



BOARD OF TRUSTEES  
OF THE  
PERALTA COMMUNITY COLLEGE DISTRICT

Minutes of the Regular Work Session Meeting, January 27, 2004, 5:38 PM, District Administrative Center, 333 E. 8<sup>th</sup> Street, Oakland, California

Present: Trustee Clifton, Duncan, Handy, Moore, Riley, Stone, President Baranco, Student Trustees Chapple and Spencer

Absent: None

CALL TO ORDER AND ROLL CALL

The regular work session meeting was convened into open session at 5:38 PM by President Baranco for the purpose of reporting to the public the topics to be discussed in closed session. The open meeting was adjourned at 5:38 PM to closed session; closed session convened at 5:38 PM; closed session adjourned at 7:17 to the regular work session meeting. The regular work session meeting convened at 7:30 PM. The roll was called by the recording secretary.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

ACTION: Upon a motion by Trustee Moore, seconded by Trustee Handy, the Board voted unanimously to approve the agenda, pulling Items 11 & 20, adding Item #21 that was properly agendized.

RECOGNITIONS, AWARDS AND PRESENTATIONS

1. Presentation by External Auditor

External Auditors Heidi White and Bill Rausch addressed the Board with regard to the 2002-03 Audit Report. Ms. White stated that she had an opportunity to present this audit to the Board's Audit & Finance Committee and administrators, reviewing the findings and recommendations portion of the report. The report indicates an unqualified opinion and no material adjustments to the general fund. One finding with regard to State compliance has been resolved and one finding regarding tracking of employees in a categorically-funded program will be resolved.

Following a short question and answer period, Ms. White commented on the continuing material weakness surrounding the inadequacies of the current financial and administrative management systems.

2. Information Technology Updates

District consultant Bernard spoke of the progress that has been made in the implementation of the converged network. A voice over IP telephony project has begun within the district office, running the telephones across the data line. The messaging pilot is a new email system, and implementation of the pilot of the wireless network project will be forthcoming. Speaking to IT milestones, Mr. Bernard stated that the administrative networks are now behind firewalls, the wireless network pilot network is being rolled out and a districtwide phone directory has been completed.

In answer to a Trustee inquiry, Mr. Bernard stated that the administrative management system will not be implemented until the entire network infrastructure has been completed, however, planing

and acquisition of equipment can begin.

ACTION: Upon a motion by Trustee Stone, seconded by Trustee Duncan, the Board voted unanimously to send a commendation to IT staff for the work done on the IP voiceover system.

District consultant Whatley addressed the Board regarding the core infrastructure and email systems and the beginning of Exchange 2003 that allows IT to respond to user comments during the pilot. Mr. Whatley spoke of the difficulties migrating from the old to new system.

#### COMMUNICATIONS FROM MEMBERS OF THE PUBLIC

Speaker Watkins-Tanner presented a formal written request to Trustees requesting help to defray transportation costs for students attending a March 2004 rally in Sacramento protesting the budget cuts to community colleges. Speaker Watkins-Tanner stated that many improvements have been made on the Laney College campus since Interim President Johnson has been appointed. The speaker invited all to attend Laney's Chinese New Year celebration scheduled for February 3 at noon.

#### 3. Update on CalTrans

CalTrans representative Stan Gee, project manager for the 5<sup>th</sup> Avenue retrofit project, addressed the Board with regard to the impact of the I880 project on district properties. This retrofit project will affect Oak Street to 10<sup>th</sup> Avenue and consist of replacing the existing bridge over the estuary and adding additional lanes.

Mr. Gee informed that since some freeway widening occurs on the Laney College side of the freeway, it will require a right of way strip approximately 15-20' wide on the Laney parking lot. Additionally, during construction, CalTrans will require temporary construction easements as well as requiring the demolition and replacement of the Laney College art annex. Construction on this project will begin at the end of 2005 through 2010.

In answer to a Trustee inquiry regarding CalTrans funding, Mr. Gee stated that this particular project is considered a priority since it is a seismic retrofit project. Speaking to this project, Chancellor Harris stated that because of the foregoing report, it makes it very difficult for the district to move forward with any land development plans.

ACTION: Upon a motion by Trustee Moore, seconded by Trustee Stone, the Board voted unanimously to hold over Items 17, 18, 19 and 20 to the meeting of February 10, 2004.

There was a request that Trustees received copies of written reports prior to the February 10, 2004 meeting for Items 17, 18 and 19.

#### 4. Update on Vista Permanent Facility Project

Physical Plant Director Adesanya stated that this project is well underway, the site excavation will take place next month, and the educational space programming is complete. The final two State approvals are underway at the State Chancellor's Office, and all of the district's construction documents are being reviewed by the State Architects Office. The project remains within the approved budget and continues to include a construction cushion. There was a three to four month delay in July - October 2003. However, since that time, there is only a six-week delay. Vista project manager Michael Raven indicated that construction will begin by the end of May.

Trustee Duncan suggested that the district consider not holding summer school in 2005 in order for the move to begin during the beginning of the fall semester, 2005.

ACTION: At 10:00 PM, upon a motion by Trustee Moore, seconded by Trustee Duncan, the Board voted unanimously to extend the meeting until 10:30 PM.

*During this portion of the Regular Work Session, Trustees reviewed and discussed proposed agenda item that may be placed on subsequent agendas for action/ approval*

#### REVIEW AND DISCUSSION OF PROPOSED AGENDA ITEM

5. Status of Change Orders and Project Update, Athletic Facilities Upgrades, Phase 1B, College of Alameda, Laney College and Merritt College **Presenter: Dr. Charles A. Taylor**

On June 4, 2002, this Board awarded a contract to Man Wah Construction Co., Inc. for the Athletic Facilities Upgrades, Phase 1B at College of Alameda, Laney College and Merritt College. Director of Physical Plant Adesanya and Project Manager Dave Promer from Phelps Program Management will present a project update and status report for this project. A copy of the report was included with Board members' materials.

