



**Tuesday, February 25, 2020**  
**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**5:30 p.m. Closed Session**  
**7:00 p.m. Public Session**

**333 East 8th Street**  
**Oakland, CA 94606**

**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](https://www.youtube.com/channel/UCTEVyZCQ1p_yqMRafmQFUww)**

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

**1. FCMAT BOARD SESSION - 4:00 P.M.**

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<b>Subject</b>	<b>1.1 FCMAT Governance and Administration Training. Presenter: Michelle Giacomini, Deputy Executive Officer, FCMAT</b>
<b>Meeting</b>	<b>Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES</b>
<b>Access</b>	<b>Public</b>
<b>Type</b>	<b>Information</b>

**BACKGROUND/ANALYSIS:**

FCMAT will provide this board training and will focus on managing finances, including efforts to improve fiscal accountability and competency. This training will then conclude the scope items related to the study agreement with the California Community Colleges Chancellor's Office specifically for Peralta Community College District.

## **2. CLOSED SESSION - 5:30 P.M.**

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<b>Subject</b>	<b>2.1 Public Comment on Closed Session Items</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	

## **2. CLOSED SESSION - 5:30 P.M.**

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**Subject**                    **2.2 Conference with Labor Negotiator Whittaker, Peralta Federation of Teachers, Local 39, and SEIU 1021 (Government Code § 54957.6)**

**Meeting**                    Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Access**                     Public

**Type**                        Information

**2. CLOSED SESSION - 5:30 P.M.**

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**Subject**                    **2.3 Public Employee Discipline/Dismissal/Release**

Meeting                    Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Access                    Public

## Type

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

**Public Employee Discipline: Dismissal/Release: Academic and Classified Administrators** (The Board is provided respective salaries in closed session for information purposes only, if any.) The Board is reminded not to discuss personnel matters outside of closed session.

<b><u>Employee ID</u></b>
10773932

## **2. CLOSED SESSION - 5:30 P.M.**

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**Subject**                    **2.4 Public Employee Evaluation**

**Meeting**                    Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Access**                     Public

**Type**

**2. CLOSED SESSION - 5:30 P.M.**

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<b>Subject</b>	<b>2.5 Conference with Legal Counsel, Multiple Cases: (Government Code § 54956.9)</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information
	<ul style="list-style-type: none"><li>• Conference with Legal Counsel (54956.9(a)), Margoiles v. Peralta Community College District, Alameda County Superior Court Case. RG18905036.</li><li>• Herrera v. Peralta Community College District et.al, Alameda Superior Court case no. RG18932402</li><li>• Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9 (3 cases)).</li></ul>

### **3. OPEN SESSION**

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<b>Subject</b>	<b>3.1 Call to Order</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Procedural

### 3. OPEN SESSION

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<b>Subject</b>	<b>3.2 Pledge of Allegiance</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Procedural



### **3. OPEN SESSION**

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<b>Subject</b>	<b>3.3 Roll Call</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Procedural

### 3. OPEN SESSION

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<b>Subject</b>	<b>3.4 Report of Action Taken in Closed Session</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

### 3. OPEN SESSION

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<b>Subject</b>	<b>3.5 Approval of the Agenda</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action
Recommended Action	Recommend Approval of the February 25, 2020 Board agenda

### 3. OPEN SESSION

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<b>Subject</b>	<b>3.6 Approval of the Minutes</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action, Minutes
Preferred Date	Feb 04, 2020
Absolute Date	Feb 04, 2020
Fiscal Impact	No
Budgeted	No
Recommended Action	Motion to approve the February 4, 2020 Board Minutes.

### **3. OPEN SESSION**

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<b>Subject</b>	<b>3.7 Associated Student Government Reports</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

### 3. OPEN SESSION

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<b>Subject</b>	<b>3.8 Peralta Classified Senate Report</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

### **3. OPEN SESSION**

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<b>Subject</b>	<b>3.9 District Academic Senate Report</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

### 3. OPEN SESSION

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<b>Subject</b>	<b>3.10 Public Communication</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

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

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



### 3. OPEN SESSION

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**Subject**                    **3.11 Chancellor's Reports**

**Meeting**                    Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Access**                     Public

**Type**                        Information

- Campus Updates

**File Attachments**

- [COA\\_Presidents\\_report\\_2-25-20.pdf \(9,399 KB\)](#)
- [News for the Board 02-20-2020.pdf \(960 KB\)](#)

## 4. INFORMATIONAL ITEM

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<b>Subject</b>	<b>4.1 Informational Item from Member of the Public. Presenter: Marcus Crawley, President of Alameda County Taxpayer Association, Inc.</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information

### BACKGROUND/ANALYSIS:

Marcus Crawley, President of Alameda County Taxpayer Association, Inc. requests to provide information regarding Peralta Board Resolution 18/19-42 and Education Code section 15282.

## 5. CONSENT CALENDAR - CHANCELLOR

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**Subject** 5.1 Consider Ratification of Monthly Contract Report. Presenter: Chancellor Stanback Stroud

**Meeting** Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Access** Public

**Type** Action (Consent)

**Preferred Date** Feb 25, 2020

**Absolute Date** Feb 25, 2020

**Fiscal Impact** Yes

**Budgeted** Yes

**Budget Source** General Funds

**Recommended Action** Ratify Monthly Contract Report pursuant to AP 6340.

**TO:** Peralta Board of Trustees

**FROM:** Dr. Regina Stanback Stroud, Chancellor

**PREPARED BY:** Dr. Regina Stanback Stroud, Chancellor

### BACKGROUND/ANALYSIS:

Consider Ratification of the Monthly Report of Contracts for the months of November 2019, December 2019 and January 2020. In accordance with Administrative Policy 6340, all contracts and amendments regardless of dollar amount must be ratified by the Board of Trustees within 60 days, if not approved in advance as otherwise required herein.

### DELIVERABLES/SCOPE OF WORK:

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

### ANTICIPATED COMPLETION DATE:

N/A

### EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends approval.

<p><b>File Attachments</b>  <a href="#">Contracts List (Oct 21 2019 to Feb 19 2020).pdf (297 KB)</a></p>
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*on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.*

## 5. CONSENT CALENDAR - CHANCELLOR

<b>Subject</b>	<b>5.2 Consider Approval of Out of State Travel pursuant to Board Policy 7400. Presenter: Chancellor Stanback Stroud</b>
<b>Meeting</b>	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
<b>Access</b>	Public
<b>Type</b>	Action (Consent)
<b>Preferred Date</b>	Feb 25, 2020
<b>Absolute Date</b>	Feb 25, 2020
<b>Fiscal Impact</b>	Yes
<b>Budgeted</b>	Yes
<b>Recommended Action</b>	Approve Out of State Travel pursuant to Board Policy 7400.

### Background/Analysis:

Name	Travel Location	Dates
Beverly Brooks	Aurora, CO - 2020 Women in Cyber Security Conference	March 12, 2020
Heather Casale	Albuquerque, NM - Nutrition and Dietetics Educations and Preceptors	March 18, 2020
Esther Cheng	Orlando, FL - 2020 Women in Aviation International Conference	March 3, 2020
Carmen Fairley	Henderson, NV - Hispanic Serving Institution Project Directors/Staff Summit	March 3, 2020
Charles Frost	Las Vegas, NV - 2020 National HVAC Educators and Trainers Conference	March 22, 2020
Hollie Hardy	San Antonio, TX - Associated Writers and Writing Programs Conference	March 3, 2020
Victor Littles	Austin, TX - National Association of Student Personnel Administrators	March 27, 2020
Joseph Midhun	Austin, TX - National Association of Student Personnel Administrators	March 28, 2020
Juan Munoz-Arreola	Las Vegas, NV - 2020 National HVAC Educators and Trainers Conference	March 22, 2020
Sonia Robles	Austin, TX - 2020 Electronic Resources & Libraries Conference	March 8, 2020
Sappho Su	Las Vegas, NV - 2020 National HVAC Educators and Trainers Conference	March 22, 2020
Thomas Torres-Gil	San Jose, Costa Rica - Ustudy Global Spring 2020 Recruitment Event	March 24, 2020
Melissa West	Las Vegas, NV - 2020 National HVAC Educators and Trainers Conference	March 22, 2020

### Anticipated Completion Date:

N/A

### Evaluation and Recommended Action:

The Chancellor recommends approval.

File Attachments  
[Out of State Travel approval- 2-25-20.pdf \(2,997 KB\)](#)

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## 6. CONSENT CALENDAR - ACADEMIC AFFAIRS

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<b>Subject</b>	<b>6.1 Consider Approval of Acceptance of Year Two Funding from the California Campus Catalyst Fund Grant from Community Initiatives &amp; Immigrants Rising in the amount of \$30,000. Presenter: President Gilkerson</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	No
Dollar Amount	\$30,000.00
Budgeted	Yes
Budget Source	Incoming Grant Funds
Recommended Action	Approve acceptance of year two funding from the California Campus Catalyst Fund Grant from Community Initiatives & Immigrants Rising in the amount of \$30,000.

### BACKGROUND/ANALYSIS:

In spring 2018, Laney College applied for a competitive grant through the California Campus Catalyst Fund, a multi-million dollar, three-year grantmaking initiative to expand support for undocumented students and their families across the state's three public higher education systems: California Community Colleges, California State University, and University of California. Laney College was awarded the grant in the amount of \$125,000 from August 20, 2018 through May 24, 2019. The grant agreement is between Community Initiatives, a California non-profit public benefit corporation on behalf of its fiscally sponsored project, Immigrants Rising. After a successful completion of year one goals, Laney College was awarded \$30,000 for year two to continue expanding support for undocumented students.

### DELIVERABLES/SCOPE OF WORK:

Per the Grant Agreement, this grant is made for the purposes stated below:

1. Review and improve the Laney College website to provide detailed and accurate information for current and prospective undocumented students.
2. Deliver on campus UndocuAlly training(s)
3. Develop partnerships with supportive community organizations

### EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends acceptance of year two funding from the California Campus Catalyst Fund Grant from Community Initiatives & Immigrants Rising in the amount of \$30,000 to support Laney College efforts to better serve undocumented students.

