



Tuesday, September 29, 2020
REGULAR MEETING OF THE BOARD OF TRUSTEES

4:00 p.m. Closed Session
6:00 p.m. Public Session
333 East 8th Street
Oakland, CA 94606
VIRTUAL MEETING VIA ZOOM WEBINAR

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

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

PUBLIC COMMENTS

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

Those participating in public comment are required to register (no later than 12:00 p.m. the day of the meeting) for the webinar at the following link:

https://zoom.us/webinar/register/WN__EQHY1T4Ru6DBG1j0-Flew

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

Welcome to a meeting of the Peralta Community College District Board of Trustees. Meetings of the Peralta Community College District Governing Board are Broadcast Live on KGPC, 96.9FM, and Peralta TV on Cable Channel 27 in Alameda and Berkeley, Cable Channel 28 – Oakland, Emeryville, and Piedmont and Channel 99 on AT&T U-Verse. Listed agenda times are estimates. Live stream video of the meetings, agendas, minutes, and all open session reports and meeting materials are available for viewing on BoardDocs: <https://www.boarddocs.com/ca/peralta/Board.nsf>

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

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

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

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

1. CLOSED SESSION

Subject	1.1 Public Comment on Closed Session Items
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	

1. CLOSED SESSION

Subject	1.2 Conference with Labor Negotiator Whittaker, Peralta Federation of Teachers, Local 39, and SEIU 1021 (Government Code § 54957.6)
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

1. CLOSED SESSION

Subject **1.3 Public Employee Appointment (Government Code Section 54957)**

Meeting Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Information

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.

- Interim Chancellor

1. CLOSED SESSION

Subject

1.4 Public Employee Discipline/Dismissal/Release

Meeting

Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type

1. CLOSED SESSION

Subject

1.5 Public Employee Evaluation

Meeting

Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type

1. CLOSED SESSION

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

Meeting Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Information

- Hussain v. Peralta Community College District, Alameda Superior Court case no. RG20057885.
- Casey v. Peralta Community College District, Alameda County Superior Court Case No. RG20058251
- Payne v. Peralta Community College District, U.S. District Court, Northern District of CA, Case No. 3:16-cv-04390-MMC.
- Herrera v. Peralta Community College District et.al, Alameda Superior Court case no. RG18932402
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (1 case).

2. OPEN SESSION

Subject

2.1 Call to Order

Meeting

Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type

Procedural

2. OPEN SESSION

Subject

2.2 Pledge of Allegiance

Meeting

Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type

Procedural

2. OPEN SESSION

Subject

2.3 Roll Call

Meeting

Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type

Procedural

2. OPEN SESSION

Subject	2.4 Report of Action Taken in Closed Session
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

2. OPEN SESSION

Subject	2.5 Approval of the Agenda
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action

2. OPEN SESSION

Subject	2.6 Approval of the Minutes
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action, Minutes
Preferred Date	Sep 29, 2020
Absolute Date	Sep 29, 2020
Fiscal Impact	No
Budgeted	No

2. OPEN SESSION

Subject	2.7 Associated Student Government Reports
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

2. OPEN SESSION

Subject	2.8 Peralta Classified Senate Report
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

2. OPEN SESSION

Subject	2.9 District Academic Senate Report
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

2. OPEN SESSION

Subject **2.10 Public Communication**

Meeting Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Information

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

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

2. OPEN SESSION

Subject **2.11 Chancellor's Reports**

Meeting Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Information

- Campus Updates
- Presentation from consultant Jim Riggs on November ACCJC Response letters
- PeopleSoft Project Update
- CARES Act Update

File Attachments

[Board Meeting Report_v3.pdf \(2,555 KB\)](#)
[BCC - NewsfortheBoard 10-06-2020.pdf \(2,443 KB\)](#)
[9-29-20 BOT President's Report- COA.pdf \(555 KB\)](#)
[Laney College Board Highlight September 29.pdf \(262 KB\)](#)
[BCC BOT Special Report NOV response 9-24-2020.pdf \(354 KB\)](#)
[COA Board Presentation 9-29-20.pdf \(997 KB\)](#)
[Laney College September 29 Board Presentation.pdf \(568 KB\)](#)
[Merritt College September 29 2020 BOT Presentation.pdf \(360 KB\)](#)

