



Tuesday, July 28, 2020
REGULAR MEETING OF THE BOARD OF TRUSTEES

4:00 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:
 Those participating in public comment are required to register (no later than 12:00 p.m. the day of the meeting) for the webinar at the following link:
https://cccconfer.zoom.us/webinar/register/WN_E4VZSgdTT3uIUz74HR4IAw
 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	Jul 28, 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	Jul 28, 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 Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type Action

Recommended Action Approve Public Employee Appointments.

- Interim Chancellor
- Appoint the Acting Chancellor of the Peralta Community College District.
- Appoint the Executive Director of Public Information, Communications & Media, District Office.
- Extend the appointment of the Interim Director of Employee Relations & Diversity Programs, District Office.

- Appoint Dean of Counseling & Special Programs, College of Alameda.
- Appoint Interim President of College of Alameda.
- Appoint Interim President of Laney College.
- Extend the appointment of Denise Richardson as Acting Vice President of Instruction, Merritt College
- Extend the appointment of the Interim Dean of Liberal Arts & Social Sciences, Merritt College.

- Appoint the Acting Vice Chancellor of Finance and Administration, effective July 27, 2020, until permanent Vice Chancellor returns from the position of Acting Chancellor.

1. CLOSED SESSION

Subject	1.4 Public Employee Discipline/Dismissal/Release
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action
Preferred Date	Jul 28, 2020
Absolute Date	Jul 28, 2020

1. CLOSED SESSION

Subject	1.5 Public Employee Evaluation
Meeting	Jul 28, 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 Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type Information

- 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.
- Hussain v. Peralta Community College District, Alameda Superior Court case no. RG20057885.
- Janine Fujioka v. Peralta Community College District, The Office of Administrative Hearings, case number OAH No. 2019120932.
- Conference with Legal Counsel (54956.9(a)), Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (2 cases).
- Update the Trustees on an action before the California Department of Fair Employment and Housing ("DFEH"), and for the Trustees to consider approval of, and vote upon, entering into the DFEH voluntary mediation process.

2. OPEN SESSION

Subject	2.1 Call to Order
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Procedural

2. OPEN SESSION

Subject	2.2 Pledge of Allegiance
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Procedural

2. OPEN SESSION

Subject	2.3 Roll Call
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Procedural

2. OPEN SESSION

Subject	2.4 Report of Action Taken in Closed Session
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

2. OPEN SESSION

Subject	2.5 Approval of the Agenda
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action
Recommended Action	Recommend Approval of the July 28, 2020 Board agenda

2. OPEN SESSION

Subject	2.6 Approval of the Minutes
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action, Minutes
Preferred Date	Jul 28, 2020
Fiscal Impact	No
Budgeted	No
Recommended Action	Motion to approve the July 14, 2020 Board Minutes.

2. OPEN SESSION

Subject	2.7 Associated Student Government Reports
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

2. OPEN SESSION

Subject	2.8 Peralta Classified Senate Report
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

2. OPEN SESSION

Subject	2.9 District Academic Senate Report
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

2. OPEN SESSION

Subject	2.10 Public Communication
Meeting	Jul 28, 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. 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. Speakers are asked to submit any materials to the Board Clerk and shall not be directly sent to the Board of Trustees. Once it is your turn, you will be unmuted and allowed to make your comment. After the allotted time, you will be re-muted. 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

Subject	2.11 Chancellor's Reports
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information
	<ul style="list-style-type: none">• Campus Updates

File Attachments

BCC NewsfortheBoard07-28-2020 (2).pdf (1,394 KB)

07282020 CoA BOT Report.pdf (620 KB)

Laney College Board Highlight July 28.pdf (278 KB)

7.28.20 Merritt College BOT Report.pdf (821 KB)

3. INFORMATIONAL ITEMS

Subject **3.1 Review the Financial Statements and Cash Flow Summary – Ending June 30, 2020.
Presenter: Acting Chancellor Walter**

Meeting Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type Information, Reports

TO: Peralta Board of Trustees

FROM: Dr. Carla Walter, Acting Chancellor

PREPARED BY: Adil Ahmed, Executive Fiscal Director

Background/Analysis:

This summary is presented as a means of communicating Peralta Community College District's Operating Fund net revenue and expenses through June 30, 2020 as compared to the Adopted Budget. Overall, the district is tracking closely with the Adopted Budget.

Revenues and Expenses

The District revenue as of June 30, 2020 is \$178,060,579, which represents approximately 82.8% of actual General Fund revenues received. Expenses are at \$178,060,579 or, 87.4% of expenses and encumbrances.

Cash Flow

The projected ending cash balance for the District is \$4,425,920 as of June 30, 2020. On average, the District's cash disbursements total \$11,853,216, and cash receipts total \$11,749,536 each month. However, this projected cash balance is lower due to the deferred revenues in June of approximately \$5.5 million.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

The Acting Chancellor recommends review.

File Attachments

FY2019-20 Monthly Cashflow_Rev_2020.07.02.pdf (101 KB)

Copy of 2020-6-30 Financial Report.pdf (22 KB)

3. INFORMATIONAL ITEMS

Subject 3.2 Review the FCMAT Fiscal Health Analysis Tool as of July 7, 2020. Presenter: Acting Chancellor Walter

Meeting Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type Information

TO: Members of the Board of Trustees

FROM: Dr. Carla Walter, Acting Chancellor

BACKGROUND/ANALYSIS:

FCMAT provides an analysis tool to measure the risk levels of community college districts via the State Chancellor's Office. The tool provides a rating for the fiscal health of a district based on factors such as budget development, debt structures, employee benefits, stability of personnel, technology system processes and integration, and student enrollment plans. The initial review of the District's health indicated it was above 65%, or at high risk. A score of less than 10% indicated sound fiscal health. Peralta Community College District conducted a self assessment using the FCMAT tool. The evidence to substantiate the assessment can be found at <https://web.peralta.edu/accreditation/fcmat-response-evidence/>. This FCMAT Fiscal Health Analysis Self-Assessment rating of the District is 5.3%, which is similar to the rating produced in May 2020.

DELIVERABLES/SCOPE OF WORK:

N/A

ANTICIPATED COMPLETION DATE:

N/A

EVALUATION AND RECOMMENDED ACTION:

The Acting Chancellor recommends review and receive.

File Attachments

FCMAT 7 6 20 Tool Community-College-FHRA-4-14-2020.pdf (134 KB)

4. FIRST READING

Subject	4.1 Review as First Reading of the proposed FCMAT Status Report. Presenter: Acting Chancellor Walter
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information
Goals	D: Strengthen Accountability, Innovation and Collaboration E: Develop and Manage Resources to Advance Our Mission

TO: [Peralta](#) Board of Trustees

FROM: Dr. Carla Walter, Acting Chancellor

PREPARED BY: Brandon Christian, Executive Assistant, Chancellor's Office

BACKGROUND/ANALYSIS:

The May 18-19, 2020 California Community Colleges Board of Governors meeting featured agenda item 5.1 "Fiscal Health Monitoring of the Peralta Community College District"¹.