Executive File Attachments  
[Community Initiatives Immigrants Rising Grant- FY20 Laney College Agreement.pdf \(210 KB\)](#)

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## 6. CONSENT CALENDAR - ACADEMIC AFFAIRS

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<b>Subject</b>	<b>6.2 Consider Approval of Laney College Participation in Wave 3 of Guided Pathways Mapper. Presenter: President Gilkerson</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	No
Dollar Amount	\$50,000.00
Budgeted	Yes
Budget Source	Guided Pathways Grant
Recommended Action	Approve Laney College Participation in Wave 3 of Guided Pathways Mapper.

### BACKGROUND/ANALYSIS:

In Spring 2017, Laney College made the commitment to begin its work with the state-wide initiative Guided Pathways. This has involved rigorous campus-wide discussions including presentations at Flex days and several retreats. Most recently, the college began to identify areas of interest as part of the Guided Pathways initiative. During the Fall 2019 mid-semester Flex day, a rigorous activity was completed in which faculty, classified professionals, and administrators participated. In Fall 2019, Laney College submitted an application to be involved in wave 3 of the state's Guided Pathways initiative. The third stage of the initiative will result in Laney being a part of a cohort of colleges that will receive technological support and professional development necessary to provide a Guided Pathways presence in its course schedules, catalog, websites, and other student-facing information. Part of the commitment of being involved in this third wave of the initiative, the state is asking each college to enter into an agreement with Concentric Sky for an amount of \$50,000. This agreement will include internet presence, program pathways mapper, error reporting, integration of college logo and colors within the Guided Pathways templates that will be provided, and training of staff. This is an exciting opportunity as it will yield clarity for students as they identify and achieve their educational goals.

### DELIVERABLES/SCOPE OF WORK:

Concentric Sky will provide software and technology support so that Laney will have easily navigated pathway mapping on all platforms the students access program and course information. This will include internet presence, program pathways mapper, error reporting, integration of college logo and colors within the Guided Pathways templates that will be provided, and training of staff.

### ANTICIPATED COMPLETION DATE:

To be determined

### EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends approval.



**File Attachments**

Program Pathways Mapper College Onboarding Proposal Wave 3.pdf (72 KB)

Program Pathways Mapper College Onboarding SOW Wave 3\_Laney.pdf (64 KB)

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## 6. CONSENT CALENDAR - ACADEMIC AFFAIRS

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<b>Subject</b>	<b>6.3 Consider Ratification of a Contract Education Agreement with East Bay Municipal District for Contract Education in the Amount of \$104,672. Presenter: President Gilkerson</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	Yes
Dollar Amount	\$104,672.00
Budgeted	Yes
Budget Source	Fund 10 - Special Revenue Fund (Contract Ed. Income)
Recommended Action	Ratify the Contract Education Agreement with East Bay Municipal Utility District in the amount of \$104,672.
Goals	<p>A: Advance Student Access, Equity, and Success</p> <p>B: Engage and Leverage Partners</p> <p>C: Build Programs of Distinction</p> <p>D: Strengthen Accountability, Innovation and Collaboration</p> <p>E: Develop and Manage Resources to Advance Our Mission</p>

### BACKGROUND/ANALYSIS:

Beginning in July 2016, East Bay Municipal Utility District (EBMUD) and Peralta Community College District began discussions on a collaboration and partnership in workforce development to further the training of EBMUD employees. The EBMUD initially conducted a survey of their employees to determine their educational and workforce needs. The survey results were presented to Peralta's shared governance committees. In August 2017, EBMUD entered into an agreement with the Peralta Community College District WDCE to offer a Cohort Learning Program to an EBMUD cohort of employees.

This Contract Education Agreement represents the second iteration of a hybrid contract education opportunity and partnership for Peralta and EBMUD. This program continues to be taught by Faculty from Laney College. This new Agreement is for the Spring 2020 to Spring 2021, including the Summer 2020, semester. The teaching facility is the EBMUD Adeline Maintenance Facility. The current Agreement is attached.

The Cohort Learning Program consists of classes that enable EBMUD employees to earn up to 24 college level units, through instruction and work experience credit. The program includes a combination of general education, business management, construction management, and occupational work experience to prepare participants for promotional opportunities within EBMUD. The partnership goals include:

- Expansion of the engagement of EBMUD employees in continuing education in preparation for promotion opportunities;
- Leverage and expansion of EBMUD's current instructional capacity;
- Engagement of Peralta Community College District as a recruitment partner to diversify applicant pools; and
- Pathways to further educational opportunities at Laney College, including Associate in Arts (AA) & Associate in Science for Transfer (AS-T) degrees.

**DELIVERABLES/SCOPE OF WORK:**

- The Spring 2020 Semester includes two courses: Intro to Microcomputers and Business Software (BUS 38) for four (4) units; and Occupational Work Experience in Management and Supervision (BUS 4561) for three (3) units.
- The Summer 2020 Semester includes two courses: Essentials of Managerial Communications (MSVN 82) for three (3) units; and Occupational Work Experience in Management and Supervision (BUS 4561) for three (3) units.
- The Fall 2020 Semester includes two courses: Math for Construction Trades (CARP 207) for three (3) units; and Occupational Work Experience in Management and Supervision (BUS 4561) for three (3) units.
- The Spring 2021 Semester includes two courses: Construction Project Management 1 (CONMT 18) for three (3) units; and Occupational Work Experience in Management and Supervision (BUS 4561) for three (3) units.

**ANTICIPATED COMPLETION DATE:**

The Cohort Learning Program will continue through Spring 2021.

**EVALUATION AND RECOMMENDED ACTION:**

Individuals in the Cohort Learning Program continue to report benefits from their participation, including increased confidence as a student and acquisition of the competencies and skills that they apply to their work. Several participants have reported promotions at EBMUD. The EBMUD reports positive feedback in strengthening its promotional pool and instructional capacity. Evaluations will take place at the end of each Cohort.

The Chancellor recommends approval.

**File Attachments**

EBMUD - Peralta College Agreement Cohort 2 Spring 2020 Final.pdf (227 KB)

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## 6. CONSENT CALENDAR - ACADEMIC AFFAIRS

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<b>Subject</b>	<b>6.4 Consider Approval of Course and Program Additions, Deactivations and Changes Presenter: Vice Chancellor Brown</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	No
Budgeted	No
Budget Source	N/A
Recommended Action	Approve Course and Program Additions, Deactivations and Changes that were approved at the Feb 3, 2020 CIPD meeting.

**TO: Peralta Board of Trustees**

**FROM: Dr. Siri Brown, Vice Chancellor of Academic Affairs**

**PREPARED BY: Amany Elmasry, Curriculum and System Technology Analyst**

**BACKGROUND/ANALYSIS: :**

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

**DELIVERABLES/SCOPE OF WORK:**

N/A

**ANTICIPATED COMPLETION DATE:**

N/A

**EVALUATION AND RECOMMENDED ACTION:**

The Chancellor recommends approval.

<p>File Attachments  <a href="#">Feb 2020 Program Proposals.pdf (208 KB)</a>  <a href="#">Feb 2020 CIPD Report.pdf (466 KB)</a></p>
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## 7. CONSENT CALENDAR - FACILITIES

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<b>Subject</b>	<b>7.1 Consider Approval of the architectural contract for ELS, doing business as ELS Architecture and Urban Design, for the Theater Modernization Project at Laney College. Presenter: Vice Chancellor Sata</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	Yes
Dollar Amount	\$2,290,000.00
Budgeted	Yes
Budget Source	State Funds, Measure A and G.O. Bond
Recommended Action	Approve the architectural contract for ELS, for the Theater Modernization Project at Laney College.

**TO:** Peralta Board of Trustees

**FROM:** Department of General Services

**PREPARED BY:** Vice Chancellor Sata

### BACKGROUND/ANALYSIS:

A selection committee consisting of Laney College faculty, classified staff and administrators, and joined by Department of General Services (DGS) staff, reviewed nine (9) statement of proposals, selecting the four (4) most qualified vendors for interview. Each of the finalists participated in a one hour interview, and ELS Architecture and Urban Design of Berkeley, was selected as the architectural team. They are joined by noted Theater programmer Adam Shalleck of the Shalleck Collaborative.

The architects were asked to present projects of similar scope and size, executed for community colleges, preferably in the California Community College system. Experience with State funding mechanisms, DSA, and participatory governance decision making were additional criteria of the selection.

Based on their experience and interview with the selection committee, ELS was deemed the most qualified vendor to perform this work. Their contract is now brought to the Board for approval.

The Laney College Theater Modernization is located centrally on campus, consisting of approximately 40,200 gross square feet, with a total project budget (based on the State estimate) of approximately \$26.337M, and a construction budget of \$20.922M. The State's contribution to funding is approximately 33% of the total project cost. The balance will be funded by Measure G.

### DELIVERABLES/SCOPE OF WORK:

ELS will provide full architectural services, including project verification, schematic design, design development, construction documents, DSA submittal and approval, bid support, and construction administration. The team will work directly with a construction manager selected by DGS.

The project is on a fast track schedule, with the first design milestone is expected in late April, 2020.

**ANTICIPATED COMPLETION DATE:**

Project is anticipated to be complete by June 30, 2022.

**EVALUATION AND RECOMMENDED ACTION:**

The Chancellor recommends approval of the architectural contract for ELS, in the amount of \$2,290,000, for the Theater Modernization Project at Laney College.