3. PRESENTATION

Subject **3.1 PCCD Enrollment Report 9.29.20**

Meeting Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Reports

TO: Peralta Board of Trustees

FROM: Siri Brown, Vice Chancellor of Academic Affairs and Student Success

PREPARED BY: Siri Brown, Vice Chancellor of Academic Affairs and Student Success

BACKGROUND/ANALYSIS:

The Colleges and District Office coordinates to implement effective enrollment management actions with a focus on increasing enrollment, retention, success and persistence for all students. With the implementation of the Student Centered Funding Formula (SCFF) enrollment management includes an integration of Student Services and Instruction. This data and strategy review includes areas PCCD is increasing its effectiveness, along with continued challenges in critical areas.

File Attachments

[SB Enrollment Report BOT 9.29.20.pdf \(5,048 KB\)](#)

4. CONSENT CALENDAR - CHANCELLOR

Subject 4.1 Consider Ratification of Monthly Contract Report in accordance with Administrative Policy 6340. Presenter: Acting Chancellor Walter

Meeting Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Action

Preferred Date Sep 29, 2020

Absolute Date Sep 29, 2020

TO: Peralta Board of Trustees

FROM: Dr. Carla Walter, Acting Chancellor

PREPARED BY: Dr. Carla Walter, Acting Chancellor

BACKGROUND/ANALYSIS:

Consider Ratification of the Monthly Report of Contracts for the period of September 8, 2020 through September 22, 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 and budget source for each contract can be found in the monthly report.

ANTICIPATED COMPLETION DATE:

N/A

EVALUATION AND RECOMMENDED ACTION:

The Acting Chancellor recommends ratification.

File Attachments

[BOT Contract Ratification for 9.29.2020 \(Revised\).pdf \(136 KB\)](#)

5. CONSENT CALENDAR - ACADEMIC AFFAIRS

Subject	5.1 Consider Ratification of Contract Agreement with Parking Concepts, Inc. in the amount not to exceed \$220,000.00 for Parking for Berkeley City College's Faculty, Staff, Administrators and Certain Guests. Presenter: President Garcia
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Sep 29, 2020
Absolute Date	Sep 29, 2020
Fiscal Impact	Yes
Dollar Amount	\$220,000.00
Budgeted	Yes
Budget Source	Unrestricted General Fund 8-01-831-5602-1-659900-0000-00

TO: Peralta Board of Trustees

FROM: President Garcia

PREPARED BY: Joanna Louie

BACKGROUND/ANALYSIS:

Berkeley City College currently pays for monthly parking at a rate of \$210 per person for ninety-four full-time employees. In addition, throughout the year, the College pays for daily parking for part-time instructors (approximately 200) along with guest speakers/lecturers, art models, interpreters and other guests conducting business related to the college. The cost of daily parking for part-time instructors and guests range from \$17K to \$21K monthly. To lessen cost, BCC negotiated a lower maximum daily rate of \$16 down from the prior discount of \$19 and the market rate of \$23. Further reductions will be achieved by having district-wide personnel pay for their parking and seek reimbursement from their respective campuses/the District.

DELIVERABLES/SCOPE OF WORK:

Provide daily parking to Berkeley City College Faculty, Staff, Administrators and guests.

ANTICIPATED COMPLETION DATE:

June 30, 2021

EVALUATION AND RECOMMENDED ACTION:

The District's Business Services Department has evaluated the deliverables to date for Parking Concepts, Inc. and found them to be satisfactory.

The Acting Chancellor recommends ratification.

File Attachments

[Parking Concepts, Inc. ICC - signed.pdf \(1,358 KB\)](#)
[PCI MARC.pdf \(2,487 KB\)](#)

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.

5. CONSENT CALENDAR - ACADEMIC AFFAIRS

Subject	5.2 Consider Approval of an Independent Contractor Agreement for East Bay Asian Local Development Corporation (EBALDC)/SparkPoint Oakland (SPO) for Financial Wraparound Service in the Amount of \$70,000 for the Laney Restoring Our Communities Program and Laney Career Education Students. Presenter: Acting President Besikof
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Sep 29, 2020
Absolute Date	Sep 29, 2020
Fiscal Impact	No
Dollar Amount	\$70,000.00
Budgeted	Yes
Budget Source	California Community College State Chancellor's Innovation Award (50k) and CTE (20K)

Background/Analysis:

EBALDC is a community development organization based at 1825 San Pablo Ave., Suite 200, Oakland, CA 94612. EBALDC builds healthy, vibrant and safe neighborhoods through real estate development, property management, social and financial services, community building, and neighborhood collaborative.