At this meeting, staff presented Change Orders 1 – 8 for the project. These change orders total \$570,508, which is an 11.7% increase to the original contract price of \$4,880,000. A summary of the change order items, grouped by reasons they were required, was included with Board members' materials, as well as an estimate of anticipated future exposure.

In answer to a Trustee inquiry, Director Adesanya stated that the change orders partially covered the redesign of a restroom and concession stand following a recommendation from Merritt College and discussion with the Architect Selection Committee. It was requested by Trustee Clifton that a report be forwarded to the Board regarding disposal of obsolete equipment.

#### ACTION ITEMS (*Time Sensitive Items*)

6. Request Board Authorization to Purchase Video Conferencing Equipment from WireOne Technology with Board Approved TTIP Grant Funds **Presenter: Dr. Charles A. Taylor**

The District Information Technology Department requested Board authorization to upgrade and purchase video conferencing equipment from Wire One Technology in the amount of \$123,808. This purchase will be funded with a one-time California Community College Telecommunication and Technology Infrastructure Program (TTIP) grant awarded to the District and four college campuses. This grant was awarded in the amount of \$125,000 and accepted by the Board of Trustees at its special meeting of May 2 and 3, 2003.

The District has identified Wire One Technology as a Higher Education Cooperative Purchase Vendor to supply the video conferencing equipment by recommendation of the California Community Colleges State Chancellor's Office. Additionally, Wire One has a State of California Master Agreement No. 5-99-58-10 and is a part of the California Community Colleges' Foundation College buys web-based vendor system. Wire One has offered special pricing; therefore, the District Information Technology Department requests approval to purchase video conferencing equipment from Wire One in the amount of \$123,808. The Chancellor recommended approval.

ACTION: Upon a motion by Trustee Stone, seconded by Trustee Clifton, the Board voted unanimously to approve Item #6, as presented.

7. Change Order Items for District-wide Cable and Power Upgrade Project: Presenter, Dr. Charles A. Taylor

Approved change order items for the District-Wide Cable and Power Upgrade project total \$198,063, which is 4.0% of the original contract amount of \$4,939,000. A construction change directive has been recently issued to the contractor. The price of this change order item is under negotiation, but it will cause the total change order amount for the project to exceed \$200,000. A summary of the approved and pending change order items is included with Board members' materials.

According to Board Policy 6.83, change order work exceeding \$200,000 requires Board approval in advance. The project is near completion, and delays will result if this procedure is followed. Delay claims by the contractor could be as much as \$20,000 per day. Approval is therefore requested to make an exception to Board Policy 6.83 for this project by raising the change order amount requiring prior Board approval to \$400,000 for this project only. This would still be below 10% of the original contract price.

The Chancellor recommended approval.

8. Resolution 03/04-23, Accept Bid and Award Contract, Excavation Package, Vista College Permanent Facility, Herrero Contractors, Inc.: Presenter, Dr. Charles A. Taylor (Pulled for Discussion)

This project is the second phase in the construction of the new facility for Vista College. The scope of the project includes site excavation, earthwork, exporting of site debris, shoring, lagging, tie backs, underpinning of an adjacent building, soil nailing, drilled pier placement, de-watering of the site, erecting a street barricade for safety, as well as the removal of all site debris, old foundations, abandoned utilities, existing landscaping and protection of the City of Berkeley sidewalk and public utilities.

*The bid opening for the project was held on January 14, 2004. Three bids were received, as follows:*

<u>CONTRACTOR</u>	<u>LOCATION</u>	<u>BASE BID</u>	<u>ALT. NO. 1</u>	<u>ALT. NO. 2</u>	<u>ALT. NO. 3</u>
Herrero Contractors, Inc	San Francisco	\$2,498,000	\$45,560	\$19,500	\$20,000
Gordon N. Ball, Inc.	Alamo	\$2,646,646	\$8,000	\$140,000	None
Condon-Johnson & Assoc., Inc.	Oakland	\$2,732,000	\$20,000	\$20,000	\$45,000

The low bid was submitted by Herrero Contractors, Inc. This resolution formally accepts the base bid and Alternates 1, 2 and 3, and authorizes the contract award to Herrero Contractors, Inc. in the amount of \$2,583,060 for the Excavation Package for the Vista College Permanent Facility. The Chancellor recommended approval.

9. Approval to Accept Fee Proposal from TEECOM Design Group for Communications Cabling Infrastructure Engineering Services, Vista College Permanent Facility: Presenter, Dr. Charles A. Taylor

Approval was requested to accept a fee proposal in the amount of \$71,600 from TEECOM Design Group, to complete the remainder of the data construction documents to be included in the Vista facility bid package. After a competitive selection process, TEECOM was authorized to prepare a preliminary design report for a fee of \$12,600. The preliminary report was completed in September 2003. Acceptance of this proposal will allow TEECOM to continue and finalize the data design component. The proposal from TEECOM Design Group and a letter of justification from the project manager, Swinerton Management & Consulting, are included in Board members' materials. The Chancellor recommended approval.

10. Approval to Accept Fee Proposal from Fugro West, Inc. for Geotechnical Consultations and Construction Observation and Testing, Vista College Permanent Facility, Presenter: Dr. Charles A. Taylor

Approval was requested to accept a fee proposal in the amount of \$99,500 from Fugro West, Inc. to continue the performance of special geotechnical inspections and observations on the construction site of the Vista College Permanent Facility. Fugro West has provided services for the project as detailed in the letter of justification from the project manager, Swinerton Management & Consulting. Acceptance of this proposal will allow Fugro West, Inc. to continue the technical and highly specialized geotechnical services required for the project.