**File Attachments**

[2020-02-20 ELS Architect Agreement Laney Theater Mod with exhibits\\_35196...ELS Signed.pdf \(569 KB\)](#)

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## 7. CONSENT CALENDAR - FACILITIES

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<b>Subject</b>	<b>7.2 Consider Approval of the architectural contract for Noll &amp; Tam Architects, for the Merritt College New Horticultural Complex. RFP #19-20/06. Presenter: Vice Chancellor Sata</b>
<b>Meeting</b>	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
<b>Access</b>	Public
<b>Type</b>	Action (Consent)
<b>Preferred Date</b>	Feb 25, 2020
<b>Absolute Date</b>	Feb 25, 2020
<b>Fiscal Impact</b>	Yes
<b>Dollar Amount</b>	\$1,925,946.00
<b>Budgeted</b>	Yes
<b>Budget Source</b>	State Funds, Measure A and G.O. Bond
<b>Recommended Action</b>	Approve the architectural contract for Noll & Tam Architects, for the Merritt College Horticulture Complex in the amount of \$1,925,946. RFP #19-20/06

**TO:** Peralta Board of Trustees

**FROM:** Department of General Services

**PREPARED BY:** Vice Chancellor Sata

### BACKGROUND/ANALYSIS:

A selection committee consisting of Merritt College faculty, classified staff and administrators, and joined by Department of General Services (DGS) staff, reviewed eight (8) statement of proposals, selecting the four (4) most qualified vendors for interview. Each of the finalists participated in a one-hour interview, and Noll and Tam Architects, from Berkeley, was selected as the architectural team to design this project.

The architects were asked to present projects of similar scope and size, executed for community colleges, preferably in the California Community College system. Experience with State funding mechanisms, DSA, and participatory governance decision making were additional criteria of the selection.

Based on their experience and interview with the selection committee, Noll and Tam was deemed the most qualified vendor to perform this work. Their contract is now brought to the Board for approval.

The Merritt College Horticulture project is located on the western edge of the Merritt College campus, consisting of approximately 19,000 gross square feet, with a total project budget (based on the State estimate) of approximately \$22.462M, and a construction budget of \$18.4208M. The State's contribution to funding is approximately 50% of the total project cost. The balance will be funded by Measure G.

### DELIVERABLES/SCOPE OF WORK:

Noll and Tam Architects will provide full architectural services, including project budget verification, schematic design, design development, construction documents, DSA submittal and approval, bid support, and construction administration. The team will work directly with a construction manager selected by DGS.

The project is on a fast track schedule, with the first design milestone expected in late April, 2020.

**ANTICIPATED COMPLETION DATE:**

Project is anticipated to be complete by June 30, 2022.

**EVALUATION AND RECOMMENDED ACTION:**

The Chancellor recommends approval of the architectural contract for Noll and Tam Architects, in the amount of \$1,925,946, for the Merritt College Horticultural Complex. RFP #19-20/06.

**File Attachments**

2020-02-11 Noll and Tam Architect Agreement Merritt Horticulture.pdf (917 KB)

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## 7. CONSENT CALENDAR - FACILITIES

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<b>Subject</b>	<b>7.3 Consider Amendment 1 to Agreement For Architectural Services with Noll &amp; Tam Architects (Laney College Library + Learning Resource Center Project) additional services relating to energy investigation and analysis. Presenter: Vice Chancellor Sata.</b>
<b>Meeting</b>	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
<b>Access</b>	Public
<b>Type</b>	Action (Consent)
<b>Preferred Date</b>	Feb 25, 2020
<b>Absolute Date</b>	Feb 25, 2020
<b>Fiscal Impact</b>	Yes
<b>Dollar Amount</b>	\$20,500.00
<b>Budgeted</b>	Yes
<b>Budget Source</b>	Measure A
<b>Recommended Action</b>	Consider Amendment 1 to Agreement For Architectural Services with Noll & Tam Architects (Laney College Library + Learning Resource Center Project) additional services relating to energy investigation and analysis. Presenter: Vice Chancellor Sata.

**TO:** Peralta Board of Trustees

**FROM:** Department of General Services

**PREPARED BY:** Vice Chancellor Sata

### BACKGROUND/ANALYSIS:

On December 11, 2019, the Board approved an architectural and engineering services contract for Noll & Tam Architects, to provide architectural services for the Laney College Library and Learning Resource Center Project (Project). At this time, Professional Services Amendment #1 is presented to the Board for consideration. Amendment #1 is in the amount of **\$20,500** and does not alter the overall contract time provided in the original contract.

During the design phase of the Project, it was confirmed that the Laney College Central Plant cooling towers will require relocation. The Towers are nearing the end of life, so it is a good time for the District to consider the opportunity to upgrade the cooling towers, as well as consider alternatives to upgrading Laney College's Central Plant. During the course of design process, potential issues relating to the Laney College Central Plant and energy systems were identified. After due consideration from District staff and discussion with the Architect, the District directed Architect to prepare a proposal to investigate and assess the current condition of the Central Plant, with consideration of more efficient systems for the overall campus energy plan. The scope of work would include an assessment of the potential for energy reduction strategies, including the implementation of photovoltaic and geothermal opportunities.

Contact information:

Chris Noll is a Principal Architect at:

Noll & Tam Architects  
729 Heinz Ave #7  
Berkeley, CA 94710  
Tel: (510) 542-2200

**DELIVERABLES/SCOPE OF WORK:**

The scope of work will be provided by the Architectural and Engineering Team. The scope of work includes:

1. Central Plant Investigation and Analysis: Site visit, review of drawings, facility engineer interviews, simple plant demand analysis, cooling tower relocation identification and sketches, cost estimating.
2. Central Plant Geothermal Potential Study: Geothermal capacity analysis, cost estimating and budget development, specifications for thermal conductivity testing, bid solicitation and review for thermal conductivity test boring (in conjunction with the District's Purchasing Department, assistance in contractor selection, review of test reports and discussions with the District.
3. Campus Energy Analysis and Photovoltaic Potential: Meetings with Laney College to determine scope and goals of energy analysis, review of roof and parking areas, calculation of power production, gather and review of appropriate existing documentation, and providing a written report detailing recommendations for further analysis.
4. Meetings as required.

**ANTICIPATED COMPLETION DATE:**

Anticipated date of completion for the report is June 30, 2020.

**EVALUATION AND RECOMMENDED ACTION:**

After review by the Director of Facilities Planning and Development and Vice Chancellor of General Services, the Chancellor recommends ratification of Amendment No. 1 in the amount of \$20,500.

**File Attachments**

2020-02-05 Amendment #1 to Architectur Agreement - Laney Library + LRC (Noll & Tam)\_3514413\_1(DMS)  
(2).pdf (55 KB)  
Noll Tam Architects Contract (LRC) \$5,233,222.pdf (3,328 KB)

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## 7. CONSENT CALENDAR - FACILITIES

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<b>Subject</b>	<b>7.4 Consider Approval of Agreement for Bleacher Purchase and Installation with KYA Services LLC at College of Alameda Gymnasium. Presenter: Vice Chancellor Sata</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	Yes
Dollar Amount	\$216,970.36
Budgeted	Yes
Budget Source	Measure A Bond (Fund 63)
Recommended Action	Approve Agreement for Bleacher Purchase and Installation with KYA Services LLC at College of Alameda Gymnasium.

**TO:** Peralta Board Trustees

**FROM:** Department of General Services

**PREPARED BY:** Vice Chancellor Sata

### BACKGROUND/ANALYSIS:

The Foundation of California Community Colleges ("FCCC") is an auxiliary organization and public agency operating pursuant to the Education Code and in conformity with regulations adopted by the Board of Governors of the California Community Colleges. FCCC, as the largest national purchasing consortium for colleges and universities, leverages its buying power to make available, at competitive prices, equipment and services to colleges and universities nationwide under its "CollegeBuys" program. The FCCC entered into an Administrative Services Agreement (the "FCCC Contract"), for the purchase of sports equipment and other related equipment and installation to be provided by KYA Services LLC ("Vendor").

The FCCC Contract incorporates by reference the terms of a master agreement between Vendor and a California school district which was awarded by the school district after it conducted a formal bid process soliciting bids for sports equipment and related services. The FCCC Contract has been extended through March 27, 2020.

The District desires to purchase freestanding telescoping bleachers with sculptured seat modules ("Equipment") to be installed in gymnasium at College of Alameda ("Project"). Vendor has available such Equipment under the FCCC Contract and has provided the District with a proposal to deliver and complete the Project at a not-to-exceed cost of \$ 216,970.36.

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

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

**DELIVERABLES/SCOPE OF WORK:**

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

**ANTICIPATED COMPLETION DATE:**

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

**EVALUATION AND RECOMMENDED ACTION:**

The Chancellor recommends approval.

**File Attachments**

Agreement Incorporating Piggyback Contract - FCCC Contract with KYA for ....pdf (162 KB)

Resolution Authorizing Piggyback Contract - FCCC Contract with KYA for G...pdf (40 KB)

*All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.*

## 7. CONSENT CALENDAR - FACILITIES

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<b>Subject</b>	<b>7.5 Consider Approval of Independent Consultant Agreement for Professional Services (Capital Construction Support Services) with ALMA Strategies, LLC. Presenter: Vice Chancellor Sata</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	Yes
Dollar Amount	\$1,370,000.00
Budgeted	Yes
Budget Source	Measure A Bond Fund (Fund 63)
Recommended Action	Approve Independent Consultant Agreement for Professional Services (Capital Construction Support Services) with ALMA Strategies, LLC

**TO:** Peralta Board of Trustees

**FROM:** Department of General Services

**PREPARED BY:** Vice Chancellor Sata

### BACKGROUND/ANALYSIS:

In October 2019, Peralta Community College District (“District”) issued a Capital Construction Support Services for Submittals & Planning Services to the State Chancellor’s Office (RFP No. 19-20/05). The District received proposals from two firms. In November 2019, a selection committee reviewed and ranked the proposals, with ALMA Strategies, LLC, receiving the highest ranking.

Now, District staff recommend the Board approve the Independent Consultant Agreement for Professional Services (“Agreement”) with ALMA Strategies for a total fee not to exceed One Million, Three Hundred Seventy-Thousand Dollars (\$1,370,000), billed at hourly billing rates.

### DELIVERABLES/SCOPE OF WORK:

ALMA Strategies will provide: (1) Final Project Proposals (4 per year); (2) Space Utilization Study (Year 1 – District-wide; Years 2-3 – Updates); (3) State Chancellor’s Office Coordination Services; and (4) Pre-Programming Service (District-wide). A detailed scope of work is provided in Exhibit “A” to the Agreement.