Vice Chancellor Lizette Navarette, Fiscal Monitor Jim Austin, Board President Bonilla and former Chancellor Stanback Stroud presented an update² to the Board of Governors on the progress Peralta's leadership has made addressing recommendations provided in the Financial Crisis and Management Assistance Team's (FCMAT) June 2019 Financial Review and Fiscal Health Analysis of Peralta³. At the time of the report, Peralta received a fiscal health risk score of 69 percent, indicating a high probability of fiscal insolvency. During the May 19 meeting, Fiscal Monitor Mr. Austin noted that Peralta's current score had dropped below ten percent⁴.

The FCMAT Status Report is being presented to the Board to provide a progress update on the implementation of the recommendations. The report is being submitted for a first reading. The FCMAT Status Report will be submitted on the September 15, 2020, Board meeting agenda for a second reading and for approval by the Board.

¹ <http://go.boarddocs.com/ca/ccchan/Board.nsf/goto?open&id=BM235B052B26>

² <https://youtu.be/PX2aIxY6Sml?t=288>

³ <https://www.fcmat.org/PublicationsReports/Peralta-CCD-final-report.pdf>

⁴ <https://youtu.be/PX2aIxY6Sml?t=1868>

DELIVERABLES/SCOPE OF WORK:

N/A

ANTICIPATED COMPLETION DATE:

N/A

EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends review.

File Attachments

07202020 FCMAT Status Report draft.pdf (290 KB)

5. CONSENT CALENDAR - ACADEMIC AFFAIRS

Subject	5.1 Consider Approval of an MOU between PCCD and OUSD Relating to Gateway to College Program. Presenter: Acting President Besikoff
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	5-11-490-8831-1-672900-0711-00 (Instructional Services for Gateway to College)
Recommended Action	Approve the Memorandum of Understanding (MOU) between the Peralta Community College District (PCCD), on behalf of Laney College, and the Oakland Unified School District (OUSD) for the operation of a Gateway to College program during the 2020-2021 academic year.

TO: Peralta Board of Trustees

FROM: Wiliam Ramos Ochoa, Director, Gateway to College

PREPARED BY: Laney Enrollment Services Program Specialist, Cassandra Upshaw

BACKGROUND/ANALYSIS:

Gateway to College is a scholarship program that provides academically and economically disenfranchised Alameda County residents 16 to 20 years old with an opportunity to experience success in an academically rigorous, supportive and safe environment as they pursue their high school diplomas and transition into college. Gateway to College has several years of successful outcomes and despite the Pandemic, has seen a small increase in student completion rates for Spring and Summer terms in 2020. Many Gateway to College students go on to complete degrees with Laney and other colleges within the Peralta district.

We will invoice OUSD based on the number of students that enroll in the program (the MOU lists the approximate number of students as being 110-125). They per student \$9188.19; district can deduct 16.28% of direct expenses and 5% of indirect expenses.

DELIVERABLES/SCOPE OF WORK:

N/A

ANTICIPATED COMPLETION DATE:

This MOU will be in effect through June 30, 2021

EVALUATION AND RECOMMENDED ACTION:

Approve an updated Memorandum of Understanding (MOU) between the Peralta Community College District (PCCD), on behalf of Laney College, and the Oakland Unified School District (OUSD) for the operation of a Gateway to College program during the 2020-2021 academic year.

The Chancellor recommends approval.

<p>File Attachments 2020-21 Projected Budget & Funding for Gateway 0711.pdf (544 KB) Gateway OUSD MOU 2020.21 [final] (2).pdf (110 KB) Gateway OUSD MOU 2020.21 [final].docx (27 KB)</p>

Admin Content

CTS Ticket #92109

This is a renewal of an agreement. The original legal approval was made by Curis-Bartling, P.C.

Revenue going to the college from this agreement will be going into the "Contract Instructional Services for Gateway to College" Budget String, whose number is 5-11-490-8831-1-672900-0711-00.

For this MOU, We will **invoice** OUSD based on the number of students that enroll in the program (we used last year's student number of 59, although the MOU lists the approximate number of students as being 110-125). They have listed what they will pay us per student **\$9188.19** and we can deduct **16.28%** of direct expenses and **5%** of indirect expenses.

Administrative File Attachments

[Gateway OUSD MOU 2020.21 \[final\] \(2\).pdf \(110 KB\)](#)

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 - FACILITIES

Subject	6.1 Consider Approval of Amendment No. 1 to the Independent Consultant Agreement for Special Services with Placemakers for CEQA Work for the Merritt College Horticulture Complex to Extend the Contract Term by 184 Days. Presenter: Vice Chancellor Sata.
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Jul 28, 2020
Absolute Date	Jul 28, 2020
Fiscal Impact	No
Budget Source	1-63-391-5105-1-710000-2407-02 (Fund 63, Measure A Fund)
Recommended Action	Approval of Amendment No. 1 to the Independent Consultant Agreement for Special Services with Placemakers for CEQA Work for the Merritt College Horticulture Complex to extend the contract term by 184 days.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Kitchell CM

BACKGROUND/ANALYSIS:

This contract amendment is a time-only extension to the existing contract. Construction projects in the State of California must meet requirements of the California Environmental Quality Act (CEQA). In order to meet these requirements for the District's Merritt College Horticulture Complex Project ("Project"), the District solicited proposals from qualified consultants. Based on the solicitation results of a competitive process, Placemakers was selected as the most qualified vendor. On April 7, 2020, the Board of Trustees ratified the Independent Consultant Agreement for Special Services with Placemakers.

Supplemental surveying and architectural design work required for the CEQA documentation is still pending. As a result, Placemakers requires a contract extension to fully complete their scope of work for the CEQA MND/IS application process. There is no fee increase associated with the time extension.

Placemakers has no other contracts with the District in fiscal year 2020-2021.

Contact Information:

Placemakers
 ATTN: Patricia Jeffery
 439 Terrace Street
 Ashland, OR 97520
 Email: pjplacemakers@gmail.com

DELIVERABLES/SCOPE OF WORK:

The deliverables and Scope of Work have not changed from original contract. Placemakers will inform the public of various environmental impacts and create mitigation measures to address any such issues. Placemakers will develop the Initial Study (IS),

Mitigated Negative Declaration (MND), Mitigation Monitoring and Reporting Program (MMRP), CEQA notices and responding to public input on the Draft IS/MND.

ANTICIPATED COMPLETION DATE:

The Project is anticipated to be completed by December 31, 2020.

EVALUATION AND RECOMMENDED ACTION:

The Project Manager, Vice Chancellor of General Services and the Chancellor recommend approval of Amendment No. 1 to the Independent Consultant Agreement for Special Services with Placemakers for CEQA Services for the Merritt College Horticulture Complex to extend the contract term by 184 days.

File Attachments

Amendment #1 to Agreement for Special Services (Placemakers) (CLEAN)_3573992_1(DMS).pdf (19 KB)
CEQA_Placemakers MC Horticulture Complex_3573913_1(DMS).PDF (3,097 KB)

Admin Content

DWK reviewed July1, 2020. CTS number 90683.

