cast on the special tax proposals pursuant to the provisions of Article XIII A, Section 4 and Article XIII C, section 2 of the California Constitution and Sections 50075-50077, 50079.1, and 53722 of the California Government Code. The District's Governing Board placed on the November 6, 2018 election ballot a special tax to maintain and enhance quality education for the students of the Peralta Community College District; and, the District's Governing Board submitted Measure E – Parcel tax, a special tax which was approved by 82.46% of the electorate. The Peralta Community College District Governing Board does hereby establish a fund in the County Treasury of Alameda County to be known as the Peralta Measure E – Parcel Tax Fund, for the purpose of recording revenues, expenditures, and other financial transactions directly related to this special tax.

DELIVERABLES/SCOPE OF WORK:

N/A

ANTICIPATED COMPLETION DATE:

N/A

EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends approval.

File Attachments

Resolution 1920-52 Measure E Parcel Tax New Fund 04212020.pdf (17 KB)

10. ACTION ITEMS

Subject

10.5 Adoption of Resolution No. 19/20-53 Authorizing Election Under Public Contract Code (section 22030) to become Subject to Uniform Public Cost Accounting Act. Presented by: Vice Chancellor Walter

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

No

Budgeted

No

Budget Source

N/A

Recommended Action

Adoption of Resolution No. 19/20-53 Authorizing Election Under Public Contract Code (Section 22030) to become Subject to Uniform Public Construction Cost Accounting Procedures.

TO: Peralta Board of Trustees

FROM: Dr. Regina Stanback Stroud, Chancellor

PREPARED BY: Dr. Carla Walter, Vice Chancellor for Finance & Administration

BACKGROUND/ANALYSIS:

The California Uniform Public Construction Cost Accounting Act (CUPCCA) (Chapter 2, Sections 22000-22045), enacted in 1983, is a voluntary program available to public who opt in to the provisions set forth by the act.

Public agencies that do not opt into CUPCCA must engage in the formal bidding process as outlined in the Public Contract Code Section 20111 for contracts that exceed \$15,000. Participation in CUPCCA allows for public projects in the amount of \$200,000 or less to use an informal or formal bidding procedure as set forth in Section 22032(b) or (c) of the Act. Public projects that exceed \$200,000 must use the formal bidding procedure.

The benefits of the program are: (1) simplified bidding for projects less than \$200,000; (2) reduced formal bids based on project size; and (3) expedited contracts under \$200,000. Additionally, agencies can experience expedited project delivery, reduced time, effort and expense associated with bidding, the ability to focus contracting opportunities to small local business enterprise (SLBE) and small emerging local business enterprise programs (SELBE).

Section 22030 provides that any agency that wishes to avail itself of the alternative procedures for bidding and contracting for public projects must elect, by resolution, to become subject to the uniform construction cost accounting procedures set forth in the Public Contract Code and must notify the State Controller of its election. Section 22034 further requires each public agency that elects to become subject to the uniform construction cost accounting procedures enact informal bidding procedures that comply with the requirements set forth in said Section 22034.

With a focus on encouraging local and diverse vendor participation, and with significant local bond and scheduled maintenance ancillary projects on the horizon, the flexibility and outreach opportunities provided by CUPCCAA will be invaluable. PCCD participation in CUPCCA can help grow businesses and create jobs, expand contracting opportunities for public work projects, create positive perception to the tax payers by providing more public project contracts to small local businesses and small emerging local

businesses and support positive community relations. Currently, 63 community college districts (55% of CCC's) participate in CUPCCA.

DELIVERABLES/SCOPE OF WORK:

N/A

PLAN:

The adoption of Resolution 19/20-53 will provide the necessary authorization for the District to notify the State Controller's office of the District's intent to participate and to enact an informal bidding ordinance to govern the selection of contractors to perform public contracts.

ANTICIPATED COMPLETION DATE:

N/A

EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends adoption of Resolution 19/20-53 Authorizing Election Under the Public Contract Code Section 22030 to Become Subject to Uniform Public Construction Cost Accounting Procedures, and Authorization for Chancellor or Designee to execute same.