### ANTICIPATED COMPLETION DATE:

Three-year term, ending in February 2023.

### EVALUATION AND RECOMMENDED ACTION:

The Vice Chancellor of General Services and Chancellor recommends that the Board approve the three-year Agreement with ALMA Strategies, in an amount not to exceed \$1,370,000.

**File Attachments****Professional Services Agreement - Alama (DWK rev 2.6.pdf (584 KB))**

*All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.*

## 7. CONSENT CALENDAR - FACILITIES

<b>Subject</b>	<b>7.6 Consider Approval of Amendment No. 4 to the Agreement for Professional Services with Flad Architects to provide an extension of time to allow Flad Architects to complete the provision of Services Required to Obtain DSA Sign Off of the Mechanical Systems at the Laney College BEST Center for no additional sum. This Amendment No. 4 Extends the Time for Completing the Services to June 30, 2020. Presenter: Vice Chancellor Sata</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	No
Budget Source	N/A
Recommended Action	Approve Amendment No. 4 to Agreement for Professional Services with Flad Architects to provide an extension of time for Flad Architects to complete services required to obtain DSA Sign Off of Mechanical Systems for the Laney College BEST Center for no additional sum. This Amendment No. 4 extends the time for completing the Services to June 30, 2020.

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: Vice Chancellor Sata**

### BACKGROUND/ANALYSIS:

On July 17, 2012, the Board approved a contract for Flad Architects to provide architectural and engineering services for the Laney College BEST Center, in the amount of \$593,124. On February 21, 2016, the Board approved Amendment No. 1 to the Agreement, which extended the contract term through March 30, 2017. On July 11, 2017, the Board approved Amendment No. 2 to the agreement, which extended the contract term through July 31, 2018 and increased the value of the contract by \$99,752. Amendment No. 3 further extended the contract term through December 31, 2019 and increased the total compensation for Services by \$19,423.80, for new contract total of \$712,299.80. The scope of work in Amendment #3 is related to the current engineering close-out efforts required by the Department of the State Architect (DSA).

This Amendment No. 4 is a no cost time extension, providing the appropriate amount of time for the architectural and engineering closeout with DSA, recognizing the parties' intent for the contract to remain in place until that work is completed by June 30, 2020.

The Board is now asked to approve Amendment No. 4 extending the time to complete Closeout services. Previous amendments to the Agreement are set forth in table 1.1:

Table 1.1

Contract	Price	Board Approval
Original Agreement	\$593,124.00	July 17, 2012
Amendment No. 1	\$0.00	February 21, 2016
Amendment No. 2	\$99,752.00	July 11, 2017
Amendment No. 3	\$19,423.80	October 22, 2019

Amendment No. 4	\$0.00	Pending
<b>Total Contract</b>	<b>\$712,299.80</b>	

**DELIVERABLES/SCOPE OF WORK:**

This amendment does not add new deliverables or scopes of work; it provides a time extension for FLAD Architects to complete services required to obtain DSA Sign Off of Mechanical Systems for the Laney College BEST Center.

**ANTICIPATED COMPLETION DATE:**

The Final Completion Date for the Project is June 30, 2020.

**EVALUATION AND RECOMMENDED ACTION:**

The Chancellor recommends approval of Amendment No. 4 to the Agreement for Professional Services with FLAD Architects, which provides no fee increase, but provides an extension of time to allow FLAD Architects to complete services required to obtain DSA sign off of the mechanical systems at the Laney College BEST Center, though June 30, 2020.

<p>File Attachments</p> <p>2020-02-06 Flad Architects _ Amendment #4 CLEAN_3514817_1(DMS).pdf (19 KB)</p> <p>Flad Agreement +Amendments 1-3.pdf (9,197 KB)</p>
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## 7. CONSENT CALENDAR - FACILITIES

**Subject**                    **7.7 Consider Approval of Change Order No. 3 to Marina Mechanical for a contract extension of 92 days for the Beginner's Inn Kitchen Equipment Exhaust Modification Project at Laney College. Presenter Vice Chancellor Sata.**

**Meeting**                    Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Access**                     Public

**Type**                        Action (Consent)

**Preferred Date**            Feb 25, 2020

**Absolute Date**            Feb 25, 2020

**Fiscal Impact**            No

**Recommended Action**    Approve Change Order No. 3 to Marina Mechanical for a contract extension of 92 days for the Beginner's Inn Kitchen Equipment Exhaust Modification Project at Laney College.

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: Vice Chancellor Sata**

### BACKGROUND/ANALYSIS:

On September 24, 2018 the District entered into a contract with Marina Mechanical to provide construction services for the Beginner's Inn Kitchen Equipment Exhaust Modification Project at Laney College. The scope of work included modifying the existing exhaust system for new kitchen equipment located in the bakery kitchen of Building E. The new kitchen equipment replaced the old obsolete equipment and due to new code requirements and design upgrades the exhaust system needed to be modified.

During construction Change Order No. 1 for the amount of \$11,384.00 was generated and approved at the March 26, 2019 Board meeting. The increased costs were due to 1) increases of material and labor costs caused by the length of time between when bids were opened and when the contract was awarded; i.e. greater than 180 days, and 2) quick shipment of Exhaust Fan (EF-1) in order to minimize disruption to the baking classes and complete the work in an expeditious manner.

Change Order No. 2 for the amount of \$5,447.00 addressed further unforeseen conditions and was approved at the July 23, 2019 Board Meeting. Make Up Air Unit (MAU) No. 7 located in the ceiling space had failed and its pulley system and belts needed replacement. Such system needed to be working properly in order to complete the testing, balancing and commissioning of the newly installed exhaust system.

Change Order No. 3 requests a contract extension of 92 days for the purposes of performing the testing and balancing of the kitchen space, and allowing time for closeout. There are no costs associated with Change Order No. 3. This is the last change order related to the project.

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

Contract	Approved Amount	Time Extension	Board Approval Date
Original Contract	\$116,090.00	N/A	May 8, 2018
Change Order No. 1	\$11,384.00	62 days	March 26, 2019
Change Order No. 2	\$5,447.00	153 days	July 23, 2019
Change Order No. 3	\$0.00	92 days	pending
<b>New Contract Sum</b>	<b>\$132,921.00</b>		

Marina Mechanical is the General Contractor and has been in business since 1958. Carl Koos is the current President of the company. California Contractor's License #416198 C2, C4, C10, C20, C36, C38, and C43.

### Contact Information

799 Thornton Street, San Leandro, CA 94577  
510-614-7500  
[www.team-marina.com](http://www.team-marina.com)

**DELIVERABLES/SCOPE OF WORK:**

This Change Order does not adjust the scope of work already contained in Marina Mechanical's contract, but allows for an extension of time for them to perform the the testing and commissioning portion of the project thus balancing the air flow within the kitchen space. Once complete, closeout documents will be submitted in order to file for a Notice of Completion.

**ANTICIPATED COMPLETION DATE:**

The time for project completion: December 31, 2019.

**EVALUATION AND RECOMMENDED ACTION:**

The Chancellor recommends the approval of Change Order No. 3 to Marina Mechanical for a contract extension of 92 days for the Beginner's Inn Kitchen Equipment Exhaust Modification Project at Laney College.

**File Attachments**

[Change Order No. 3 \(Marina Mech\).pdf \(62 KB\)](#)

[Marina Mechanical \\$5447.00 \(change order #2\).pdf \(5,539 KB\)](#)

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## 8. CONSENT CALENDAR - FINANCE

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<b>Subject</b>	<b>8.1 Consider Ratification of the Warrant/Payment Report for the period covering January 1, 2020 through January 31, 2020. Presenter: Budget Director Ahmed</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	N/A

Recommended Action Approve ratification of the Warrant/Payment Report.

**TO: Members of the Board of Trustees**

**FROM: Adil Ahmed, Budget Director**

**PREPARED BY: Richard Ferreira, Executive Assistant**

**Background/Analysis:**

Consider ratification of the AP, Travel, and Consulting Contract Warrant Register from January 1, 2020 through January 31, 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.

**File Attachments**

[Warrant Report 01312020.pdf \(376 KB\)](#)

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## 8. CONSENT CALENDAR - FINANCE

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<b>Subject</b>	<b>8.2 Review of Purchase Order Report for the period covering from January 1, 2020 through January 31, 2020. Presenter: Budget Director Ahmed</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	N/A
Recommended Action	Review of Purchase Order Report covering the period from January 1, 2020 through January 31, 2020.

**TO: Members of the Board of Trustees**

**FROM: Adil Ahmed, Budget Director**

**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.

<b>Fund</b>	<b>Number of Orders Issued</b>	<b>Total Dollar Value</b>
Fund Code: 01 General Unrestrict Oper	203	\$2,154,445.56
Fund Code: 03 Comm. Service-Fee Based Course	4	\$1,643.01
Fund Code: 07 Coll. Fds On Bookstore Comm.	7	\$2,809.38
Fund Code: 10 College Designated Funds	41	\$16,327.08
Fund Code: 11 General Restricted Fund	472	\$324,982.07
Fund Code: 12 Parcel Tax, Measure B	5	\$3,871.42
Fund Code: 30 Contract Education	12	\$4,191.68
Fund Code: 61 Cap. Out. Proj .Funds-State	5	\$49,339.07
Fund Code: 63 Bond Measure A	32	\$2,414,564.19
Fund Code: 71 Trust And Agency Funds	18	\$9,348.93
Fund Code: 75 Project Trust Fund	4	\$1,098.18
Fund Code: 80 Self-Insurance Fund	6	\$11,779.12
Fund Code: 82 Student Repres. Fee-Laney	1	\$805.50
<b>Total</b>	<b>810</b>	<b>\$4,995,205.19</b>

**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 01312020.pdf \(317 KB\)](#)

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## 8. CONSENT CALENDAR - FINANCE

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<b>Subject</b>	<b>8.3 Consider Approval of Budget Transfer Report for the period covering from January 1, 2020 through January 31, 2020. Presenter: Budget Director Ahmed</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	No
Budgeted	No
Budget Source	N/A
Recommended Action	Consider approval of Budget Transfer Report covering the period from January 1, 2020 through January 31, 2020.