The proposal from Fugro West, Inc. and the letter of justification from Swinerton are included in Board members' materials. The Chancellor recommended approval.

**ACTION:** Upon a motion by Trustee Moore, seconded by Trustee Clifton, the Board voted unanimously to approve Items 7, 9 and 10 as presented.

Regarding Item #8, pulled, in answer to a Trustee inquiry, it was noted that this was a "lowest bidder" contract.

**ACTION:** Upon a motion by Trustee Duncan, seconded by Trustee Moore, the Board voted to approve Item 8, by the following called vote:

**AYES:** Trustees Clifton, Duncan, Handy, Moore, Riley, Stone, President Baranco, Student Trustee advisory vote Chapple and Spencer  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

11. Approval of Additional Fee Request, Ratcliff Architects, Vista College Permanent Facility, Presenter: Dr. Charles A. Taylor (Pulled for readgending)

Ratcliff Architects has requested an increase in fees for professional services performed beyond the original scope of their agreement dated May 2, 2001. The amount of their original agreement is \$5,429,970. The additional fee request originally proposed by Ratcliff Architects was \$179,504. The project manager, Swinerton Management & Consulting, and staff have analyzed Ratcliff's additional

fee request and have negotiated an amount of \$115,774. More detailed information is included with Board members' materials.

The Chancellor recommended approval of the additional services fee request for Ratcliff Architects in the amount of \$115,774.

12. Consider Approval of Resl. 03/04-26, Emergency Sewer Line Repair, Laney College

Board ratification was requested of the Chancellor's action in declaring the repair of the broken Laney sewer line an emergency, in accordance with Board Policy 6.84. Trustees are also requested to approve Resl. 03/04-26 in this matter. This item requires a unanimous vote of the Board, in accordance with Public Contract Code. More information is included with Board members' materials. The Chancellor recommended approval.

**ACTION:** Upon a motion by Trustee Moore, seconded by Trustee Duncan, the Board voted to approve Item 12 as presented by the following called vote:

**AYES:** Trustees Clifton, Duncan, Handy, Moore, Riley, Stone, President Baranco, Student Trustee advisory vote Chapple and Spencer  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

13. Recommendation for Requests to Advertise Vacant Positions

<b>Management Positions</b>	<b>Location</b>
Interim Director of International Services	District
<b>Classified Positions</b>	<b>Location</b>
Student Services Personnel Specialist	College of Alameda

Trustees Duncan commented that the report presented at this meeting did not appear complete and did not respond to the concerns and questions voiced at the last meeting relative to the Int. Director of International Services position. In particular, tonight's report lacked requested information regarding the International Education office budget. In reply, Assoc. Vice Chancellor Ng indicated that the requested information would be provided to Trustees. Trustees Handy and Stone stated that they recognized the achievements made within the international students program and the substantial revenue generated by the program that is transferred into the general fund. Trustee Moore requested information at the next Board meeting on the number of international trips that have been taken since the program's inception in 1997.

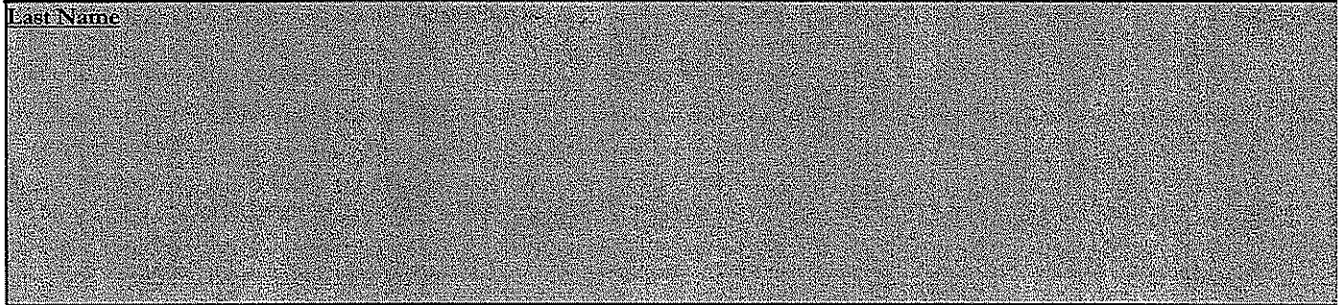
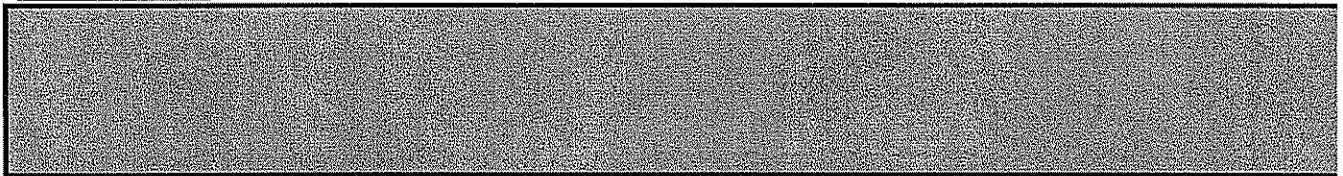
**ACTION:** Upon a motion by Trustee Clifton, seconded by Trustee Stone, the Board voted to approve Item 13 as presented. Trustees Duncan and Moore voted no.

14. Short-Term Assignments - Hiring Non-Academic Classified Short-Term Employees

Pursuant to AB500, attached is a report that contains the name, classification, date of hire, assignment end date, hourly rate, classification, position title, location, background and experience, department, and fund source of candidates recommended for short-term assignments in non-academic classified positions. Below are the names and classifications of these candidates. Each candidate's assignment will not exceed the district's established fiscal-year limit of 184 days.