SparkPoint is an initiative created by United Way Bay Area (UWBA), and provides low-income residents with financial coaching, career counseling, and support clients to build credit and asset. EBALDC is a founding partner and lead agency at SparkPoint Oakland (SPO). SPO is a collaborative partnership amongst EBALDC and has partnered with community partners/organizations such as Operation HOPE (HOPE), the West Oakland Job Resource Center (WOJRC), and Laney College.

During 2019-20, SparkPoint was already providing services to CTE and ROC students on the Laney campus from their own funding. Restoring Our Communities (ROC) and Career Technical Education (CTE) of Laney College aims to scale its partnership with SparkPoint Oakland, to continue to deliver financial wraparound services to Laney's formerly incarcerated students and CTE students.

Due to the additional challenge COVID-19 Shelter-In-Place created on formerly incarcerated students, in May of 2020, the State Chancellor's Office released Guidance Memo 20-18, allowing state funded reentry resources to be re-appropriated as "direct aid" to students (except in the form of cash). This subcontract includes \$10,000 in "direct aid" to ROC students working with SparkPoint.

Deliverables and Scope of Work:

Contractor Project Deliverables:

Upon completion of contract, the following outcomes will be delivered:

1. Financial Coaching Services for 30-35 formerly incarcerated Laney College Students and Financial Coaching for 20-35 CTE students (October 1, 2020- June 30, 2021):
 - SparkPoint shall work with ROC and CTE staff to create shared referral and digital case management system.
 - Within the context of the County Shelter in Place order, and when necessary, SparkPoint will provide virtual services using media platforms such as Zoom, and telephone support to shared clients, including but not limited to: tax consultation, employment advising, housing referrals and matched savings enrollment (when eligible).
 - SparkPoint will meet with ROC and CTE staff weekly to coordinate support efforts for participating students.

2. Outreach and Marketing Support (October 1, 2020- June 30, 2021)
 - Contractor shall familiarize themselves with academic support services offered to formerly incarcerated students and CTE students.
 - Contractor shall make ROC brochures and marketing materials accessible to SparkPoint Oakland and EBALDC other program clients at service venues throughout network.
 - Contractor shall help refer prospective formerly incarcerated students to ROC staff when appropriate.

- Contractor shall provide technical assistance in marketing financial literacy programming as connected to ROC on program website.
- Contractor shall provide outreach and enrollment support for CTE programs.

3. Data, Reporting and Assessments May 1, 2021- June 20, 2021

- Contractor shall provide data on measurable clients.
- Contractor shall collaborate with ROC and CTE staff in developing an aggregated report to be shared with the State Chancellor's Office
- Contractor will contribute to the design of visual data to be presented on ROC website.

4. Management of Direct Aid for ROC students only

- In collaboration with ROC, contractor will design a system to distribute incentives and direct aid to participants.
- Contractor shall track and report incentive and direct aid funds.
- Contractor shall work with ROC staff to evaluate efficacy of incentive and direct aid programming. Upon completion of the contract, the following outcomes will be delivered:

Total: \$70,000 including \$60,000 towards SparkPoint staffing and \$10,000 towards direct aid for ROC students.

Anticipated Completion Date:

June 30, 2021

Evaluation and Recommended Action:

Approve the Independent Contractor Agreement with East Bay Asian Local Development Corporation (EBALDC)/SparkPoint Oakland (SPO) for financial wraparound service in the amount of \$70,000. for the Laney Restoring Our Communities Program and Career Technology Education students.