**TO: Members of the Board of Trustees**

**FROM: Adil Ahmed, Budget Director**

**PREPARED BY: Richard Ferreira, Executive Assistant**

**Background/Analysis:**

Consider approval of Budget Transfer Report covering the period from January 1, 2020 through January 31, 2020.

**Deliverables and Scope of Work:**

N/A

**Anticipated Completion Date:**

N/A

**Evaluation and Recommended Action:**

The Chancellor recommends approval.

<p>File Attachments  <a href="#">Budget Transfer Report 01312020.pdf (410 KB)</a></p>
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## 9. CONSENT CALENDAR - HUMAN RESOURCES

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<b>Subject</b>	<b>9.1 Consider Approval of a Three-Year (2019-2022) Tentative Agreement between the Peralta Community College District and the Peralta Federation of Teachers. Presenter: Vice Chancellor Whittaker</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action (Consent)
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Funds
Recommended Action	Approve a three-year (2019-2022) Tentative Agreement between the Peralta Community College District and the Peralta Federation of Teachers.

**TO:** Peralta Board of Trustees

**FROM:** Chanelle Whittaker

**PREPARED BY:** Socorro Taylor

### BACKGROUND/ANALYSIS:

The Peralta Community College District and the Peralta Federation of Teachers have met in good faith and agreed to the attached 2019-2022 Tentative Agreement that includes the following changes:

1. Salary Increases
2. Pay Restitution Remedy
3. Parental Leave – Article 26, Section G
4. Other Special Assignments – Article 14, Section G
5. 5 Paychecks for PT Faculty in Fall Semesters (Appendix 11, Paragraph 1
6. Public Service Loan Forgiveness
7. Dependent Eligibility Audit
8. Part-Time Office Hours – Article 18, Section A, Paragraph 7
9. Evaluation Handbook

On February 12, 2020, the members of PFT voted to ratify the Tentative Agreement. The District is requesting the Board to approve the Tentative Agreement between the District and PFT.

Any contract approval is subject to negotiation and execution by the Chancellor.

### DELIVERABLES/SCOPE OF WORK:

N/A

### ANTICIPATED COMPLETION DATE:

N/A

**EVALUATION AND RECOMMENDED ACTION:**

The Chancellor recommends approval.

**File Attachments**

02-25-20 Open Session - Summary of 2019-2022 Tentative Agreement between PFT & PCCD.pdf (1,792 KB)

*All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.*



## 9. CONSENT CALENDAR - HUMAN RESOURCES

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<b>Subject</b>	<b>9.2 Consider Approval of a Tentative Agreement between the Peralta Community College District and the International Union of Operating Engineers Local 39. Presenter: Vice Chancellor Whittaker</b>
<b>Meeting</b>	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
<b>Access</b>	Public
<b>Type</b>	Action (Consent)
<b>Preferred Date</b>	Feb 25, 2020
<b>Absolute Date</b>	Feb 25, 2020
<b>Fiscal Impact</b>	Yes
<b>Budgeted</b>	Yes
<b>Budget Source</b>	General Fund
<b>Recommended Action</b>	Approve a Tentative Agreement between the Peralta Community College District and the International Union of Operating Engineers Local 39.

**TO: Board of Trustees**

**FROM: Channele Whittaker, Vice Chancellor for Human Resources & Employee Relations**

**PREPARED BY: Socorro Taylor**

### BACKGROUND/ANALYSIS:

The District's Negotiating Team and the International Union of Operating Engineers Local 39 Bargaining Team had several meetings between July 2019 and December 2019 and reached the attached Tentative Agreement, which was ratified by the Local 39 members on February 5, 2020. The TA includes providing regular and hourly Local 39 employees with a one-time, permanent 3.26% Cost of Living (COLA) increase effective July 1, 2019. The District is requesting that the Board approve the attached Tentative Agreement.

### DELIVERABLES/SCOPE OF WORK:

N/A

### ANTICIPATED COMPLETION DATE:

N/A

### EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends approval.

#### File Attachments

02-25-20 Open Session - Local 39 TA.pdf (386 KB)

*All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote.*

*Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.*

## 9. CONSENT CALENDAR - HUMAN RESOURCES

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**Subject** 9.3 Consider Approval of Personnel Items. Presenter: Vice Chancellor Whittaker

**Meeting** Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Access** Public

**Type** Action (Consent)

**Preferred Date** Feb 25, 2020

**Absolute Date** Feb 25, 2020

**Recommended Action** Approve personnel items

**TO: Peralta Board of Trustees**

**FROM: Chanelle Whittaker**

**PREPARED BY: Socorro Taylor**

### PERSONNEL ITEMS

#### BACKGROUND/ANALYSIS:

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

#### A. ADMINISTRATIVE APPOINTMENT, REAPPOINTMENT, ASSIGNMENT AND REASSIGNMENT

(NP = New Position \*= New Employee)

##### 1. Administrative Appointment

<u>Name</u>	<u>Location</u>	<u>Department/Reports to:</u>
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	<u>District Office</u>	
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None

	<u>Berkeley City College</u>	
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None

	<u>College of Alameda</u>	
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None

	<u>Laney College</u>	
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Elizabeth Maher Administrative appointment effective March 2, 2020 through March 1, 2022	Dean of Liberal Arts	Instruction/Rudy Besikof
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	<u>Merritt College</u>	
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Marie Amboy Administrative appointment effective March 2, 2020 through March 1, 2022	Dean of Allied Health	Instruction/David Johnson
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Doris Hankins                      Director of Student Activities &  
Campus Life                      Student Services/Lilia Chavez

Administrative appointment  
effective March 2, 2020  
through March 1, 2022

## 2. Administrative Reappointment (Renewal of Regular Management Contracts Expiring on June 30, 2020)

<u>Name</u>	<u>Location</u>	<u>Department/Reports to:</u>	<u>Proposed Contract End Date</u>
<b><u>Berkeley City College</u></b>			
Lisa Cook	Dean of Liberal Arts Social Sciences	Instruction/Kuniko Hay	June 30, 2022
Martin De Mucha Flores	Associate Dean of Educational Success		June 30, 2022
Kuniko Hay	Vice President of Instruction	Instruction/Debbie Budd	June 30, 2022
Brenda Johnson	Dean of Student Support Services	Student Services/Stacey Shears	June 30, 2022
Stacey Shears	Vice President of Student Services	Student Services/Debbie Budd	June 30, 2022
Shirley Slaughter	Director of Business & Administrative Services	Business Office/Debbie Budd	June 30, 2022
<b><u>College of Alameda</u></b>			
Paula Armstead	Associate Dean of Educational Success	Student Services/Tina Vasconcellos	June 30, 2022
Stefanie Bradshaw	Director of Workforce Systems	Student Services/Tina Vasconcellos	June 30, 2022
Aja Butler	Director of Student Activities & Campus Life	Student Services/Tina Vasconcellos	June 30, 2022
Lilia Celhay	Dean of Liberal Arts & Social Sciences	Instruction/Don Miller	June 30, 2022
Eva Jennings	Dean of Career Tech Education	Instruction/Don Miller	June 30, 2022
Amy Lee	Dean of Enrollment Services	Student Services/Tina Vasconcellos	June 30, 2022
Ana McClanahan	Dean of STEAM	Instruction/Don Miller	June 30, 2021
Donald Miller	Vice President of Instruction	Instruction/Tim Karas	June 30, 2022
Tina Vasconcellos	Vice President of Student Services	Student Services/Tim Karas	June 30, 2022
<b><u>District Office</u></b>			
Rebecca del Toro	Payroll Manager	Finance/Adil Ahmed	June 30, 2022
Drew Gephart	International Services Manager	International/Thomas Torres-Gil	June 30, 2022
Ann Gonzales	Manager of Special Projects, NAAEC	Academic Affairs/Shemila Johnson	June 30, 2021
Antoine Mehoulley	Director of Network Services	Information Technology/Minh Lam	June 30, 2022
Sharon Millman	Facilities Project Manager	General Services/Leigh Sata	June 30, 2021
Atheria Smith	Director of Facilities Planning & Development	General Services/Leigh Sata	June 30, 2021
Thomas Torres-Gil	Director of International Services & Student Support	International/Siri Brown	June 30, 2022

<b><u>Laney College</u></b>			
Gary Albury	Director of Student Activities & Campus Life	Student Services/Vicki Ferguson	June 30, 2022
Rudolph Besikof	Vice President of Instruction	Instruction/Tammeil Gilkerson	June 30, 2022
Rupinder Bhatia	Director of College IT Services	Administrative Services/Derek Pinto	June 30, 2022
Neil Bermenko	Food Service Manager	Administrative Services/Derek Pinto	June 30, 2022
Diane Chang	Associate Dean of Educational Success	Student Services/Vicki Ferguson	June 30, 2022
Peter Crabtree	Dean of Academic & Student Affairs	Instruction/Rudy Besikof	June 30, 2021
Vicki Ferguson	Vice President of Student Services	Student Services/Tammeil Gilkerson	June 30, 2022
Mark Fields	Dean of Academic & Student Affairs	Instruction/Rudy Besikof	June 30, 2021
David Lee	Director of AANAPISI	Instruction/Mildred Lewis	June 30, 2022
Mildred Lewis	Dean of Academic & Student Affairs	Student Services/Tammeil Gilkerson	June 30, 2021
Amy Marshall	Director of Facilities and Operations	Facilities & Operations/Derek Pinto	June 30, 2022
Derek Pinto	Vice President of Administrative Services	Administrative Services/Tammeil Gilkerson	June 30, 2022
Denise Richardson	Dean of Academic & Student Affairs	Instruction/Rudy Besikof	June 30, 2022
<b><u>Merritt College</u></b>			
Lilia Chavez	Dean of Special Programs & Grants	Instruction/David Johnson	June 30, 2021
Jason Holloway	Dean of Workforce Development & Applied Sciences	Instruction/David Johnson	June 30, 2021
David Johnson	Vice President of Instruction	Instruction/Regina Stanback Stroud	June 30, 2022
Victoria Menzies	Director of Business & Administrative Services	Administrative Services/David Johnson	June 30, 2021