File Attachments

FAQ CupCCAA.pdf (182 KB)

Public Contract code _22034_.pdf (98 KB)

05122020CUPCCApaticipating_agencies_update_report (1).pdf (1,467 KB)

05122020 CUPCCAA Resolution.pdf (143 KB)

10. ACTION ITEMS

10.6 Consider Ratification of a contract with Ray and Associates Cleaning System for deep cleaning at all District sites in an amount not to exceed \$700,115.40. Presenter: Vice-Chancellor Sata

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Budgeted

Yes

Budget Source

Scheduled Maintenance

Recommended Action

Ratification of a contract with Ray and Associates Cleaning System for deep cleaning at all District sites in an amount not to exceed \$700,115.40.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Vice Chancellor Sata

BACKGROUND/ANALYSIS:

On March 24, 2020, the Chancellor approved a deep cleaning project for each of the District's sites. The procurement was provided under the terms of the Board's delegation of authority, approved on March 17, 2020. The delegation item read as follows:

In December 2019, an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19) was identified and has impacted more than 75 countries including the United States. As of March 11, 2020, there were more than 1,000 confirmed cases of COVID-19 in the United States, including 178 in California. Officials expect the number of cases in California, the United States, and worldwide to increase. On March 4, 2020, Governor Gavin Newsom declared a State of Emergency to enable state and local agencies to more effectively respond to the threat of COVID-19. Additionally, on February 14, 2020, the Alameda County Board of Supervisors (Board of Supervisors) declared a local health emergency in response to COVID-19; and on March 10, 2020, the Board of Supervisors voted unanimously to continue the local health emergency.

In light of this emergency, the Board was asked to take action to:

1. Authorize the Chancellor and/or her designee(s) to take any and all actions necessary to ensure the continuation of education, and the health and safety of the students and staff at the District campuses and facilities, including, but not limited to: the relocation of students and staff, provision of alternative educational program options such as online delivery of educational services, provision of leave of absence to employees due to quarantine or recently returning from level 3 countries or sick from COVID-19 or illnesses with similar symptoms (e.g., cough, fever, shortness of breath), or co-habitants of any individuals, directing staff to serve as disaster service workers, and/or make alterations, repairs or improvements to District property.
2. Adopt a Resolution declaring emergency conditions existed throughout the District campuses and facilities as a result of the threat of COVID-19 virus.
3. Authorize, by unanimous vote, under the provisions of section 20654 of the California Public Contract Code, that the Chancellor and/or her designee(s) had the authority to:
 - a. Enter into any and all contracts necessary, without advertising or inviting bids, and for any dollar amount necessary to respond to the emergency conditions at the District Sites, including, but not limited to: the relocation of students and staff; continued instruction of students; maintenance of supplies, instructional materials, operational support supplies, equipment in support of virtual learning, and provision of additional personnel; and
 - b. Have the flexibility with use of District faculty and staff, notwithstanding section 20655 of the California Public Contract Code, to enable and support the District campuses and facilities; and
 - c. The Chancellor and/or her designee(s) to obtain permission for any of the above from the county superintendent of schools to the extent required by section 20654 of the California Public Contract Code.

District staff reached out to two companies for a proposal. Ray and Associates Cleaning System responded in a timely manner and was selected. The base proposal amount was \$583,429.50, which included a \$35,000 contingency. An additional 20% owner-controlled contingency was added to the contract to account for

unforeseen conditions, bringing the total contract value to \$700,115.40. This firm has provided cleaning services for the District previously.

DELIVERABLES/SCOPE OF WORK:

Ray and Associates Cleaning System will provide deep cleaning services to all District sites, including high dusting up to eight feet on all walls with a Lysol product and sanitizing of all high-touch areas with a hospital-grade cleaning product (Oxy-cide from Ecolab). High touch areas included doorknobs, doorframes, computer keyboard and mouse, tables, chairs, handles, rails, window sills, bathrooms, and water fountains. Bleach waw used to disinfect resilient floors with a 90% active Clorox product, including mop, floor stripping (if applicable) and wax. Carpets received a vacuum and shampoo.