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 - FACILITIES

Subject	6.2 Consider Acceptance of the Laney College Window Repairs Project (Bid No. 18-19/28) and Release 5% Retention to Professional Glass Installations, Inc. Presenter: Vice Chancellor Sata
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Jul 28, 2020
Absolute Date	Jul 28, 2020
Fiscal Impact	Yes
Dollar Amount	\$1,869.04
Budgeted	Yes
Budget Source	1-61-163-5881-1-651000-1950-45 (Fund 61, State, Capital Outlay Fund)
Recommended Action	Accept the Laney College Window Repairs Project (Bid No. 18-19/28) and release 5% retention to Professional Glass Installations, Inc.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Swinerton CM

BACKGROUND/ANALYSIS:

On July 23, 2019, Board of Trustees approved a construction agreement with Professional Glass Installations, Inc. ("Agreement") to replace twenty-nine broken glass window panes of various sizes and thicknesses throughout Laney College in an amount not-to-exceed \$20,574.66.

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. During the project, additional windows were broken. Change Order No. 2 replaced glass at three (3) locations, and change order no. 3 replaced glass at four (4) locations and a mirror at another. Change Order No. 4 included a contract time extension. The additional time was needed to cover the lead time for the final piece of glass at the Student Center and its installation. Additional time was required to properly close out the project.

See below for the history of Board approvals of this contract and associated change orders.

Contract	Approved Amount	Time Extension	Board Approval Date
Original Contract	\$20,574.66	N/A	7/23/19
Change Order No. 1	\$9,355.47	60 days	1/7/20
Change Order No. 2	\$956.37	0 days	2/25/20
Change Order No. 3	\$6,494.38	62 days	5/12/20
Change Order No. 4	\$0.00	60 days	6/23/20
TOTAL	\$37,380.88		

Professional Glass Installations, Inc. has completed all work for the Window Repair Project per the original agreement and plans and specifications issued by the District. The project scope of work including all change order work, punchlist, and/or project related work has been completed.

Contact Information for Professional Glass Installations, Inc.:

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

DELIVERABLES/SCOPE OF WORK:

Professional Glass Installations has fulfilled its contractual obligations by completing the project scope set forth in the construction agreement. The deliverables and/or services provided included replacement of glass throughout the campus and closeout documentation.

The Final Completion date of the project is July 31, 2020, and it has been completed ahead of schedule. In light of the successful completion of the project, the final action is the execution of the Notice of Completion (NOC) and release of the remaining 5% retention in the amount of \$1,869.04.

ANTICIPATED COMPLETION DATE:

The project is considered fully complete by July 31, 2020.

EVALUATION AND RECOMMENDED ACTION:

The Project Manager, Vice Chancellor of General Services and Chancellor recommend acceptance of the Laney College Window Repairs Project (Bid No. 18-19/28) and release of 5% retention to Professional Glass Installations, Inc.

File Attachments

PGI Agreement, Lien and release, and NOC.PDF (1,572 KB)

PGI CO Nos. 1 - 4.pdf (4,032 KB)

Admin Content

DWK reviewed July 7, 2020. CTS number 90691.

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 - FACILITIES

Subject	6.3 Consider Approval of Change Order No.5 to the Construction Agreement with Ojo Technologies, Inc. for the Laney College, Merritt College and District Administrative Center Emergency Blue Phones Project (Bid No. 17-18/06) to Approve an Expenditure from the Board Approved Contingency in the Amount of \$96,343.48 and Memorialize a Non-Compensable Time Extension of 575 Days to the Agreement. Presenter: Vice Chancellor Sata
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Jul 28, 2020
Absolute Date	Jul 28, 2020
Fiscal Impact	Yes
Dollar Amount	(\$27,630.22)
Budgeted	Yes
Budget Source	(Please see narrative below) Fund 61, 63, and 65, Scheduled Maintenance, Measure A and G Bond Funds
Recommended Action	Approve Change Order No.5 to the Construction Agreement with Ojo Technologies, Inc. for the Laney College, Merritt College and District Administrative Center Emergency Blue Phones Project (Bid NO. 17-18/06) to approve an expenditure from the Board approved contingency in the amount of \$96,343.48 and memorialize a non-compensable time extension of 575 days to the Agreement.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Swinerton CM

BACKGROUND/ANALYSIS:

The Governing Board of Trustees awarded the initial construction contract with Ojo Technologies, Inc., on March 13, 2018 for the Emergency Blue Phone Project at Laney College, Merritt College, and the District Administrative Center ("Project"), in the amount of \$1,115,763.30 plus a 10% contingency of \$123,973.70 for a total value of \$1,239,737.00, (Bid No. 17-18/06).

The Project entailed replacing the existing analog Code Blue Emergency Phone system at Laney College, Merritt College, and the District Administrative Center (DAC), per the construction drawings and specifications prepared by Security By Design. Due to funding issues, College of Alameda and Berkeley City College were not included in this scope of work, and will be performed under a separate Phase II scope of work after the completion of this project. Phase II will be completed when funding becomes available.

During the process of performing the original scope of work Change Order Nos. 1 through 4 were initiated. The Board approved Change Orders Nos. 1 through 4 on November 13, 2018.

Change Order No.1 replaced existing PoE with fiber cables, wiring and patch panels at Laney and Merritt. Change Order No. 2 upgraded the electrical circuit for L33 emergency phone at Laney. Change Order No.3 relocated tower M003 from its current location, installed a new NEMA enclosure and associated conduits, and removed M059C at Merritt. Change Order No. 4 required a new underground conduit at Laney Parking Lot, as the existing conduit to (4) emergency were blocked and unable to be repaired. The cost for Change Order Nos. 1 through 4 totaled \$104,528.62.

This Change Order No. 5, incorporates Change Order Requests Nos. 5 through 9, and is the final change order for this Project. It was necessary due to unforeseen site conditions, including damaged preexisting underground conduits at both the Merritt and Laney campuses. Additionally, it covers the installation of a new emergency phone within the swimming pool area at the Laney campus. A description of the work for each Change Order Request is noted in the table below.

Change Order Request	Requester	Description of Change	Reason for Change	Price
5	Owner	Installation of conduits at Laney College Emergency Phones (L31, L32, L33, L34, L48).	Additional conduits were needed for emergency phones. Existing conduits were full.	\$19,748.38
6	Owner	Install conduits at library basement and fitness center.	Conduits and inner ducts added to protect fiber cables for emergency phones L14 and L15.	\$8,901.00
7	Owner	Merritt wire testing proposal.	College asked for test and inventory of the existing OSP and individual single conductors.	\$4,554.00
8	Owner	Install network extenders on existing CAT3 cables to support M01, M02, M03 and M04.	Conduits damaged .	\$25,793.10
9	Owner	Additional emergency phone near swimming pool.	Added to ensure student safety.	\$37,347.00
			Total CORs 5 - 9	\$96,343.48

Change Order Request No. 5 was dated January 28, 2019. Change Order Request Nos. 6 through #8 were dated February 15, 2019. Change Order Request No. 9 was dated July 3, 2019. All of the work described in the Change Order Requests was requested by the District and such work has been completed. A time extension was associated with each Change Order Request extending the Contract date to July 25, 2019. The Project is not being reconciled in preparation of close-out. Accordingly, Change Order No. 5 also includes a total time extension of 575 days. This incorporates the time required to formally close-out the Project. A summary of the contract follows:

Contract	Approved Amount	Time Extension	Board Approved Date
Original Contract	\$1,115,763.30	N/A	3/13/18
Contingency 10%	\$123,973.70		3/13/18
CO #1	\$57,075.51	90 days	11/13/18
CO #2	\$659.70	1 Day	11/13/18
CO #3	\$17,296.90	10 Days	11/13/18
CO #4	\$29,496.51	30 Days	11/13/18
CO #5 (this item is a spend down of the previously approved 10% Contingency)	(\$96,343.48)	575 Days	pending
Total	\$1,344,265.62		

Budget Strings are as follows:

Budget String	Amount	Addendum	Total	Percentage
1-61-163-5881-5-651000-0898-	\$162,000.00	\$0.00	\$162,000.00	12%

02				
1-61-163-5881-5-651000-0898-03	\$162,000.00	\$0.00	\$162,000.00	12%
1-61-163-5881-5-651000-0898-04	\$162,000.00	\$0.00	\$162,000.00	12%
1-63-391-6120-1-710000-2429-00	\$257,148.00	\$104,528.62	\$361,676.62	27%
1-63-391-6120-1-710000-2733-03	\$496,589.00	\$0.00	\$496,589.00	37%
Contract Total			\$1,344,265.62	100%

The Project was completed at the following locations:

- Laney Blue Phones
- Laney Library and Fitness Center
- Merritt Emergency Phones

Contact Information for Ojo Technologies, Inc.

103 Hammond Ave
 Fremont, CA 94539
 (510) 257-1807

DELIVERABLES/SCOPE OF WORK:

Change Order No. 5, incorporates Change Order Requests Nos. 5 through 9, which were necessary due to unforeseen site conditions, such as damaged preexisting underground conduits at both the Merritt and Laney campuses. It also covers the installation of a new emergency phone within the swimming pool area at the Laney campus.

Change Order No. 5 has a value of \$96,343.48, but all such monies are covered within the Project's approved 10% contingency amount of \$123,973.70. Change Order No. 5 also includes a total time extension of 575 days, which incorporates the time required to formally close-out the Project.

ANTICIPATED COMPLETION DATE:

The Project is anticipated to be closed out by September 30, 2020.

EVALUATION AND RECOMMENDED ACTION:

The College President, Vice Chancellor of General Services and Interim Chancellor recommend approval of Change Order No. 5 to the Construction Agreement with Ojo Technologies, Inc. for the Laney College, Merritt College and District Administrative Center Emergency Blue Phones Project (Bid NO. 17-18/06) to approve an expenditure from the Board approved contingency in the amount of \$96,343.48 and memorialize a non-compensable time extension of 575 days to the Agreement.

File Attachments

Ojo Change Order No. 5 06 29 20 (SD)_3575044_1(DMS).PDF (112 KB)
 Agreement + CO 1-4.pdf (10,043 KB)

Admin Content

DWK reviewed July 8, 2020, revised July 24, 2020. CTS Number is #90783

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 - FACILITIES

Subject	6.4 Consider Approval of Amendment No. 2 to the Agreement Incorporating Master Agreement for Office Furniture and Related Services and Solutions with Interior Motions to Increase the Compensation by \$14,089.16 to Cover Increased Installation Costs to Comply with COVID-19 Distancing Restrictions and District Requested Furniture Changes. Presenter: Vice Chancellor Sata
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Jul 28, 2020
Absolute Date	Jul 28, 2020
Fiscal Impact	Yes
Dollar Amount	\$14,089.16
Budgeted	Yes
Budget Source	1-63-391-6402-1-710000-2361-00 (Fund 63, Measure A Fund)
Recommended Action	Approve Amendment No. 2 to the Agreement Incorporating Master Agreement for Office Furniture and Related Services and Solutions with Interior Motions to increase compensation by \$14,089.16 to cover increased installation costs to comply with COVID-19 distancing restrictions and District requested furniture changes.

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 FF&E furniture services and products at the New Center for Liberal Arts. The Original Agreement with Interior Motions in the amount of \$1,953,216.62 was approved by the District's Board of Trustees on September 10, 2019 in accordance with Section 6500 et seq. of the Government Code (the "JPA Act").

The first phase of this contract was the process of selecting the furniture for the interior of the building, including classrooms, office spaces, and public areas. This selection process involved input from students, faculty, and staff at the College of Alameda with survey information being considered in the selection of furniture and classroom layout. Amendment No. 1 was processed to allow the procurement and installation of exterior furniture around the New Center for Liberal Arts. Amendment No. 2 is being proposed to account for a loss of installation productivity and PPE due to COVID-19 restrictions and requirements, as well as additional furniture requested by the College of Alameda administration.

Contract	Approved Amount	Board Approval Date
Original Contract	\$ 1,953,216.62	9/10/2019
Amendment No. 1	\$ 137,843.34	4/14/2020
Amendment No. 2	\$ 14,089.16	This item.
New Contract Sum	\$ 2,105,149.12	

Contact Information

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

DELIVERABLES/SCOPE OF WORK:

Amendment No. 2 includes one additional piece of furniture in the Café Servery area and installation of the furniture in the Café Servery area. In addition, Amendment No. 2 includes charges for increased installation costs due to COVID restrictions such as social distancing, daily sign-in for contact-tracing, and additional protective equipment. The additional PPE charges will be monitored by the Construction Manager.

ANTICIPATED COMPLETION DATE:

The Original Agreement with Interior Motions expires December 31, 2020. All interior furniture was scheduled to be installed by July 24, 2020. Due to current production delays caused by the COVID-19 lockdowns, exterior furniture procurement and installation is now anticipated to be completed in September 2020. This delay will not impact the function and usability of the New Center for Liberal Arts building which is scheduled to open in August, because the furniture in this order is outside the building.

EVALUATION AND RECOMMENDED ACTION:

The Project Manager, Vice Chancellor of General Services, College President, and Chancellor recommend approving Amendment No. 2 to the Agreement Incorporating Master Agreement for Office Furniture and Related Services and Solutions with Interior Motions to increase compensation by \$14,089.16 to cover increased installation costs to comply with COVID-19 distancing restrictions and District requested furniture changes.

File Attachments

Amendment No. 2 to Agreement Incorporating Master Agreement with Interior Motions [Furniture for NCLA Building at CoA] (Clean)_3574677_1(DMS).pdf (389 KB)
Interior Motions Agreement +CO1.pdf (19,360 KB)

Admin Content

DWK reviewed July 2, 2020. CTS number is 90799.