**B. CLASSIFIED & FACULTY EMPLOYMENT**

(NP = New Position \*= New Employee)

<b><u>Name</u></b>	<b><u>Location</u></b>	<b><u>Department/Reports to:</u></b>
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None	<b><u>Berkeley City College</u></b>	
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None	<b><u>College of Alameda</u></b>	
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	<b><u>District Office</u></b>	
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Fareha Bakre	Principal Budget & Finance Analyst	Finance/Adil Ahmed
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Classified appointment  
effective February 26, 2020

Luther Butler Classified appointment effective February 26, 2020	Stationary Engineer	General Services/Leigh Sata
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**Laney College**

Denise Boyd Classified appointment effective February 26, 2020	Cook	Child Care Center/Siri Brown
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Janice Browne Classified appointment effective February 26, 2020	Staff Assistant/Business Services	Administrative Services/Derek Pinto
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**Merritt College**

None

**C. TRANSFER/ADMINISTRATIVE REASSIGNMENT**

None

**D. CHANGES IN STAFF ALLOCATION**

None

**E. PHASE-IN RETIREMENT**

None

**F. LEAVE OF ABSENCE**

None

**G. PUBLIC EMPLOYEE RETIREMENT AND RESIGNATION****1. Retirement**

<b><u>Name</u></b>	<b><u>Location</u></b>	<b><u>Department/Reports to:</u></b>
None	<b><u>Berkeley City College</u></b>	
None	<b><u>College of Alameda</u></b>	
	<b><u>District Office</u></b>	
Ann Childress Classified retirement effective February 1, 2020	Staff Assistant	Academic Affairs/Siri Brown
	<b><u>Laney College</u></b>	
	<b><u>Merritt College</u></b>	
Marie Elaine Burns	College President	President's Office/ Regina Stanback Stroud

Administrative retirement  
effective February 1, 2020

## 2. Resignation

None	<u>Berkeley City College</u>
None	<u>College of Alameda</u>
None	<u>District Office</u>
None	<u>Laney College</u>
None	<u>Merritt College</u>

## H. SHORT-TERM NON-CONTINUING POSITIONS

<u>Name</u>	<u>Laney College</u>	<u>Department/Reports to:</u>
Anna Ruble	Interpreter for the Hearing Impaired Student Services/Vicki Ferguson	
Classified hourly employment effective February 26, 2020 through June 30, 2020		

### DELIVERABLES/SCOPE OF WORK:

N/A

### ANTICIPATED COMPLETION DATE:

N/A

### EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends approval.

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## 9. CONSENT CALENDAR - HUMAN RESOURCES

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**Subject** 9.4 Consider Approval of a New Faculty Position. Presenter: Vice Chancellor Whittaker

**Meeting** Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Access** Public

**Type** Action (Consent)

**Preferred Date** Feb 25, 2020

**Absolute Date** Feb 25, 2020

**Fiscal Impact** Yes

**Budgeted** Yes

**Budget Source** General Fund

**Recommended Action** Approve a new faculty position

**TO: Peralta Board of Trustees**

**FROM: Chanelle Whittaker**

**PREPARED BY: Socorro Taylor**

### BACKGROUND/ANALYSIS:

The District Administration requests the Board to approve the following new faculty position to be advertised. The job description will be reviewed and updated by the hiring manager prior to recruitment.

<u>Position Title</u>	<u>Location</u>	<u>Classification</u>	<u>Salary Range</u>
Counselor (Career)/Job Placement	Merritt College	Faculty	\$55,817 - \$75,386

### DELIVERABLES/SCOPE OF WORK:

N/A

### ANTICIPATED COMPLETION DATE:

N/A

### EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends approval.

#### File Attachments

02-25-20 Open Session - Position Request - Counselor (Career)Job Placement.pdf (792 KB)

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*Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.*

## 10. ACTION ITEMS

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<b>Subject</b>	<b>10.1 Consider Approval of Resolution #19/20-35 to Determine that an Emergency Exists Regarding Existing Electrical Issues in the Building F Welding Shop at Laney College and approval of Emergency Repair Contract. Presenter: Vice Chancellor Sata.</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	Yes
Budget Source	Scheduled Maintenance Funds
Recommended Action	Approve Resolution No. 19/20-35 to Determine that an Emergency Exists Regarding Existing Electrical Issues in the Welding Shop Room F-150 and Authorizing Repair Work at Laney College.

**TO:** Peralta Board of Trustees

**FROM:** Department of General Services

**PREPARED BY:** Vice Chancellor Sata

### BACKGROUND/ANALYSIS:

Staff at Laney College (“Laney Campus”) reported to Swinerton Management and Consulting (SMC) that the Welding Shop Room F-150 was experiencing electrical issues, including students experiencing an electrical shock while using the TIG welding equipment. The Welding Lab was promptly closed, and SMC immediately contacted Pacific Power & Systems (PPS), a licensed design-build electrical contractor. PPS assessed the electrical infrastructure within the Lab and provided a report.

PPS’s field observations confirmed the electrical issues at Welding Shop Room F-150, including the welding booths, welding equipment and grounding connections. These electrical issues must be addressed immediately to avoid risk to the students, staff, and members of the public; to ensure the District may utilize the equipment in order to provide a full educational program and the normal use of the Laney Campus; and to avoid property damage. Under the Education Code, this immediate threat to Student, Faculty and Staff safety allows the District to negotiate a contract with a qualified vendor and forego the time required for formal bidding.

SMC negotiated a contract with PPS for emergency repairs on behalf of the District. The College President, Vice Chancellor of DGS and Chancellor are requesting approval of a resolution determining that an emergency exists regarding the electrical issues in the Welding Shop, Room F-150 at Laney College, and approval of the Emergency Repair Contract with PPS to resolve these electrical issues.

Pacific Power & Systems, Inc. is the General Contractor, and have been serving northern California since 1999 in electrical services, including design build, emergency communication systems and power, and fire and security protection systems. Reference Robertson Bright Inc. for a breadth of projects throughout California. The President of the firm is Michael Messer. Company license # 458315.

Contact Information:

4970 Peabody Rd

Fairfield, CA 94533  
Website rbigroup.net

**DELIVERABLES/SCOPE OF WORK:**

In order for the District to provide a safe environment for the Students, Faculty and Staff in the welding program, PPS will provide:

1. Complete set of engineered, stamped electrical drawings based on field observations and recommendations by PPS and WKM.
2. Properly ground the water pipe system used for welding equipment in Room 153.
3. Properly ground equipment for all welding equipment and tables in Room 153.
4. Replace wires and fuses in disconnects in Room 153.
5. Properly ground equipment for all welding equipment and tables in Room 152.
6. Install fuses in disconnects in Room 152.

**ANTICIPATED COMPLETION DATE:**

Project is anticipated to be complete by February 21, 2020.

**EVALUATION AND RECOMMENDED ACTION:**

The Chancellor recommends approval of the Resolution and attached contract to allow for the emergency electrical repairs required to resolve the Building F Welding Room electrical issues at Laney College.

**File Attachments**

2020-02-06 Resolution - Laney College Emergency (Welding Shop) + Contract\_3514526\_1(DMS) (3).pdf (1,184 KB)

## 10. ACTION ITEMS

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<b>Subject</b>	<b>10.2 Consider Approval of Resolution #19/20-34 for the Education Protection Account Funding and Expenditures for FY 2019-20. Presenter: Budget Director Ahmed</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	No
Budget Source	Not Applicable
Recommended Action	Approve Resolution #19/20-34 for the Education Protection Account funding and its expenditures on instructional salaries and benefits for FY 2019-20. As a result of the passage of Proposition 30, these funds can be used to partially fund Instructional salaries and benefits.

**TO:** Members of the Board of Trustees

**FROM:** Chancellor Stanback Stroud

**PREPARED BY:** Budget Director Ahmed

### Background/Analysis:

Proposition 30, The Schools and Local Public Safety Protection Act of 2012 passed in November 2012. This proposition temporarily raises the sales and use tax to provide continuing funding for local school districts and community colleges. The funding is set aside by the State in the Education Protection Account as part of the State's General Fund. Each local district has sole authority to determine how the moneys received from the EPA are spent providing that the governing board makes these spending determinations in open session of a public meeting of the governing board. Each entity receiving funds must annually publish on its internet website an accounting of how much money was received from the EPA and how that money was spent. Additionally, the expenditures of the fund must be part of the district's annual independent audit. The Act specifically prohibits the expenditure of EPA funds for administrative salaries and benefits or any other administrative costs.

It is estimated that Peralta CCD will receive \$16,295,107 of Education Protection Account proceeds. The Vice Chancellor is recommending that these funds be used for non-administrative Instructional Activities. It is recommended that the Board consider and approve the attached EPA Resolution and EPA Expenditure Report.

### Deliverables and Scope of Work:

N/A

### Anticipated Completion Date:

N/A

### Evaluation and Recommended Action:

It is recommended that the Board of Trustees approve Ratification 19/20-34 for the use of the estimated \$16,295,107 of Education Protection Account proceeds resulting from the passage of Proposition 30 to partially fund instructional salaries and benefits.

The Chancellor recommends approval.