Of special note, most of the aforementioned short-term employees recommended previously had end dates of September 30, 2003 due to the uncertainty of the State's budget allocation to the colleges.

Therefore, these employees are requested to be extended through the end of the semester and in some instances through the end of the spring semester. The Chancellor recommends approval.



Ozoh

Hopkins

Jamshidi

Ogogo

Bullock

Dewater



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Huynh

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Kohler (pulled)

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Miklaski

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Petrenko

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Clark

Davis

McGill

Page

Hoshino

Washington

**ACTION:** Upon a motion by motion by Trustee Duncan, seconded by Trustee Clifton, the Board voted unanimously to approve Item 14, pulling Glen Kohler.

15. Resolution 03/04-24, Establishing Non-Resident Tuition Fee for Fiscal Year 2004-05, Commencing July 1, 2004 **Presenter: Sr. Vice Chancellor Taylor**

As mandated by the California Education Code, Section 76140, it is the responsibility of governing boards to establish, annually, non-resident tuition fee. Determination of this fee is based on the District's 2002-03 cost of education as prescribed under the Education Code.

By order of this resolution, non-resident tuition fee for fiscal year 2004-05 for Peralta Community College students will be set at \$170 per semester unit.

A statement noting that this fee will not be waived is included in the resolution.

16. Resolution 03/04-25, Establishing Non-Resident Capital Outlay Fee for Fiscal Year 2004-05, Commencing July 1, 2004 **Presenter: Sr. Vice Chancellor Taylor**

The district is now authorized under ECS 76141 to charge non-resident students who are both citizens and residents of a foreign country an amount not to exceed the amount that was expended, per full-time equivalent students, by the district for capital outlay in the preceding fiscal year. Any fee charged for capital outlay cannot exceed 50 percent of the non-resident tuition fee established by the district and must be expended for capital outlay purposes.

By order of this resolution, the 2004-05 capital outlay fee for non-resident students who are both citizens and residents of a foreign country will be set at \$6 per semester unit for a maximum of \$182 per year.

**ACTION:** Upon a motion by Trustee Moore, seconded by Trustee Stone, the Board voted to

approve Items 15 and 16, as presented, by the following called vote:

AYES:	Trustees Clifton, Duncan, Handy, Moore, Riley, Stone, Student Trustee advisory vote Chapple and Spencer
NOES:	None
ABSTAIN:	None
ABSENT:	None

BOARD/DISTRICT COMMUNICATIONS

*CHANCELLOR*

- 17. Mid-Year Budget Report **Presenter: Sr. Vice Chancellor Taylor - (Pulled for reagendaing)**

Sr.Vice Chancellor Taylor will present a mid-year budget report that will include a cash flow report and insurance usage status report (monthly).

- 18. Measure E Expenditures **Presenter: Internal Auditor Tom Smith (Pulled for reagendaing)**

Per a request from Trustee Moore, a report will be forthcoming relative to a comprehensive review of Measure E expenditures, from passage until the present, assuring that every expenditure meets bond counsel's approval and is an appropriate use of Measure E bond monies.

- 19. Laney College's Cosmetology Program **Presenter: Laney College President Johnson (Pulled for reagendaing)**

Per a request from Trustee Moore, a report will be forthcoming regarding a comprehensive analysis and report on Laney College's cosmetology program assuring that students are offered adequate hours to meet State requirements.

*BOARD OF TRUSTEES*

- 20. Report from the Peralta Colleges Foundation **(Pulled for reagendaing)**

Trustee Stone, Chair of the Peralta Colleges Foundation, will bring a report to Trustees from the Foundation.

*Trustee Stone adjourned tonight's meeting in  
memory  
of College of Alameda Instructor Fred Ittner.*

*Trustee Riley adjourned tonight's meeting in memory of  
Dr. Bebe Patten.*

ADJOURNMENT: Time: 10:5 PM

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Elihu M. Harris, Chancellor  
Secretary to the Board of Trustees  
PERALTA COMMUNITY COLLEGE DISTRICT



BOARD OF TRUSTEES  
OF THE  
PERALTA COMMUNITY COLLEGE DISTRICT

Minutes of the Board of Trustees Regular Meeting, July 12, 2005, PM, 5:13 PM, 333 E. 8<sup>th</sup> Street, Oakland, California, 94606

Present: Trustees Clifton, González Yuen, Gulassa, Handy, Hodge, Withrow, Student Trustees Andrews and Watkins-Tanner  
Absent: President Riley

The regular meeting was convened into open session at 5:13 PM by Vice President Handy for the purpose of reporting to the public the topics to be discussed in closed session. The closed session convened at 5:13 PM by Vice President Handy who presided; the closed session adjourned at 6:00 PM; the regular meeting reconvened at 7:04 PM by Vice President Handy who presided. The roll was called by the recording secretary.

#### REPORT OF CLOSED SESSION ACTIONS

There were no actions to report from tonight's closed session.

#### APPROVAL OF AGENDA

ACTION: Upon a motion by Trustee González Yuen, seconded by Trustee Withrow, the Board approved the agenda, removing Items 4 & 5 to be carried over to a future meeting of the Board and moving Item 15 to follow Item 3. President Riley was absent.

#### MINUTES

1. Consider Minutes of the Board of Trustees Meetings of June 14, 2005 and June 28, 2005 and Notes from the Special Retreat Meeting of June 24 & 25, 2005

\_\_\_\_\_ Included in agenda packets for Trustee consideration were the minutes of the June 14 and June 28, 2005 Board of Trustee meetings and notes from the special retreat meeting of June 24 & 25, 2005. The Chancellor recommended approval.