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 - FACILITIES

Subject	6.5 Consider Approval of Amendment No.1 to the Independent Consultant Agreement for Professional Services with Terraphase Engineering, Inc. in an Amount Not-to-Exceed \$33,225.00 to Provide Additional Environmental Consulting Services Including a Soil Gas Survey, Incremental Sampling at the Laney Child Development Center and Regulatory Interface with the Alameda County Health Department. Presenter: Vice Chancellor Sata
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Jul 28, 2020
Absolute Date	Jul 28, 2020
Fiscal Impact	Yes
Dollar Amount	\$33,225.00
Budgeted	Yes
Budget Source	1-61-163-5881-1-651000-1950-05 (Fund 61, State, Capital Outlay Fund)
Recommended Action	Approve Amendment No.1 to the Independent Consultant Agreement for Professional Services with Terraphase Engineering, Inc. in an amount not-to-exceed \$33,225.00 to provide additional Environmental Consulting Services including a soil gas survey, incremental sampling at the Laney Child Development Center and regulatory interface with the Alameda County Health Department.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Director of Planning & Development, Atheria Smith

BACKGROUND/ANALYSIS:

At the regular Board of Trustees Meeting on December 10, 2019, an agreement for geotechnical engineering work was approved for Terraphase to address an Alameda County Department of Environmental Health (ACDEH) request for an additional Subsurface Investigation Work Plan Report as directed in ACDEH's correspondence dated May 8, 2019. This request supported the Fuel Leak Case No. RO0000384 at the District's property located at 501 5th Avenue/333 East 8th Street in Oakland, in an amount not to exceed \$200,050.00

The Work Plan proposed 38 borings to collect soil and groundwater samples and install 7 soil gas sampling probes at the site. Three soil samples and a groundwater sample were proposed from each boring. A soil gas sample was proposed from each soil gas well. Samples were analyzed for total petroleum hydrocarbons in the gasoline range, petroleum hydrocarbons in the diesel range, petroleum hydrocarbons in the motor oil range, benzene, toluene, ethylbenzene, and xylenes, fuel oxygenates and additives, lead, naphthalene, poly aromatic hydrocarbons and dissolved lead.

Terraphase Engineering performed the entire scope of services set forth in ACC's Work Plan and addressed the technical comments set forth by the ACDEH. The scope of work in the Additional Subsurface Investigation Work Plan Report included the following task and was submitted to ACDEH in February 2020:

- Soil Sampling and Analysis
- Groundwater Sampling
- Soil Gas Sampling and Analysis for VOC's

- Soil Gas Sampling from Boring SP18
- Children’s Center Play Area and Yard
- Low threat Closure Policy
- Report Preparation – Leaking Underground Fuel Tank (LUFT) Guidance Manual
- Cumulative Analytical Data Tables
- Maps and Locations of Tables
- ACDEH Site Cleanup Program

The proposed Amendment No.1 to the Agreement is the District’s response to the ACDEH regulatory request to conduct Incremental Sampling Methodology (ISM) at the Laney Child Care Center. Pursuant to the Amendment, Terraphase will provide additional environmental consulting services for a Soil Gas Survey, Incremental Sampling at the Laney Child Care Center and Regulatory Interface with the Alameda County Public Health Department.

A history of Terraphase’s contract with the District is shown below.

Contract Summary		
Contract	Amount	Board Approval
Original Contract	\$200,050.00	December 10,2019
Amendment No. 1	\$33,225.00	This Item.
Total	\$233,275.00	

Company:

Terraphase Engineering, INC.
1404 Franklin Street Suite 600
Oakland, Ca 94612
www.terrphase.com

Terraphase Engineering, Inc. is a local Oakland based company. The District’s contact for this work is Vice President Jeff Raines.

DELIVERABLES/SCOPE OF WORK:

- Conducting a soil gas survey at the Peralta District Maintenance Yard
- Regulatory Interface with the Alameda County Environmental Health Department
- Conducting Incremental Sampling at the Laney Child Development Center

ANTICIPATED COMPLETION DATE:

The project is anticipated to be completed by June 30, 2021.

EVALUATION AND RECOMMENDED ACTION:

The Director, Vice Chancellor of General Services and Chancellor recommend the approval of the of Amendment No.1 to the Independent Consultant Agreement for Professional Services with Terraphase Engineering, Inc. in an Amount Not-to-Exceed \$33,225.00 to Provide Additional Environmental Consulting Services Including a Soil Gas Survey, Incremental Sampling at the Laney Child Development Center and Regulatory Interface with the Alameda County Health Department.

File Attachments

Amendment #1 to Agreement for Professional Services (Terraphase)(Clean)_3577707_1(DMS).pdf (101 KB)
Terraphase Original Agreement - signed.pdf (8,173 KB)

Admin Content

DWK reviewed July 9, 2020. CTS number is 90970.

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 - FACILITIES

Subject	6.6 Consider Acceptance of the Laney College Welding Department Electrical Improvements Project and Release 5% Retention in the Amount of \$23,820.60 to Pacific Power & Systems, Inc. Presenter: Vice Chancellor Sata
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Jul 28, 2020
Absolute Date	Jul 28, 2020
Fiscal Impact	Yes
Dollar Amount	\$23,820.60
Budgeted	Yes
Budget Source	1-63-391-6206-1-710000-2423-00 (Fund 63, Measure A Fund)
Recommended Action	Accept the Laney College Welding Department Electrical Improvements Project and release 5% retention in the amount of \$23,820.60 to Pacific Power & Systems, Inc.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Swinerton CM

BACKGROUND/ANALYSIS:

Staff and faculty at Laney College reported to Swinerton Management and Consulting (“SMC”) that the Welding Shop Room F-150 was experiencing emergency electrical issues, including but not limited to, students experiencing electrical shock while using the TIG welding equipment. SMC promptly investigated, and at the District’s request, contacted Pacific Power & Systems, Inc. (“PPS”), a licensed design-build electrical contractor, to assess the electrical issues and recommend repairs if necessary.

Pursuant to Public Contract Code section 20654, on February 25, 2020, the Board of Trustees approved PPS to perform emergency construction repair services at the Laney College Welding Shop in an amount not-to-exceed \$287,774.97 without competitive bidding. The base scope of work in Room 151 included the installation of proper grounding needed for the existing water pipe system used for welding equipment, proper equipment grounding for all welding equipment and tables, and properly sized wires and fuses in the existing 100 AMP disconnects. In Room 152, the base scope of work included installation of equipment grounding for all welding equipment and replacement of existing disconnects with properly sized, fusible 60 AMP disconnects.

Thereafter, the Board approved Change Order No. 1 to the Agreement which included isolation grounding in Room 152, Room 153 and for the plasma cutter. At that time, the Welding Department also requested the replacement of two (2) additional disconnects, repair of an existing outlet and the installation of five (5) explosion-proof receptacles in Room 152. In addition, the change order included the fee for performance and payment bonds, which were not included in PPS’s original proposal.

During construction, the Welding Department also requested that additional emergency repair work be performed to avoid danger to life or property in the Welding Shop. The additional scope of work was memorialized in Change Order No. 2 which included a contract time extension. The additional time included the time required to close out the project. PPS has completed all electrical work associated and the District is now accepting the work and closing out the project.

See below for the history of Board approvals of this contract and associated change orders.

Contract	Amount	Time Extension	Board Approval
Original Contract	\$287,774.97	N/A	February 25, 2020
Change Order No. 1	\$26,679.00	N/A	March 24, 2020
Change Order No. 2	\$161,959.00	130	April 21, 2020
New Contract Sum	\$476,412.97		

PPS has completed all electrical work associated with the Laney College Welding Department per the original agreement issued by the District. The project scope of work including all change order work, punch list, and/or project related work has been completed.

Contact Information for PPS:

Pacific Power & Systems, Inc.
4970 Peabody Rd.
Fairfield, CA 94533
mikem@rbigroup.com

DELIVERABLES/SCOPE OF WORK:

PPS has fulfilled its contractual obligations by completing the project scope set forth in the construction agreement. The deliverables and/or services provided included electrical improvements in the Welding Department and closeout documentation.