**File Attachments**

EPA Resolution 19 20 34 FY 2019-20 01282020.pdf (48 KB)

EPA 2019-20 Certified Apportionment Resolution 19 20 - 34.pdf (261 KB)

## 10. ACTION ITEMS

<b>Subject</b>	<b>10.3 Consider Approval of Amendment No.1 to the Agreement Incorporating Facility Repair and Maintenance Contract for Districtwide Elevator Maintenance, Repair and Modernization, to provide additional materials and labor for maintenance, repair, and safety work relating to elevator survey at Berkeley City College, elevator Door Clutches at the Laney College Tower Elevator, and BLDG R Wheelchair Lift at Merritt College. Presenter: Vice Chancellor Sata</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	Yes
Dollar Amount	\$22,872.94
Budgeted	Yes
Budget Source	Measure A and Scheduled Maintenance Funds
Recommended Action	Approve Amendment No.1 to the Agreement Incorporating Facility Repair and Maintenance Contract for Districtwide Elevator Maintenance, Repair and Modernization, to provide additional materials and labor for maintenance, repair, and safety work relating to elevator survey at Berkeley City College, elevator Door Clutches at the Laney College Tower Elevator, and BLDG R Wheelchair Lift at Merritt College. Presenter: Vice Chancellor Sata

**TO:** Peralta Board of Trustees

**FROM:** Department of General Services

**PREPARED BY:** Vice Chancellor Sata

### BACKGROUND/ANALYSIS:

On September 10, 2019, Peralta CCD Board approved a contract with KONE for the following: Incorporating Facility Repair and Maintenance Contract for Districtwide Elevator Maintenance, Repair and Modernization.

While performing the scope of services set forth in that Agreement, it became apparent that additional labor and materials was required in order to completely repair, and maintain elevator No. 3 at the Berkeley City College, the elevator at the Laney College Tower Elevator and BLDG R Wheelchair Lift at Merritt College.

Accordingly, the District asked Kone to provide a proposal for the additional scope of services. The proposal sought in Amendment No. 1 are outlined in Table 1.1, along with the original agreement.

Table 1.1

Document	Approved Amount	Date of Board Approval
Original Contract	\$544,860.00	September 10, 2019
Amendment No. 1 <ul style="list-style-type: none"> <li>Elevator No. 3 survey to assess damage caused by Fire Department and required maintenance/repair at Berkeley City College</li> </ul>	\$3,588.96	<b>Pending Approval</b>

<ul style="list-style-type: none"> <li>Additional materials and labor for maintenance, repair, and safety work relating to the elevator door clutch at the Laney College Tower Elevator</li> </ul>	\$15,371.18	
<ul style="list-style-type: none"> <li>BLDG R Wheelchair Lift maintenance and repair work at Merritt College</li> </ul>	\$3,912.80	
<b>New Contract Sum</b>	<b>\$567,732.94</b>	

As Kone has serviced the District's existing elevator systems for several years, the vendor is uniquely qualified due to its special knowledge of how the existing system was installed as well as its regular operation.

KONE, Inc., headquarters is based in Illinois. The company's local regional office is located at 15021 Wicks Blvd, San Leandro, CA 94577. Jose Nunez is the Oakland Area Manager for the company.

At this time, the District has the following contracts with KONE:

<u>Description of Contract</u>	<u>Amount</u>	<u>Date of Board Approval</u>
Berkeley City College Elevators 1 & 5	\$32,552.12	May 14, 2019
Laney Theater Jack Modernization – State Order	\$160,959.60	September 10, 2019
Laney Student Center Jack Modernization – State Order	\$160,959.60	September 10, 2019
Laney Corrections re State Orders 051535, 051537, 154829, 162178 & 162179	\$7,825.60	September 10, 2019
Districtwide Maintenance 3 years	\$544,860.00	September 10, 2019
Laney Theater Amendment No. 1	Not-to-Exceed \$75,701.75	December 10, 2019
Laney Student Center Amendment No. 1	Not-to-Exceed \$75,701.75	December 10, 2019
Laney College Theater Wheel Chair Lift Programming to be Keyless (Payne v. Peralta Matter)	\$587.02	Completed
Berkeley City College Elevator 5 Cabin Operating Box Repair	\$9,780.47	January 21, 2020
District Wide Maintenance Contract- Amendment No. 1 (this item)	\$22,872.94	Pending Approval
<b>Total</b>	<b>\$1,091,800.85</b>	

**ANTICIPATED COMPLETION DATE:**

June 30, 2020.

**EVALUATION AND RECOMMENDED ACTION:**

The Chancellor recommends approval.

**File Attachments**

[KONE DW 3Year 2019-2022 Maintenance Contract \\$544,860.00.pdf \(6,714 KB\)](#)

[REVISED 2020-02-06 Amendment 1 to September 10 2019 Maintenance Agreement.pdf \(229 KB\)](#)

## 10. ACTION ITEMS

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<b>Subject</b>	<b>10.4 Consider Ratification of Amendment No. 2 and Approval of Amendment No. 4 to the Agreement for Professional Services – DSA Certified Inspection Services with KDI Consultants to Provide an Extension of Time to Allow KDI Consultants to Complete the Provision of Services Required to Obtain DSA Sign Off for the Laney College BEST Center for no additional sum, and to Correct for a Typographical Error in Amendment No. 3. This Amendment No. 4 Extends the Time for Completing the Services to June 30, 2020. Presenter: Vice Chancellor Sata</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	No
Recommended Action	Action Ratify Amendment No. 2 and Approve Amendment No. 4 to Agreement for Professional Services – DSA Certified Inspection Services with KDI Consultants to provide an extension of time to allow KDI Consultants to complete the provision of services required to obtain DSA sign off for the Laney College BEST Center for no additional sum, and to correct for a typographical error in Amendment No. 3. This Amendment No. 4 also extends the time for completing the Services to June 30, 2020.

**TO:** Peralta Board of Trustees

**FROM:** Department of General Services

**PREPARED BY:** Vice Chancellor Sata

### BACKGROUND/ANALYSIS:

The Laney College BEST Center project is within the purview of the Division of the State Architect ("DSA"). One aspect of DSA oversight is the requirement for the project owner to obtain inspection services from a DSA-certified inspector. KDI Consultants' original Agreement for Professional Services for DSA Certified Inspection Services, in the amount of \$148,400.00, for the Laney College BEST Center was approved by the Board and executed in November of 2015.

Subsequently, there were design revisions to the project that extended the project completion date. Accordingly, the Board approved Amendment No. 1 to the Agreement on March 14, 2017, which extended the contract term for the provisions of Services through June 30, 2017, and increased the total compensation for Services to the not-to-exceed amount of \$182,082.00. Likewise, Amendment No. 2 extended the contract term for the provision of Services through December 31, 2017, with no change to the contract price. The Board is asked to ratify Amendment No. 2.

Additionally, Amendment No. 3 further extended the contract term for the provision of Services through March 31, 2019, with no change to the contract price. Due to a typographical error, Amendment No. 3 was incorrectly identified as "Amendment No. 2" in the Amendment and on the November 13, 2018 Board Agenda Item. The proposed Amendment No. 4 corrects this typographical error.

The DSA inspector's work is driven by the overall project schedule. KDI Consultants has been providing DSA inspection services on the project since the beginning of construction. The original duration of contracted DSA inspection services in the Third Amendment has ended. Due to design changes on the BEST Center project, the schedule for the project has been extended, and consequently the need for DSA inspection services has been extended. The proposed Amendment No. 4 extends the contract completion date until June 30, 2020, with no change to the contract price.



Previous amendments to the Agreement are set forth in the table below:

<b>Contract</b>	<b>Price</b>	<b>Agreement End Date</b>	<b>Board Approval</b>
Original Agreement	\$148,400.00	December 31, 2016	November 10, 2015
Amendment No. 1	\$33,682.50	June 30, 2017	March 14, 2017
<b>Amendment No. 2 (this item)</b>	<b>\$0</b>	<b>December 31, 2017</b>	<b>Pending Ratification</b>
Amendment No. 3	\$0	March 31, 2019	November 13, 2018
<b>Amendment No. 4 (this item)</b>	<b>\$0</b>	<b>June 30, 2020</b>	<b>Pending Approval</b>
<b>Total</b>	<b>\$182,082.50</b>		

**DELIVERABLES/SCOPE OF WORK:**

KDI Consultants will continue to perform DSA IOR Inspection Services for the BEST Center Project at Laney College.

**ANTICIPATED COMPLETION DATE:**

The Final Completion Date for the Project is June 30, 2020.

**EVALUATION AND RECOMMENDED ACTION:**

The Chancellor recommends ratification of Amendment No. 2 and approval of Amendment No. 4 to Agreement for Professional Services – DSA Certified Inspection Services with KDI Consultants to provide an extension of time (457 days) to allow KDI Consultants to complete the provision of services required to obtain DSA sign off for the Laney College BEST Center for no additional sum, until June 30, 2020, and to correct for a typographical error in Amendment No. 3.

**File Attachments**

KDI - Contract +Amendment 1- 3\_3511540\_1(DMS).PDF (4,042 KB)

KDI \_ Amendment #4 CLEAN\_3517155\_1(DMS).pdf (26 KB)

## 10. ACTION ITEMS

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<b>Subject</b>	<b>10.5 Consider Approval of Change Order No. 2 to Agreement for Construction Services with Professional Glass Installations, Inc. for the Laney College Window Repairs (Bid No. 18-19/28) in an Amount Not-to-Exceed \$956.37. Presenter: Vice Chancellor Sata</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	Yes
Dollar Amount	\$956.37
Budgeted	Yes
Budget Source	General Fund or Redevelopment Agency Fund
Recommended Action	Approve Change Order No. 2 to Agreement for Construction Services with Professional Glass Installations, Inc. for the Laney College Window Repairs (Bid No. 18-19/28) in an Amount Not-to-Exceed \$956.37

**TO:** Peralta Board of Trustees

**FROM:** Department of General Services

**PREPARED BY:** Vice Chancellor Sata

### BACKGROUND/ANALYSIS:

On July 23, 2019, the Governing Board approved a contract for Professional Glass Installations, Inc., to replace twenty-nine broken glass window panes of various sizes and thicknesses throughout Laney College in the amount Not-to-Exceed \$20,574.66. The project was procured through a formal bid process (Bid No. 18-19/28).

Subsequently, Change Order No. 1 was approved to replace twelve (12) additional glass window panes that were broken and/or inadvertently omitted from the original proposal. Fire rated glass and glazing gaskets were also replaced as part of the Change Order 1. The cumulative amount of changes orders as a percentage of the original contract was 45.47%.