\_\_\_\_\_ ACTION: Upon a motion by Trustee Withrow, seconded by Trustee González, the Board voted to approve Item 1 as presented. President Riley was absent.

#### ASSOCIATED STUDENTS PRESIDENTS

Vista College Student Body President Kazami informed that the student body association has begun summer activities, one of which is to work on its constitution. Vista's student association is optimistic in part to a successful meeting with College President Walters and Vice President Rivas.

Merritt College Student Body President Andrews indicated that Merritt has created two new Student Council positions: Student Enterprises Committee Chair and Commissioner of Public Affairs. The club rush and an orientation event are scheduled for the Fall semester.

#### COMMUNICATIONS FROM MEMBERS OF THE PUBLIC

Speaker Felker addressed Trustees regarding the crime, particularly car break-ins, on the streets surrounding Laney College. Mr. Felker stated that he has spoken with Laney's College President and the Sheriff's Department and has created an organization to address the crime ([oaklandeaglesafety@yahoo.com](mailto:oaklandeaglesafety@yahoo.com)). Mr. Felker also stated that the Sheriff's Dept. has begun harassing him by writing frivolous citations.

*ACADEMIC SENATE*

DAS President Bielanski requested that tonight's DAS report be moved to this place on the agenda in order to speak to Trustees about Item 2. Creating new programs, deleting some programs and making necessary program changes is a fundamental responsibility of faculty. All changes and additions must be approved by the State Chancellor's Office.

Dr. Bielanski walked Trustees through the report, speaking to each category of work performed by the CIPD as well as the extensive work performed at the campus level through the academic committees. DAS President Bielanski thanked Sheryl Queen and Nha Le for their work in compiling the reports.

*At 7:30 PM Student Trustee Watkins-Tanner arrived at the meeting.*

**ACTION - ROLL CALL ITEMS**

2. Request for Approval of Program Additions, Deactivations and Changes and Course Additions and Deactivations

Included for approval are proposed course and program adjustments as recommended by the Council for Instruction, Planning and Development (CIPD) from January through May 2005. The recommended adjustments are included with agenda materials in the booklet entitled "Curriculum and Instruction Recommendations 2004 - 2005." This booklet is the annual comprehensive document of program and course activity for the 2004-2005 academic year. This item presents material approved by the college curriculum committees and CIPD during the Spring semester. Items approved by the Board in January are also included

3. Report from Policy Review Committee and Consider Approval of Board Policy Manual Chapter 1 Revisions

Board Policy Review Committee Chair González Yuen will address Trustees and forwards for Trustee consideration revisions to Chapter 1 of the Board Policy Manual. Copies of the revised policies are included in agenda packets.

4. Award of Bid No. 04-05/14, District-Wide Irrigation Controller Equipment (Removed from the agenda)

Approval is requested to award Bid No. 04-05/14, District-Wide Irrigation Controller Equipment, to United Green Tech of Pacheco, California, in the amount of \$238,441. A grant will be received from EBMUD to augment the equipment portion of the procurement expenditures.

The two bids received were reviewed and analyzed by the project landscape architect and District staff to determine if the vendor met the bid specifications. The recommended vendor, United Green Tech, complied with the District's specifications regarding equipment that is compatible with existing District equipment and the warranty. The Chancellor recommends approval.

5. Resolution 05/06-2, Accept Bid and Award Contract, District-Wide Irrigation Controller Replacement, Bid No. 04-05/15, Arturo Solorzano Munoz, d.b.a. Solorzano Landscape Construction (Removed from the agenda)

The project involves the continued installation of centralized irrigation system controller equipment, (office control of field controllers), weather stations to aid the central controller in calculating precise irrigation schedules on a daily basis, appropriate security enclosures, communications attachments, associated trenching and boring, landscape area restoration, walkway and paving restoration at College of Alameda, Laney and Merritt.

Centralized irrigation control will eliminate the time now required for District Grounds staff to go to individual controllers located throughout each campus. Testing of individual zones will be accomplished remotely. It will provide a means of identifying problems in the irrigation system directly from a central location so repairs can be made quickly and efficiently. By allowing water usage to be closely monitored, measurable cost reductions in water bills will be realized.

A bid opening was held on June 28, 2005. One bid was received, from Arturo Solorzano Munoz, d.b.a. Solorzano Landscape Construction, of Hayward, California, in the amount of \$158,000. This resolution formally accepts the bid and authorizes the contract award to Arturo Solorzano Munoz, d.b.a. Solorzano Landscape Construction, for the District-Wide Irrigation Controller Replacement. The Chancellor recommends approval.

6. Resolution 05/06-4, Accept Bid and Award Contract, Concrete Deck and Membrane Replacement, Building A, West Courtyard, Laney College, Bid No. 04-05/20, Roofing Constructors, Inc., d.b.a. Western Roofing Service

This project is undertaken in an effort to remedy water leaks that have occurred in the occupied spaces below the Building A West Courtyard deck. The project includes the removal of hardscape materials, waterproofing membrane, drains, and soil in the planter on the West Courtyard of Building A. It also includes reinstallation of waterproofing membrane over structural slab and within planters, and reinstallation of soil in the planter and hardscape materials.

A bid opening was held on July 6, 2005. Two bids were received, as follows:

<u>CONTRACTOR</u>	<u>LOCATION</u>	<u>BASE BID</u>
<u>Roofing Constructors, Inc., d.b.a. Western Roofing Service</u>	<u>San Francisco, CA</u>	<u>\$236,000</u>
<u>Bay Construction Company</u>	<u>Oakland, CA</u>	<u>\$266,000</u>

The low bid was submitted by Roofing Constructors, Inc., d.b.a. Western Roofing Service, in the amount of \$236,000. This resolution formally accepts the bid and authorizes the contract award to Roofing Constructors, Inc., d.b.a. Western Roofing Service for the Concrete Deck and Membrane Replacement, Building A, West Courtyard, Laney College.