File Attachments

[EBALDC ICC_REVISE 101113.pdf \(6,480 KB\)](#)

[EBALDC ICC_REVISE 101113.pdf \(6,480 KB\)](#)

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5. CONSENT CALENDAR - ACADEMIC AFFAIRS

Subject	5.3 Consider Approval for Laney College to accept an Advanced Manufacturing Regional Director Grant from the State Chancellor's office in the amount of \$200,000. Presenter: Acting President Besikoff
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Oct 13, 2020
Absolute Date	Oct 13, 2020
Fiscal Impact	No
Dollar Amount	\$200,000.00
Budgeted	Yes
Budget Source	California Community College Chancellor's Office, Economic and Workforce Development Program funding. Grant #20-452-001.

TO: Peralta Board of Trustees

FROM: Interim President Dr. Rudy Besikof

PREPARED BY: Dean Peter Crabtree

BACKGROUND/ANALYSIS:

This Regional Director grant is part of the Chancellor's Office statewide career education program to have experts working on industry and K-12 engagement within specific sectors.

The grant is to be used to coordinate and collaborate regionally, and to develop effective sector partnerships with employers, regional consortium, community colleges, high schools, ROPs (Regional Occupational Programs), Workforce Development Boards (WDB's), and other regional organizations to ensure a skilled workforce in support of the regional economy within an industry sector and to establish career pathways for the regional community into those regional economies.

The grantee will support and improve regional workforce training within the sector (advanced manufacturing) for entry level and incumbent workers and will partner with regional employers, community colleges, high schools and Regional Occupational Centers and Programs (ROCPs) in support of curriculum and certificate development and program alignment and to support offering contract education, credit, and non-credit training.

DELIVERABLES/SCOPE OF WORK:

1. The Regional Director will work collaboratively in a network comprised of the statewide Sector Navigator and other Regional Directors within the sector. The Regional Director will work collaboratively with the Chair and/or Co-Chairs of the Bay Area California Community Colleges Consortium (BACCC) to align the needs of sector employers with the program and curriculum offered by colleges within the regional consortium. Additionally, the Regional Director will work with the Bay Area Consortium and individual colleges within the region offering courses and programs within the sector to develop faculty collaborations, connect programs and employers, and promote and strengthen curriculum and program alignment.
2. The Regional Director will work with employers, industry and labor organizations, and Workforce Investment Boards within the region to do the following (a) determine gaps in the workforce; (b) promote integration of workforce training and employment; (c) strengthen programs within the sector at regional colleges and high schools; (d) provide incumbent worker training; (e) promote opportunities for contract education and faculty professional growth; and (f) thereby, promote and support growth of the sector within the regional economy.
3. Gaps within the workforce will be identified and prioritized and strategies developed and implemented. Examples of strategies to address workforce gaps include: (a) creating community collaborations and professional development opportunities; (b) providing assistance with curriculum development, career guidance development, seminars, workshops, and collaboration between faculty with the goal of integrating the needs of employers and addressing the job skills and competencies required for employment and career advancement within the curriculum and programs.

4. The Regional Director will work with representatives of business, labor, and professional trade associations to develop and implement courses and programs to train incumbent workers in the regional industry sector. A key objective is to enable incumbent workers to become more competitive in their region's labor market, increase competency, and identify career pathways to economic self-sufficiency. Sector strategies may be implemented using articulated career pathways or career lattices and a system of stackable credentials. Curriculum can be offered through a variety of methods including credit, non-credit, or contract education depending on the needs of the employer.
5. The Regional Director will collect and report data on all required accountability measures working with common metrics and accountability measures.

ANTICIPATED COMPLETION DATE:

September 30, 2021

EVALUATION AND RECOMMENDED ACTION:

The District's Career and Technical Education has evaluated the deliverables to date for Advanced Manufacturing Regional Director grant and found them to be satisfactory.

The Chancellor recommends approval.

File Attachments

[Intent to Award RD Renewals_AM_Laney.pdf \(181 KB\)](#)

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6. CONSENT CALENDAR - FACILITIES

Subject	6.1 Consider Approval of the Agreement for Construction Management Services with Anthonio, Inc. in the Amount of \$542,390.00 for Construction Management Services for the College of Alameda Aviation Complex Phase 1 Project. Presenter: Director Atheria Smith.
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Sep 29, 2020
Absolute Date	Sep 29, 2020
Fiscal Impact	Yes
Dollar Amount	\$542,390.00
Budgeted	Yes
Budget Source	1-63-391-5105-1-710000-2365-00 (Fund 63 - Measure A & EDA reimbursement)

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: AECOM

BACKGROUND/ANALYSIS:

On July 10, 2018, the Board approved Resolution 18/19-12, approving seven (7) Construction Management (CM) vendors deemed qualified to manage small construction projects for the District, consistent with Government Code qualifications-based procurement for construction management services (Gov. Code, § 4525, et seq.).