Notwithstanding Public Contract Code section 20111, California law provides: "Where competitive proposals work an incongruity and are unavailing as affecting the final result or where they do not produce any advantage...the statute requiring competitive bidding does not apply." (Hiller v. City of Los Angeles (1961) 197 Cal.App.2d 685, 694.) Accordingly, public entities need not comply with competitive bidding processes where doing so would be impractical or futile and would not serve the purposes of competitive bidding. (See Los Angeles Dredging Company v. City of Long Beach (1930) 2 Cal. 348; Graydon v. Pasadena Redevelopment Agency (1980) 104 Cal.App.3d 631). The Board approved Change Order #1 by adoption of a resolution declaring the futility of public bidding.

Subsequently, three (3) additional windows were broken, necessitating Change Order #2. Broken windows were discovered in the Photography Department, Building A; Room A191 along 10<sup>th</sup> street; and room B103 in Cosmetology.

Though the value of the work again exceeds 10%, the total sum of the additional work under Change Order #2 is small and it would be impractical to bid a project with a value of \$956.37. Additionally, the Contractor is familiar with the project site and

the circumstances which created Change Order #2. The scope of services and value of Change Order #2 were reviewed by Swinerton Management and Consulting and were determined to be reasonable.

Change Order #2 is listed below with previous contracts associated with this scope of work and the accompanying Board approval dates, amounts, and time extensions. No time extension is contemplated under Change Order #2.

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 (this item)	\$956.37	0 days	<b>Pending</b>
<b>TOTAL</b>	<b>\$30,886.50</b>		

**Contact Information for Professional Glass Installations, Inc.:**

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

**DELIVERABLES/SCOPE OF WORK:**

Items noted in Change Order No. 2 include:

1. Replacing broken door glass in room A185 of Photography Department in Building A.
2. Replacing window glass in room A191 (10<sup>th</sup> street side).
3. Replacing the broken window glass at room B103 (backside of Cosmetology).

**ANTICIPATED COMPLETION DATE:**

Work will be completed by March 30, 2020, which was the extended completion date approved under Change Order #1.

**EVALUATION AND RECOMMENDED ACTION:**

The Chancellor recommends approval of Change Order No. 2 to Agreement for Construction Services with Professional Glass Installations, Inc. for the Laney College Window Repairs (Bid No. 18-19/28) in an Amount Not-to-Exceed \$956.37.

**File Attachments**

CLEAN - Futility Resolution Professional Glass CO#2 2.25.pdf (142 KB)  
PGI-Executed Agreement and CO 1.pdf (1,253 KB)

## 10. ACTION ITEMS

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<b>Subject</b>	<b>10.6 Consider Ratification of a Independent Contractor/ Consultant Services Contract with GonLED, for assessment and LED Lights Survey for the Peralta CCD in the amount of \$25,580.00. The approval of this contract will allow the District to receive Prop 39 Funding for the LED lighting upgrade project. Presenter: Vice Chancellor Sata</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	Yes
Dollar Amount	\$25,580.00
Budgeted	Yes
Budget Source	Measure A
Recommended Action	Ratify a Independent Contractor/ Consultant Services with GonLED, for assessment and LED Lights Survey for the Peralta CCD in the Amount of \$25,580.00.

**TO:** Peralta Board of Trustees

**FROM:** Department of General Services

**PREPARED BY:** Vice Chancellor Sata

### BACKGROUND/ANALYSIS:

California Multiple Award Schedule (CMAS) agreements are a statutorily authorized contracting method, pursuant to Public Contract Code Sections 10298 and 10299. They serve to streamline procurement while maintaining transparency and pricing controls, because all CMAS agreements must have been previously bid and awarded on a Federal General Services Administration schedule. Under the CMAS approach, local agencies like the District may utilize an existing CMAS agreement awarded by the State, and incorporate those terms into the District's agreement with the vendor. Although there are other technical differences, the practical impact is that a CMAS agreement is similar to a "piggyback" agreement.

For the proposed GonLED CMAS agreement, District staff identified an active CMAS agreement awarded by the State Department of General Services, which can be utilized by the District to complete lighting upgrades in order to expend Proposition 39 funding prior to the July 2020 deadline. The proposed agreement incorporates the terms of the State-awarded contract and appropriately tailors those provisions to the scope and fee required by the District. Utilizing the CMAS approach streamlines procurement to expedite the lighting assessment and ensure timely compliance with the Lighting Upgrades.

This work is necessary to ensure that the District does not lose previously unspent funds from Prop39. The new State deadline is September 4, 2020.

GonLED, is located at 1835 Whittier Ave. D-12, Costa Mesa, CA 92627. Justin Swedlow is the main contact for the company.

### DELIVERABLES/SCOPE OF WORK:

The survey and assessment provided by GonLED would include counting the existing fixtures, taking photos, creating a lighting fixture schedule and making retrofit recommendations for the following locations:

- 1) District Administrative Offices
- 2) DGS / Warehouse
- 3) Laney College Parking Lot
- 4) Laney College Athletic Fields - Football and Baseball
- 5) Laney College Administrative Tower
- 6) Merritt College Football Field

**ANTICIPATED COMPLETION DATE:**

The term of this contract is from January 22, 2020 to March 06, 2020.

**EVALUATION AND RECOMMENDED ACTION:**

The Chancellor recommends contracting with GonLED for the assessment and survey of the Prop39 Lighting Upgrades Project, in the amount of **\$25,580**.

**File Attachments**

20-01-15 GonLED Signed Survey Quote.pdf (378 KB)

Vendor Signed- CMAS Agreement - Peralta CCD with GonLED - with exhibits\_3509214\_1(DMS).pdf (10,217 KB)

## 10. ACTION ITEMS

<b>Subject</b>	<b>10.7 Consider Acceptance of the Beginner's Inn Kitchen Equipment Exhaust Modification Project at Laney College, authorize execution and filing of the Notice of Completion, and approve release of 5%. Presenter: Vice Chancellor Sata.</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Action
Preferred Date	Feb 25, 2020
Absolute Date	Feb 25, 2020
Fiscal Impact	Yes
Dollar Amount	\$6,646.05
Budgeted	Yes
Budget Source	Measure A Bond (Fund 63), Laney College or Campus Funds
Recommended Action	Accept the Beginner's Inn Kitchen Equipment Exhaust Modification Project at Laney College, authorize execution and filing of the Notice of Completion, and approve release of 5% retention to Marina Mechanical.

**TO:** Peralta Board of Trustees

**FROM:** Department of General Services

**PREPARED BY:** Vice Chancellor Sata

### BACKGROUND/ANALYSIS:

On September 24, 2018 the District entered into a contract with Marina Mechanical to provide construction services for the Beginner's Inn Kitchen Equipment Exhaust Modification Project at Laney College. The scope of work included modifying the existing exhaust system for new kitchen equipment located in the bakery kitchen of Building E. The new kitchen equipment replaced the old obsolete equipment and due to new code requirements and design upgrades the exhaust system needed to be modified.

During construction Change Order No. 1 for the amount of \$11,384.00 was generated and approved at the March 26, 2019 Board meeting. The increased costs were due to 1) increases of material and labor costs caused by the length of time between when bids were opened and when the contract was awarded; i.e. greater than 180 days, and 2) quick shipment of Exhaust Fan (EF-1) in order to minimize disruption to the baking classes and complete the work in an expeditious manner.

Change Order No. 2 for the amount of \$5,447.00 addressed further unforeseen conditions and was approved at the July 23, 2019 Board Meeting. Make Up Air Unit (MAU) No. 7 located in the ceiling space had failed and its pulley system and belts needed replacement. Such system needed to be working properly in order to complete the testing, balancing and commissioning of the newly installed exhaust system.

Change Order No. 3 for \$0 extended the time to complete services by 92 days in order to permit Marina Mechanical to complete air balancing tests and Project Closeout requirements.

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

Contract	Approved Amount	Time Extension	Board Approval Date
Original Contract	\$116,090.00	N/A	May 8, 2018

Change Order No. 1	\$11,384.00	62 days	March 26, 2019
Change Order No. 2	\$5,447.00	153 days	July 23, 2019
Change Order No. 3	\$0	92 days	Pending February 25, 2020
<b>New Contract Sum</b>	<b>\$132,921.00</b>		

Marina Mechanical has installed a new exhaust system for the new kitchen equipment in the bakery kitchen of Laney College per the plans and specifications provided by YEI. The project scope of work including all change order work, punchlist, and/or project related work was completed on December 30, 2019.

Marina Mechanical is the General Contractor and has been in business since 1958. Carl Koos is the current President of the company. California Contractor's License #416198 C2, C4, C10, C20, C36, C38, and C43.

#### Contact Information

799 Thornton Street, San Leandro, CA 94577

510-614-7500

[www.team-marina.com](http://www.team-marina.com)

#### DELIVERABLES/SCOPE OF WORK:

Marina Mechanical has fulfilled its contractual obligations by completing the project scope set forth in the construction agreement. The deliverables and/or services provided included installation of a complete tested, balanced and commissioned exhaust system for the new kitchen equipment, closeout documentation, and as-builts per the construction documents.

The Final Completion date for the project was December 30, 2019. As a consequence, and in light of the successful completion of the project, the next action is the execution of the Notice of Completion (NOC) and release of the remaining 5% retention in the amount of \$6,646.05.

#### ANTICIPATED COMPLETION DATE:

The project was fully completed on December 30, 2019. Following the Board of Trustees' acceptance of the project, the Chancellor will execute the NOC and the NOC will be filed with the County of Alameda.

#### EVALUATION AND RECOMMENDED ACTION:

The Chancellor recommends the Acceptance of the Beginner's Inn Kitchen Equipment Exhaust Modification Project at Laney College and authorization to release the 5% retention to Marina Mechanical.

#### File Attachments

[NOC Laney Beginner's Inn Exhaust System Modification.pdf \(11 KB\)](#)

[Marina Mechanical \\$5447.00 \(change order #2\).pdf \(5,539 KB\)](#)

## 11. REPORTS

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<b>Subject</b>	<b>11.1 Board of Trustees' Reports</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Information



## **13. ADJOURNMENT**

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<b>Subject</b>	<b>13.1 Meeting Adjournment</b>
Meeting	Feb 25, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Access	Public
Type	Procedural