It is necessary to award the contract at the July 12 Board meeting in order to schedule most of the work during the summer break that will be least disruptive to the college activities. The Chancellor recommends approval.

7. Approval for Modification to Project Management Services Agreement, Vanir Construction Management, Inc., Renovations to Buildings R and P, Merritt College

Approval is requested for modification to the agreement with Vanir Construction Management, Inc., the project manager for the Renovations to Buildings R and P project at Merritt College.

The modification is requested as the result of:

- additional scope for work in Building P
- extended project duration

The proposed additional fee associated with the changes is \$179,102. The Chancellor recommends approval.



8. Approval for Modification to Project Management Services Agreement, Vanir Construction Management, Inc., Renovations to Building A, Laney College

Approval is requested for modification to the agreement with Vanir Construction Management, Inc., the project manager for the Renovations to Building A project at Laney College.

The modification is requested as the result of:

- changes in the scope of the project
- additional swing space feasibility studies
- extended project duration

The proposed additional fee associated with the changes is \$190,075. The Chancellor recommends approval.

9. Approval of Cost Proposal Estimates #37R1, #46, #54, #70, #88, and #99, Vista College Permanent Facility, S. J. Amoroso Construction Co., Inc.

Approval is requested for Cost Proposal Estimates #37R1, #46, #54, #70, #88, and #99, totaling \$31,724. Including these items, the change order total to date is \$539,363, which is 1.3% of the original contract amount (\$40,240,000). This amount is within the contingency that was built into the construction budget with 35% of total project completion. The Chancellor recommends approval.

10. Fiscal Year 2005-06 Advertising Campaigns – Professional Services Contract-Associated Advertising

The Chancellor has asked that the marketing department develop advertising campaigns to assist with enrollment growth for Fiscal Year 2005-06, and to that end, a professional services contract has been negotiated for the placement of advertising, as needed, for Fiscal Year 2005-06. Approval is sought for a professional services contract in an amount not to exceed \$150,000, for advertising placement/media buying services by Associated Advertising of El Cerrito, for the first half of fiscal year 2005-06.

The source of funding for our advertising campaigns come from budgeted monies for the Department of Marketing, Public Relations and Communications from the General Fund. The Chancellor recommends approval.

11. Consider Acceptance of Donation - John Muir Mt. Diablo Health Systems to Merritt College

Trustees are requested to approve acceptance of a donation from the John Muir Mt. Diablo Health Systems to Merritt College in the amount of \$100,000-\$105,000. John Muir has offered to donate funds in support of the purchase of new equipment for the Merritt College Radiologic Science Program in the form of two instructional x-ray units. The Chancellor recommends approval.

12. Resolution No. 05/06-5 Authorising the Sale of Optional Redemption rights Relating to the following General Obligation Bonds: 1992 Series D; 1992 Series E; 1996 Series A; 2000 Series A; 2000 Series B; 2000 Series C.

The District requests Board authorization and approval of Resolution 05/06-5 to authorize sale of optional redemption rights of the above listed Series General Obligation Bonds. The sale in accordance with the Optional Redemption Rights Purchase Agreement, would authorize the sale of optional rights in the aggregate amount of \$85 million, to the Authority (purchasing agent).

13. Public Hearing: Determination of CalWORKs Assessment Program Layoffs

This item is brought for a public hearing and determination by the Board. Alameda County Department of Social Services will end its contract with the district effective August 31, 2005, and has decided to bring the assessment portion in-house. Pursuant to the collective bargaining unit between Local 790 and the District, Article 30.3.1 states: "Bargaining unit employees with permanent status shall not suffer disproportionately in any adverse budgetary process. During the term of this Agreement, there shall be no layoffs of classified employees with permanent status represented by Local 790, or involuntary reductions in the work years of those employees, unless the Board of Trustees has determined, after public input, that layoffs or reductions in the work years of employees are the only fiscally viable response to any adverse budgetary situation."

14. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified Short-Term Employees on an Emergency Basis

Pursuant to AB500, following is a report that contains the name, classification, and date of hire, assignment end date, hourly rate, classification, position title, location, background and experience department, and fund source of candidates recommended for short-term assignments in non-academic classified positions. Below are the names and classifications of these candidates. Each candidate's assignment will not exceed the District's established fiscal-year limit of 184 days.

Last Name	First Name	Date of Hire	End Date	Position Title	Site
Bailes	Ceola	7/15/05	9/1/05	Account Clerk I	L
Boucher	Lucas	7/1/05	9/1/05	DSPS Instruct'l Asst	V
Brooks	Robyn	8/17/05	9/1/05	Instr'l Asst/English	V
Carlson	Lyle	7/1/05	9/1/05	Instr'l Asst/DSPS	V
Chang	Katie	8/1/05	9/1/05	Account Clerk I	L
Duran	Virginia	7/1/05	8/31/05	Staff Svcs Spc/Fiscal	V
Eakes	Raymond	7/1/05	9/1/05	Instr'l Asst	V
Erb	Marcella	6/1/05	6/30/05	Instr'l Asst	V
Foster	Shawn	5/6/05	5/27/05	AV Svcs Asst	A
Gey	Douglas	7/1/05	9/1/05	Instr'l Asst/MEDCO	L
Goodwin	Tiffany	1/3/05	6/30/05	Cashier	L
Hackler	cathrael	8/17/05	9/1/05	Interpreter	V
Hollis	John	7/1/05	9/1/05	Instr'l Asst/DSPS	V
Hsia	Xiao	7/15/05	9/1/05	Account Clerk I	L
Jablonski	Steven	7/1/05	9/1/05	Interpreter	L
Kawamoto	Michiko	6/1/05	6/30/05	Instr'l Asst/Biology	V
Kindblad	Lisa	8/17/05	9/1/05	Instr'l Asst	V
Lacques	Madeline	8/15/05	9/1/05	DSPS Instruct'l Asst	A
Lewis	Azul	6/1/05	6/30/05	Instr'l Asst/Biology	V
Levine	Meg	8/17/05	9/1/05	Interpreter	V
Maxie	Sandra	7/1/05	7/30/05	Instr'l Asst/Computer	L
Nielsen	Joan	8/1/05	9/1/05	Instr'l Asst/DSPS	V
Poulo	Gregory	8/15/05	9/1/05	Instr'l Asst/Computer	L
Pursley	george	6/1/05	6/30/05	Instr'l Asst/English	V
Recto	Evangelina	7/1/05	7/30/05	Instr'l Asst/Computer	L
Sanchez	Jose	6/1/05	6/30/05	Instr'l Asst/Biotech	V