Ray and Associates Cleaning System
Raymond Oiyemhonlan, Operations Manager
5013 Chaparral Ct.
Antioch, CA 94531

ANTICIPATED COMPLETION DATE:

The contract is dated March 24, 2020. Work commenced and was to be completed on or before April 29, 2020. The work was completed on time. The total invoice billed is \$548,429.50. Five percent (\$27,421.48) has been set aside as retainage and the District is prepared to sign off on the project as complete.

EVALUATION AND RECOMMENDED ACTION:

The Vice Chancellor of General Services and the Chancellor recommend ratification of a contract with Ray and Associates Cleaning System for deep cleaning at all District sites in an amount not to exceed \$700,115.40.

File Attachments

Resolution 1920-42 - Chancellor emergency authority.pdf (101 KB)

200324 Independent Consultant Agreement for Deep Cleaning At All PCCD Sites_SIGNED.pdf (399 KB)

10. ACTION ITEMS

10.7 Consider Approval of the Oracle Cloud Services Agreement in the amount of \$6,339,602.95. Presenter: Chief of Staff Warden

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Action

Preferred Date

May 12, 2020

Absolute Date

May 12, 2020

Fiscal Impact

Yes

Dollar Amount

\$6,339,602.95

Budgeted

Yes

Budget Source

General Fund - \$2,440,271.00 and Measure G - \$3,899,331.95 - Total \$6,339,602.95

Recommended Action

Approve the Oracle Cloud Services Agreement in the amount of \$6,339,602.95.

TO: Peralta Board of Trustees

FROM: Dr. Regina Stanback Stroud, Chancellor

PREPARED BY: Chief of Staff Delisle Warden

BACKGROUND/ANALYSIS:

The Peralta Community College District Information Technology Division has finalized the upgrade plans for the PeopleSoft Enterprise Application. At present, Information Technology has completed its fifth and final stages of contract negotiation for better terms and pricing for the Peralta Community College District.

This plan not only upgrades to a Cloud platform but implements modules that address many of the challenges depicted in the Financial Crisis Management Assistance Team, Collaborative Brain Trust and Accrediting Commission for Community and Junior Colleges reports. It also removes some unnecessary expenditures incurred by the district due to additional extended support with Oracle Cooperation.

DELIVERABLES/SCOPE OF WORK:

The project will be completed in two phases.

Phase I at a cost of \$1,437,631.95 will consist of:

- Migration to Oracle Database from Microsoft Sequel
- Migration to Oracle Cloud Infrastructure
- Max Availability Disaster Recovery Option
- Addition of Oracle Managed Services and Oracle Functional Services
- Enterprise Level Hardened Security and Access Management
- Deliver a supported and maintained, stable platform upon which future implementation projects can occur

Phase II at a cost of \$2,461,700.00 will consist of:

- PeopleSoft Campus Solutions (Student Portal) -upgrade to current version
- PeopleSoft Human Resources System (HR, Benefits, Payroll) - upgrade to current version
- PeopleSoft Financial System - upgrade to current point release, application update, security update

The ongoing operating expenses (licenses) for the next five years at a cost of \$2,440,271.

- This amount is typically approved annually.
- The district is able to realize a savings of \$1,826,447.00 by approving the 5-year operating expense as a part of the agreement.

The total cost of Phase I, Phase II and Operating Expenses is \$6,339,602.95

ANTICIPATED COMPLETION DATE:

June 2021

EVALUATION AND RECOMMENDED ACTION:

The Interim General Counsel/Chief of Staff and the Chancellor recommend approval of the Oracle Cloud Services Agreement and ordering documents.

File Attachments

OCI Tech Ordering Document_Phase 1_05072020.pdf (119 KB)

US-OD-9816739-PCCD-v3_Phase 2_05072020.pdf (727 KB)

US-OD-9183416-PCCD-v7_Operating Expense 05072020.pdf (833 KB)

MHEC Contract.pdf (3,319 KB)

11. REPORTS & ANNOUNCEMENTS

Subject

11.1 Board of Trustees' Reports

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Information

11. REPORTS & ANNOUNCEMENTS

Subject

11.2 Announcements

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Information

12. ADJOURNMENT

Subject

12.1 Meeting Adjournment

Meeting

May 12, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access

Public

Type

Procedural