The seven (7) CM firms qualified to manage small projects were asked to submit proposals to manage state, bond and federally funded design and construction work at the District's four colleges, including the College of Alameda's Aviation Complex Phases 1 and 2 projects which received a US Department of Commerce Economic Development Administration ("EDA") grant.

The seven (7) firms were asked to present a team of managers with experience overseeing projects of similar scope and size, providing design and construction management services in a participatory governance decision making system, facilitating the DSA process, understanding state funding deadlines, and strategizing on the various project delivery methods within California Community Colleges.

The proposals were reviewed by a combination of DGS staff, campus management, procurement staff and the Program Management team using a set of scoring criteria delineated in the request for proposal. Interviews were held on July 17, 2020 and Anthonio, Inc. was selected to manage the Aviation Complex Phase 1 Project and a contract is now brought to the Board for approval.

DELIVERABLES/SCOPE OF WORK:

Anthonio, Inc. will provide project-specific construction management services for the Aviation Complex Phase 1 Project funded by federal funds and Measure A. The project-specific construction manager will be responsible for managing the day to day activities of the design and construction teams, including (but not limited to): communicating with campus staff and leadership about the status of projects, ensuring that proper safety procedures are followed during construction, organizing meetings, presenting at community forums and providing other project related communication from the campus. In addition, the construction manager will interface with the Program Management team to implement design and sustainability standards, providing project status reports and other deliverables to support the bond program and the EDA Award requirements.

The contract will be effective as of September 30, 2020 and the term will be for two years and six months.

ANTICIPATED COMPLETION DATE:

The Agreement for Construction Management services is anticipated to be completed by December 31, 2022.

EVALUATION AND RECOMMENDED ACTION:

The Facilities Planning and Development Director, Bond Program Manager and Acting Chancellor recommend approval of the Agreement for Construction Management Services with Anthonio, Inc. in the amount of \$542,390.00 for construction management services for the Aviation Complex Phase 1 Project.

File Attachments

[Anthonio Phase 1 Aviation Construction Management Agreement \(rev.9.10.2020\)_3601159_1\(DMS\).pdf \(728 KB\)](#)
[Anthonio CoA Aviation MARC-signed.pdf \(7,970 KB\)](#)

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

6. CONSENT CALENDAR - FACILITIES

Subject **6.2 Consider Approval of Amendment No. 1 to the Agreement Incorporating Piggyback Contract for College of Alameda Gym Bleachers Purchase and Installation with KYA Services, LLC to Extend the Delivery Date for the Equipment and to Approve an Increase in the Contract Price by an Amount Not-to-Exceed \$29,319.63 to Purchase a Programmable Electrical Controls System and Keypad for the Bleachers. Presenter: Director Atheria Smith.**

Meeting Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Action (Consent)

Preferred Date Sep 29, 2020

Absolute Date Sep 29, 2020

Fiscal Impact Yes

Dollar Amount \$29,319.63

Budgeted Yes

Budget Source 1-63-391-6403-1-710000-2490-00 (Fund 63 - Measure A)

TO: Peralta Board of Trustees

FROM: Department of General Services/COA Business Office

PREPARED BY: Chungwai Chum, Director of Business & Administrative Services and Atheria Smith, Director of Planning & Administration

BACKGROUND/ANALYSIS:

On February 25, 2020, the Board of Trustees adopted Resolution 19/20-37 to approve and accept a contract award for the College of Alameda bleachers purchase and installation with KYS, Services, LCC (“KYA”). The accompanying Agreement Incorporating Piggyback Contract (“Agreement”) covered the purchase and installation of freestanding telescoping bleachers with sculptured seat modules (“Equipment”) in the gymnasium at the College of Alameda campus (“Project”). The Equipment the District desired was made available from KYA under a Foundation of California Community Colleges (“FCCC”) contract.