Say	Sams HEAP	7/12/05	8/31/05	Clerical Assistant I	V
Shah	Fatima	7/1/05	9/1/05	Clerical Asst I	V
Solomon	Felix	8/15/05	9/1/05	Instr'l Asst/Journalism	L
Stoffan	Michael	6/27/05	6/30/05	Instr'l Asst	V
Thompson	Karla	7/1/05	9/1/05	Instr'l Asst/DSPS	V
Velasquez	Diana	8/1/05	9/1/05	Instr'l Asst/DSPS	V
Willis	Curtis	7/1/05	9/1/05	Child Care Asst	A
Zepel	Janet	8/13/05	9/1/05	Instr'l Asst/Lands	M

**ACTION:** Upon a motion by Trustee González Yuen, seconded by Trustee Withrow, the Board voted to approve Items 11, 12 & 14, by the following called vote:

- AYES:** Trustees Clifton, González Yuen, Gulassa, Handy, Hodge, Withrow, Student Trustee advisory vote Andrews and Watkins-Tanner
- NOES:** None
- ABSTAIN:** None
- ABSENT:** President Riley

*Speaking to Item 2, pulled for discussion, Request for Approval of Program Additions, Deactivations and Changes and Course Additions and Deactivations,* in answer to a Trustee inquiry, Dr. Bielanski and Laney Vice President Webb stated that the "lack of resources" noted as the cause for deactivation of Laney's TV technician program was due more to a move within the industry away from traditional broadcasting as well as grants not being secured. Trustee González Yuen commended the work done by faculty as it represents the heart of what we do within the district.

**ACTION:** Upon a motion by Trustee Gulassa, seconded by Trustee González Yuen, the Board voted to approve Item 2 as presented. Trustee Riley was absent.

*Speaking to Item 3, pulled for discussion, Report from Policy Review Committee and Consider Approval of Board Policy Manual Chapter 1 Revisions,* Trustee González Yuen, who serves as Policy Review Committee Chair, reported that the committee adopted revisions to Board Policy Chapter 1, policies are now on the district's website, and is beginning work on Chapter 2. Trustee González Yuen thanked General Counsel for her assistance in this process.

**ACTION:** Upon a motion by Trustee González Yuen, seconded by Trustee Withrow, the Board voted to approve Board Policy Manual Chapter 1 as presented.

**FRIENDLY AMENDMENT:** Trustee Clifton amended the motion as follows (amendment accepted by originator of motion) to change BP 1.06 D, E, K and any other policy to replace the word "citizen" with the word "resident." The original motion was also amended to include minor changes to any minor awkward language in Chapter 1.

**INFORMATIONAL ITEMS AND ORAL REPORTS**

*CHANCELLOR*

15. Overview and Review of Measure E Expenditures

Vice Chancellor Smith and General Services Director Ikharo presented an overview and review of Measure E expenditures and commitments as of June 30, 2005, highlighting the unencumbered commitments for Merritt College Horticulture facility, Laney Library, Merritt Bldg. A, and COA Bldgs. C & D. There was extensive discussion with regard to how funds have been encumbered and projects

currently in the planning stages. The district has \$11.2 million remaining (plus the \$7.1 million encumbered for the above-noted projects) and the majority of the major projects of over \$10 million have been previously approved by the Board. The presentation included detailed information on the percentage and exact dollar amount of expenditures and commitments by college site. Interest income for 2004-05 was over \$400,000 and expenditures were at approximately \$9.5 million; there is \$30.1 million on hand for the projects previously discussed by Mr. Ikharo.

Vice Chancellor Smith will forward to Trustees a report on the "travel" expenditure included in the report – staff travel to Texas and Livermore, Ca.. for PeopleSoft training. Per a Trustee request, information will be forthcoming delineating the overall plan for spending and a report on Board approval of Measure E funds with dates and amounts and including what projects have been staff-initiated as well as Board-approved projects. In answer to a Trustee inquiry, Mr. Ikharo stated that between February and July, the district has committed approximately \$19 million for projects. In answer to a Trustee inquiry regarding expenditures for Merritt's horticulture project, Chancellor Harris explained that funding for this project as well as other projects was set aside by the former Chancellor and Board. A future presentation will be made to the Board relative to the horticulture program.

Discussion next turned to IT project expenditures. Trustee Handy indicated that the Board must receive additional detailed project information in order to consider future IT projects.