The Final Completion date of the project was July 1, 2020, and it has been completed per schedule. As all parties are satisfied with the services provided, the final action is the execution of the Notice of Completion (NOC) and release of the remaining 5% retention in the amount of \$23,820.60.

ANTICIPATED COMPLETION DATE:

The project was fully completed by July 1, 2020.

EVALUATION AND RECOMMENDED ACTION:

The Project Manager, Vice Chancellor of General Services and Chancellor recommend acceptance of the Laney College Welding Department Electrical Improvements Project and release of 5% retention in the amount of \$23,820.60 to PPS.

File Attachments

[NOC Laney Welding Dept Electrical Improvements.pdf \(67 KB\)](#)
[PPS COs 1 and 2 - Welding Dept Electrical Improvements.pdf \(2,088 KB\)](#)

Admin Content

DWK reviewed July 10, 2020. CTS ticket number is 90978.

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 - FINANCE

Subject	7.1 Consider Ratification of the Warrant/Payment Report for the period covering June 1, 2020 through June 30, 2020. Presenter: Acting Chancellor Walter
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Jul 28, 2020
Absolute Date	Jul 28, 2020
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	N/A
Recommended Action	Ratify the Warrant/Payment Report.

TO: Members of the Board of Trustees

FROM: Dr. Carla Walter, Acting Chancellor

PREPARED BY: Richard Ferreira, Executive Assistant

Background/Analysis:

Consider ratification of the AP, Travel, and Consulting Contract Warrant Register from June 1, 2020 through June 30, 2020. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for ratification purposes only.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

The Chancellor recommends ratification

<p>File Attachments Payment Warrant Report 06-30-2020.pdf (407 KB)</p>

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 - FINANCE

Subject	7.2 Review of Purchase Order Report for the period covering from June 1, 2020 through June 30, 2020. Presenter: Acting Chancellor Walter
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Jul 28, 2020
Absolute Date	Jul 28, 2020
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	N/A
Recommended Action	Review of Purchase Order Report covering the period from June 1, 2020 through June 30, 2020.

TO: Members of the Board of Trustees

FROM: Dr. Carla Walter, Acting Chancellor

PREPARED BY: Richard Ferreira, Executive Assistant

Background/Analysis:

All payments from the funds of a community college district are made by the use of Purchase Orders and within the parameters prescribed in Board Policy 6330 and Administrative Procedures 6330 & 6340. The Purchase Order Report presented for review is being done so in accordance with Education Code Section 81656 which states, "All transactions entered into by the officer or employee shall be reviewed by the governing board every 60 days."

The table below provides a summary by funding source of number of orders issued and total dollar value.

FUND	Number of Orders Issued	Total Dollar Value
Fund Code: 01 General Unrestrict Oper	89	\$89,446.73
Fund Code: 10 College designated funds	8	\$35,414.00
Fund Code: 11 General restricted fund	43	\$18,855.78
Fund Code: 43 General obligation bond Meas G	7	\$4,064,742.39
Fund Code: 61 Cap. out. proj .funds-state	3	\$12,657.63
Fund Code: 63 Bond Measure A	16	\$261,563.29
Fund Code: 68 Child development fund	2	\$24,107.03
Fund Code: 75 Project trust fund	1	\$5,892.95
Total	169	\$4,512,679.80

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

The Chancellor recommends review.

File Attachments

[Purchase Order Report 06-30-2020.pdf \(265 KB\)](#)

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 - FINANCE

Subject	7.3 Consider Approval of Budget Transfer Report for the period covering from June 1, 2020 through June 30, 2020. Presenter: Acting Chancellor Walter
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Jul 28, 2020
Absolute Date	Jul 28, 2020
Fiscal Impact	No
Budgeted	No
Budget Source	N/A
Recommended Action	Approve Budget Transfer Report covering the period from June 1, 2020 through June 30, 2020.

TO: Members of the Board of Trustees

FROM: Dr. Carla Walter, Acting Chancellor

PREPARED BY: Richard Ferreira, Executive Assistant

Background/Analysis:

The sum of budget transfers is within the board-approved total budget for the fiscal year. These changes are required in order to be in compliance with the Community Colleges Budget and Accounting Manual in order to make major object code adjustments or adjustments to TOP codes.

Chapter 4 of the California Community Colleges Budget and Accounting Manual, 12th Edition (2012) explains classifications of expenditures by account codes. The Budget Transfer Report is presented in light of the California Community College Budget and Accounting Manual, page I – 10 <https://www.cccco.edu/-/media/CCCCO-Website/Files/Finance-and-Facilities/budget-and-accounting-manual-2012-edition-ada.ashx>

Once the budget is adopted, the total amount designated as proposed expenditure for each major object of expenditure classification is the maximum allowed without additional governing board authorization for transfers between major classifications or from the reserve for contingencies in accordance with California Code of Regulations Section 58307. CCR §58307 limits district expenditures to the amount appropriated for each major expenditure classification as approved by the district governing board through adoption of the district budget (CCR §58305) or as amended by subsequent intrabudget transfers or other budget revisions.

For PCCDs Budget Transfer Reports:

The total of all the changes are within the board-approved total budget. Many of the changes are required to be in compliance with the extreme detail in the Community Colleges Budget and Accounting Manual, for example:

1. When the academic schedule of classes must be modified to reflect actual enrollments and resulting specific TOP (Taxonomy of Program) code changes each change requires moving budget to reflect the faculty reassignments.
2. Within a major object code there is so much finite detail that many minor adjustments must be made. For example, within the major 4000 object code if during the course of a year a department needs a little more printing (4531) but it can save on supplies (4521) that requires a budget transfer to allow the encumbrance.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

Consider approval of Budget Transfer Report covering the period from June 1, 2020 through June 30, 2020.

The Chancellor recommends approval.

File Attachments

[Budget Transfer Report 06-30-2020.pdf \(75 KB\)](#)

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.

8. ACTION ITEMS

Subject **8.1 Consider Approval of the Peralta Community College District 2020/21 Tentative Budget. Presenter: Acting Chancellor Walter**

Meeting Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type Action

Preferred Date Jul 28, 2020

Absolute Date Jul 28, 2020

Fiscal Impact Yes

Budgeted Yes

Budget Source N/A

Recommended Action Approve the Peralta Community College District 2020/21 Tentative Budget.

TO: Peralta Board of Trustees

FROM: Acting Chancellor Walter

Background/Analysis:

The Board of Trustees adoption of the 2020/21 Tentative Budget for all District funds will provide an operational budget as of July 1, 2020, in order to meet the requirements of Section 58305, Title 5, of the California Code of Regulations, which requires submittal of an annual Tentative Budget by July 1st. Adoption of the 2020/21 Tentative Budget will authorize a total District Budget of \$235,291,255 including income, appropriations, and expenses for all District funds as contained in the attached Tentative Budget book.

Under approval of Resolution 19/20-67, Continuing Budgetary Authority based on the State Chancellor's Executive Order 2020-06, which was issued pursuant to California Community Colleges Board of Governors Resolution No. 2020-01 and Section 52020 of Title 5 of the California Code of Regulations, extended the deadline for community college districts to issue the 2020-2021 Tentative Budget was extended from July 1, 2020 to August 1, 2020, and the deadline to issue the 2020-2021 Final Budget was extended from September 15, 2020 to October 31, 2020, in addition to the extension of other related deadlines.