*Speaking to Item 6, pulled for discussion, Resolution 05/06-4, Accept Bid and Award Contract, Concrete Deck and Membrane Replacement, Building A, West Courtyard, Laney College, Bid No. 04-05/20, Roofing Constructors, Inc., d.b.a. Western Roofing Service* and to a Trustee inquiry regarding the project bidding project, Mr. Ikharo indicated that any bid brought before Trustees has come very close to the engineering cost estimate. Bids are rejected if the Physical Plant Department feels they are inflated. Bids are published in several newspapers, sent to all Chambers of Commerce, to the firms overseeing the district's local/small business interests and to an in-house data base for vendors who have indicated interest in working with the district. Construction bids utilize different companies and trade unions in addition to such entities as the City and Port of Oakland, County of Alameda, etc. A revised bid advertisement plan will be forthcoming to Trustees.

Addressing concerns relative to a leaking roof at Laney College, Student Trustee Watkins-Tanner will meet with the Chancellor and Laney College President Johnson to discuss these concerns.

**ACTION:** Upon a motion by Trustee González Yuen, seconded by Trustee Withrow, the Board voted to approve Item 6, by the following called vote:

- AYES:** Trustees Clifton, González Yuen, Gulassa, Handy, Hodge, Withrow, Student Trustee advisory vote Andrews
- NOES:** None
- ABSTAIN:** Student Trustee advisory vote Watkins-Tanner
- ABSENT:** President Riley

*Speaking to Item 7, pulled for discussion, Approval for Modification to Project Management Services Agreement, Vanir Construction Management, Inc., Renovations to Buildings R and P, Merritt College*, in answer to a Trustee inquiry, General Services Director Ikharo stated that in most cases, the larger the project, the lower the CM (construction manager) rate; smaller projects and modernization projects range between 5% and 9 %. For this particular project, the range is between the norm and was due to the project length.

**ACTION:** Upon a motion by Trustee Withrow, seconded by Trustee Gulassa, the Board voted to approve Item 7 as presented. President Riley was absent.

**ACTION:** Upon a motion by Trustee Withrow, seconded by Trustee Hodge, the Board approved Item 8 as presented. President Riley was absent.

*Speaking to Item 9, pulled for discussion, Approval of Cost Proposal Estimates #37R1, #46, #54, #70, #88, and #99, Vista College Permanent Facility, S. J. Amoroso Construction Co., Inc.;* Trustee González Yuen stated that it appeared the change orders were due to architecture error. Trustee González Yuen indicated that he is not in support of paying for change orders that are not the responsibility of the district or because of district error. General Services Director Ikharo indicated that this is being moved forward to Trustees for review and decision. The total of all change orders to date on the Vista project are at the 1.4% level which is very low; the level to which change orders has risen is not of concern.

It was requested that the Chancellor, General Counsel and district representatives speak with the project architect to negotiate the amount of the change order represented in this item.

**ACTION:** Upon a motion by Trustee González Yuen, seconded by Trustee Gulassa, the Board voted to table this item and bring it back to the next meeting by the following vote: AYES: 4; NOES: 2; ABSTAIN: 0; ABSENT: 1.

*Speaking to Item 10, Fiscal Year 2005-06 Advertising Campaigns—Professional Services Contract-Associated Advertising, Exec. Director of Marketing Heyman informed Trustees that the not to exceed \$150,000 contract included a Fall marketing campaign that would cost \$103,000 to support the enrollment goals set for the Fall semester. Radio spots, traffic sponsorships, cable TV spots and billboards comprise the marketing efforts being used for the Fall push. In answer to a Trustee inquiry, Mr. Heyman stated that the district has used Associated Advertising, El Cerrito, since 2001, and the district has been very pleased with their work.*

**ACTION:** Upon a motion by Trustee Withrow, seconded by Trustee Gulassa, the Board voted to approve Item 10 as presented. President Riley was absent.

*There was additional discussion with regard to Item 9, Approval of Cost Proposal Estimates #37R1, #46, #54, #70, #88, and #99, Vista College Permanent Facility, S. J. Amoroso Construction Co., Inc. with the following second motion and vote:*

**ACTION:** Upon a motion by Trustee González Yuen, seconded by Trustee Gulassa, the Board voted to approve directing the Chancellor and staff to go back to the architect to have a second discussion, by the following vote: AYES: 4; NOES: 2; ABSTAIN: 0; ABSENT: 1.

*Speaking to Item 13, Public Hearing: Determination of CalWORKs Assessment Program Layoffs, Vice Chancellor Largent explained that Alameda County has made the decision to bring CalWorks in-house, thus eliminating two classified positions. The district met with Local 790 to work out a plan in which employees will not be negatively affected, and two positions have been identified for said employees. Tonight's agenda item is merely a legal action that must be taken by the district.*

**ACTION:** Upon a motion by Trustee Hodge, seconded by Trustee Withrow, the Board voted to approve Item 13 as presented, by the following called vote:

**AYES:** Trustees Clifton, Gulassa, Handy, Hodge, Withrow, Student Trustees advisory vote Andrews and Watkins-Tanner  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** President Riley and Trustee González Yuen (absent for vote)

#### *PRESIDENTS*

Vista College President Walters addressed Trustees with regard to the ongoing strategic planning process that began at Vista in 2004 and that used the appreciative inquiry process. Speaking to a meeting hand-out President Walters outlined the college's values, vision, mission, goals (strategic intentions or initiatives), and objectives (inspired action plan).

President Walters also spoke about the negotiations with the City of Berkeley to mitigate the parking issue for the new Vista facility, and to this end, a consultant is conducting a survey of student needs; Vista is hosting a transportation fair in September, and there is discussion having to do with a possible bus pass for all district students. President Walters highlighted other student activities that are taking place at Vista, including: student interns hired by Swinerton Construction; interns that are visiting from France through Vista's CITD, and youth focus groups being held regarding marketing.

ADJOURNMENT: 9:09 PM

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Elihu M. Harris, Chancellor  
Secretary to the Board of Trustees  
PERALTA COMMUNITY COLLEGE DISTRICT