The 2020/21 Tentative Budget is presented for approval.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

N/A

File Attachments

2020-21 Tentative Budget Book Board Notes 7 16 20 Rvised 7.21.2020FBAA.pdf (7,718 KB)

8. ACTION ITEMS

Subject **8.2 Ratification of Personnel Items. Presenter: Vice Chancellor Whittaker**

Meeting Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type Action

Preferred Date Jul 28, 2020

Absolute Date Jul 28, 2020

Fiscal Impact Yes

Budgeted Yes

Budget Source Grant-Funded and General Fund

Recommended Action Ratify classified personnel items.

TO: Peralta Board of Trustees

FROM: Chanelle Whittaker

PREPARED BY: Socorro Taylor

BACKGROUND/ANALYSIS:

RATIFICATION OF PERSONNEL ITEMS

New employment; changes in assignment, compensation, and placement; leaves of absence; changes in staff allocation and classification of classified personnel; retirements, phase-in retirements and resignations; and short-term temporary classified positions.

A. CLASSIFIED EMPLOYMENT

(NP = New Position *= New Employee)

Name

Location

None

Berkeley City College

None

College of Alameda

Zhao (Richard) Jian*

District Office

District Accounting Technician

Ratification of the Chancellor's approval to hire Zhao (Richard) Jian as District Accounting Technician effective July 9, 2020.

None

Laney College

Merritt College

Econzi Musa

Staff Assistant (20 hours a week)

Ratification of the Chancellor's approval to hire Econzi Musa as Staff Assistant/Human Development (Community Social Services Program) effective July 13, 2020.

B. PHASE-IN RETIREMENT

None

C. LEAVE OF ABSENCE

None

D. PUBLIC EMPLOYEE RETIREMENT AND RESIGNATION**1. Retirement****Name****Location****Department/Reports to:**

None

Berkeley City College

None

College of Alameda

None

District Office

None

Laney College

None

Merritt College**2. Resignation**

None

Berkeley City College

None

College of Alameda

De Doan

District Office

Educational Services/Vice Chancellor Siri Br

Associate Vice Chancellor of Planning & Institutional Research

Resignation effective July 25, 2020.

Jean Paul Schumacher

Laney College

Dean of Student Services

Student Services/Vice President Vicki Fergu

Resignation effective July 18, 2020.

None

Merritt College**DELIVERABLES/SCOPE OF WORK:**

N/A

ANTICIPATED COMPLETION DATE:

N/A

EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends ratification.

8. ACTION ITEMS

Subject **8.3 Ratification of Academic (Faculty) Personnel Items. Presenter: Vice Chancellor Whittaker**

Meeting Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access Public

Type Action

Preferred Date Jul 28, 2020

Absolute Date Jul 28, 2020

Fiscal Impact Yes

Budgeted Yes

Budget Source General Fund

Recommended Action Ratify academic (faculty) personnel items.

TO: Peralta Board of Trustees

FROM: Chanelle Whittaker

PREPARED BY: Socorro Taylor

BACKGROUND/ANALYSIS:

RATIFICATION OF ACADEMIC (FACULTY) PERSONNEL ITEMS

New employment; changes in assignment, compensation, and placement; leaves of absence; changes in staff allocation and classification of academic personnel; retirements, phase-in retirements and resignations; and equivalence of minimum qualifications for academic posi

A. ACADEMIC (FACULTY)

EMPLOYMENT

(NP = New Position *= New Employee)

<u>Name</u>	<u>Location</u>	<u>Department/Reports to:</u>
None	<u>Berkeley City College</u>	
None	<u>College of Alameda</u>	
None	<u>District Office</u>	
Peder Aune*	<u>Laney College</u> Instructor	Machine Technology/Dean Peter Crabtree

Ratification of the Chancellor's approval on July 9, 2020, to hire Peder Aune as Machine Technology Instructor.

Merritt College

None

B. PHASE-IN RETIREMENT

None

C. LEAVE OF ABSENCE

None

D. PUBLIC EMPLOYEE RETIREMENT AND RESIGNATION

1. Retirement

<u>Name</u>	<u>Location</u>	<u>Department/Reports to:</u>
None	<u>Berkeley City College</u>	
Kuangchi May Chen Faculty retirement effective July 6, 2020	<u>College of Alameda</u> Full-time faculty	Applied Arts/Vice President Don Miller

None District Office

None

None Laney College

None

None Merritt College

None

2. Resignation

None Berkeley City College

None

None College of Alameda

None

None District Office

None

None Laney College

None

None Merritt College

None

DELIVERABLES/SCOPE OF WORK:

N/A

ANTICIPATED COMPLETION DATE:

N/A

EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends ratification.

8. ACTION ITEMS

Subject	8.4 Consider Ratification of Monthly Contract Report in accordance with Administrative Policy 6340. Presenter: Acting Chancellor Walter
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action
Preferred Date	Jul 28, 2020
Absolute Date	Jul 28, 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. Carla Walter, Acting Chancellor

PREPARED BY: Dr. Carla Walter, Acting Chancellor

BACKGROUND/ANALYSIS:

Consider Ratification of the Monthly Report of Contracts for July 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 ratification.

File Attachments
 BOT Contract Ratification for 7.28.2020 (FINAL) (1).pdf (114 KB)

8. ACTION ITEMS

Subject	8.5 Consider Ratification of Change Order No. 3 to Agreement for Construction Services with Environmental Resources Group, Inc. for Supplemental Emergency Investigation and Repair of Plumbing Issues at Building D at College of Alameda in an Amount Not-to-Exceed \$17,495. Presenter: Vice Chancellor Sata.
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action
Preferred Date	Jul 28, 2020
Absolute Date	Jul 28, 2020
Fiscal Impact	Yes
Dollar Amount	\$17,495.00
Budgeted	Yes
Budget Source	1-01-163-5881-1-651000-0000-00 (Fund 01, General Fund)
Recommended Action	Ratify Change Order No. 3 to Agreement for Construction Services with Environmental Resources Group, Inc. for supplemental emergency investigation and repair of plumbing issues at Building D at College of Alameda in an amount not-to-exceed \$17,495.

TO: Peralta Board of Trustees

FROM: Department of General Services

BACKGROUND/ANALYSIS:

In February of 2020, the College of Alameda (“Alameda Campus”) discovered sudden, unexpected leaks in certain underground pipes that are connected to and support the fire sprinkler system. The District’s project manager, Roebbelen Construction Management Services, Inc. (“Roebbelen”), promptly investigated, and at the District’s request, contacted Environmental Resource Group, Inc. (“ERG”), a Class A (General Engineer Contractor), Class B (General Building Contractor), and Hazardous Substance Removal Certified contractor, to evaluate the underground plumbing and recommend repairs, if necessary.

ERG’s investigation confirmed the pipes, near the drinking fountain by the mechanical room, as well as Building D, were experiencing plumbing issues and required immediate remedial action. On March 24, 2020, the Governing Board of Trustees approved Resolution No 19/20-40 authorizing the Chancellor, or her designee, to take all actions required to repair the existing plumbing issues near the drinking fountain by the mechanical room and Building D at the Alameda Campus.

Thereafter, ERG performed the required plumbing work to address the leaking pipes. During the course of that work, the pressure was reduced in one area of the leaking piping which in turn created pressure in a new area of the pipe which resulted in the outflow of water from the “T” connection underneath the walkway near the Mechanical Room and Building D. At the request of the District, ERG investigated the “T” connection and identified the source of the outflow of the water that caused the displacement of concrete above the subject pipes. The required additional emergency repairs included the replacement of the eroded “T” connection and the entire run of pipe from the “T” to the newly installed valve. This change order covers the supplemental investigation ERG performed for the District. During the repairs of the broken water line, ERG discovered and repaired a second line that was impacted by the removal of the concrete casing around the leaking joint. ERG also addressed voids in the underlying soil of excavated walkway and reinforced the walkway to allow it to continue to support vehicle traffic.

Following the supplemental investigation, all of the required repair work was completed pursuant to Section 7 of Resolution 19/20-40 to avoid further property damage.

A history of ERG's contract with the District is shown below.

Document	Change	Price	Completion Date	Board Approval Date
Original Agreement for Construction Services	N/A	\$49,998.98		March 24, 2020
Change Order No. 1	Replacement of eroded "T" connection and entire run of pipe from the "T" to the newly installed valve.	\$17,294.00	June 11, 2020	June 23, 2020
Change Order No. 2	Leak investigation and concrete replacement.	\$13,095.00	June 12, 2020	July 14, 2020
Change Order No. 3	Leak Investigation, repair of water line, voids in underlying soil and reinforcement of walkway.	\$17,495	June 13, 2020	This Item.
Contract Total:		\$97,882.98	C/O Percentage of Contract:	49%

ERG holds A, B, and Hazmat California contractors' licenses and is licensed to provide and manage a full range of environmental liability consulting, construction engineering, and management services for the private and public sector (CSLB # 740879).

Contact Information:

Benjamin G. Wells
 15 Locust Avenue
 Mill Valley, CA 94941
 Website: <http://environmentalrg.com>

DELIVERABLES/SCOPE OF WORK:

1. Cost associated with supplemental investigation of plumbing pipes required to address leakage adjacent to Building D on the College of Alameda campus.
2. Cost associated with repair of second line that was impacted by the removal of the concrete casing around the leaking joint.
3. Cost associated with addressing the voids in soil underlying walkway and reinforcement of the walkway.

ANTICIPATED COMPLETION DATE:

The emergency repairs were completed by June 13, 2020.

EVALUATION AND RECOMMENDED ACTION:

The College President, Vice Chancellor of General Services and Chancellor recommend ratification of Change Order No. 3 to the Agreement for Construction Services with Environmental Resources Group, Inc. for the supplemental emergency investigation and

repair required to resolve the plumbing issues at College of Alameda in an amount not-to-exceed \$17,495.

File Attachments

Change Order No. 3(COA Emergency Leak Repair)_(Rev.7.9.20)_3577697_1(DMS).pdf (178 KB)

ERG Contract +CO1-2.pdf (3,028 KB)

3.24.2020- Resolution - Alameda College Emergency (Water Leak) + Contract_3523748_2(DMS).pdf (81 KB)

Admin Content

DWK reviewed July 10, 2020. CTS number is 90955.

8. ACTION ITEMS

Subject	8.6 Consider Acceptance of the Laney College Children’s Center Construction and Modernization Project and Release 5% Retention in the Amount of \$8,019.02 to JPB Design, Inc. Presenter: Vice Chancellor Sata.
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action
Preferred Date	Jul 28, 2020
Absolute Date	Jul 28, 2020
Fiscal Impact	Yes
Dollar Amount	\$8,019.02
Budgeted	Yes
Budget Source	(Fund 68, Childcare Development Funds)
Recommended Action	Accept the Laney College Children’s Center Construction and Modernization Project and release 5% retention in the amount of \$8,019.02 to JPB Designs, Inc.

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Swinerton CM

BACKGROUND/ANALYSIS:

JPB Design, Inc. was approved to perform construction services at the Laney College Children’s Center (“Project”) in an amount not-to-exceed \$170,000.00 at the Board of Trustees meeting on January 22, 2019. The scope of work included installation of ornamental fencing and chain link fence, replacement of door hardware, replacement of carpet with new VCT tiles, painting, landscaping, and installation of new modular partitions and furniture in three (3) offices. The Project was intended to partially fulfill the need to modernize the Children’s Center to meet code compliance requirements and sustain general campus beautification efforts. All work was performed during off hours in order not to impact the childcare center operations.

Subsequent to the executed Agreement and during construction, the Center requested additional work, including: installation of additional VCT flooring, replacement of one (1) children’s toilet and two (2) adult toilets, repairs at two (2) doors and fence adjacent to rear patio, provision and installation of additional ceiling tile, minor sink repairs, and the purchase and installation of miscellaneous office furniture. The cost of the additional work was processed via Change Order No. 1 in the amount of \$8,019.02. Change Order No. 1 also included a contract time extension of 362 days.

JPB Design, Inc. has completed all work for the Project per the original agreement and plans and specifications issued by the District. The Project scope of work including all change order work, punch list, and/or project related work has been completed.

See below for the history of Board approvals of this contract and associated change order.

Contract	Approved Amount	Time Extension	Board Approval Date
Original Contract	\$170,000.00	N/A	January 22, 2019
Change Order #1	\$ 8,019.02	362 days	January 07, 2020
TOTAL	\$178,019.02		

The following is a breakdown of the Budget Strings used for the contract:

Budget String	Amount	Addendum	Total	Percentage
5-68-411-6206-1-692200-1204-00	\$78,000.00	\$8,019.02	\$86,019.02	48%
5-68-411-5881-1-692200-1204-00	\$92,000.00	\$0.00	\$92,000.00	52%
Contract Amount			\$178,019.02	

Contact Information:

JPB Design, Inc.
602 Keats Circle
Orangevale, CA 95662
(916) 549-6259

DELIVERABLES/SCOPE OF WORK:

JPB Design, Inc. has fulfilled its contractual obligations by completing the Project scope set forth in the construction agreement. The Project was completed on April 20, 2020. In light of the successful completion of the project, the final action is the execution of the Notice of Completion (NOC) to be filed with the Office of County Recorder and release of the remaining 5% retention in the amount of \$8,019.02.

ANTICIPATED COMPLETION DATE:

The Project was completed on April 20, 2020.

EVALUATION AND RECOMMENDED ACTION:

The Facilities Project Manager, Director of Capital Projects & Facilities, Vice Chancellor of General Services, and Interim Chancellor recommend acceptance of the Project and release of the 5 % retention in the amount of \$8,019.02 to JPB Design, Inc.

File Attachments

JPB Design- Notice of Completion.pdf (208 KB)
JPB Designs Contract +CO 1.pdf (2,189 KB)

Admin Content

DWK reviewed July 9, 2020 revised July 24, 2020. CTS number is 90966.

9. REPORTS

Subject	9.1 Board of Trustees' Reports
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

10. ADJOURNMENT

Subject	10.1 Meeting Adjournment
Meeting	Jul 28, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Procedural