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

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

Prior submitting the Agreement for approval, District staff researched the costs and terms of the FCCC contract and confirmed that the price of the Equipment and installation of the Project under the FCCC contract and the proposal by KYA were reasonable and that it would be in the best interests of the District to utilize the FCCC contract to purchase the Equipment from KYA.

Pursuant to the Agreement, the Delivery Date for the Equipment was estimated to be two to eight weeks from issuance of a purchase order and not later than July 15, 2020. Installation of the Equipment was to be completed within 21 days from delivery of the Equipment. At the time the Board of Trustees approved the Agreement on February 25, 2020, the electrical work required to power the Equipment was not included in the scope of work. As a result, the Notice to Proceed (“NTP”) for the Project was not issued and District staff requested an additional proposal from KYA, under the terms of the FCCC contract, for the required electrical equipment and related installation. The Delivery Date specified in the Agreement passed while the District was investigating why the scope of the required electrical work was not included in the original proposal. Because the District has not issued the NTP for the Project, KYA has not ordered any of the Equipment and the Project has not progressed. The District would still like to purchase the Equipment from

KYA pursuant to the terms of the Agreement. To move the Project forward, the District seeks to simultaneously extend the Delivery Date stated in the Agreement and increase the Contract Price to include the electrical equipment and related installation work required to power the bleachers.

This is the first Amendment to KYS's COA Bleacher Project contract. See Table 1.1 below for the history of this contract.

Table 1.1

Contract	Approved Amount	Board Approval Date
Agreement Incorporating Piggyback Contract	\$ 216,970.36	2/25/2020
Amendment No. 1	\$29,319.63	This item.
New Contract Total	\$ 246,289.99	

Contact Information:

KYA Services, LLC
 1800 E. Mc Fadden Avenue
 Santa Ana, CA 92705
 (408) 828-0267
 Michelle Derkx, Regional Advisor

DELIVERABLES/SCOPE OF WORK:

The Project consists of the purchase of freestanding telescoping bleachers with sculptured seat modules. Shipping, delivery, and installation, including incidental labor and cost of bonding, is included in the Contract Price. This Amendment No. 1 ratifies an extension of the Delivery Date and increases the Contract Price to cover the electrical equipment and related installation work required to power the bleachers.

ANTICIPATED COMPLETION DATE:

The Equipment is expected to be delivered to the College of Alameda campus by May 31, 2021. The Project is expected to be installed and completed by June 30, 2021.

EVALUATION AND RECOMMENDED ACTION:

The Facilities Planning and Development Director, the Project Manager and the Acting Chancellor recommend approval of Amendment No. 1 to the Agreement Incorporating Piggyback Contract for College of Alameda Gym Bleachers Purchase and Installation with KYA Services, LLC to extend the Delivery Date for the Equipment and to approve an increase in the Contract Price by an amount not-to-exceed \$29,319.63 to purchase a programmable electrical controls system and keypad for the bleachers.

File Attachments

[Amendment #1 to Agreement Incorporating Piggyback \(KYA\) COA Bleachers_3601876_1\(DMS\).pdf \(74 KB\)](#)
[KYA COA Bleachers Original Agreement.pdf \(2,779 KB\)](#)
[KYA COA MARC_signed.pdf \(8,447 KB\)](#)

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

6. CONSENT CALENDAR - FACILITIES

Subject	6.3 Consider Approval of Amendment No. 1 to the Contract for Routine Maintenance with Opening Technologies, Inc. to Extend the Term of the Contract for a Second Year and Approve the \$775,562 Contract Price for the Extended Term to Ensure Laney College Compliance with the American with Disabilities Act (ADA) Requirements Addressed in the Payne v. Peralta Amended Consent Decree. Presenter: Director Atheria Smith.
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Sep 29, 2020
Absolute Date	Sep 29, 2020
Fiscal Impact	Yes
Dollar Amount	\$775,562.00
Budgeted	Yes
Budget Source	1-63- 391-6206-1-710000-2348-02 (Measure A Funds) / 1-61-163-5881-1-651000-1950-02 (RDA Funds)

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Kitchell CM

BACKGROUND/ANALYSIS:

The Board is asked to approve Amendment No. 1 (“Amendment”) to the Contract for Routine Maintenance (“Contract”) with Opening Technologies, Inc. (“OT”) to exercise the option to extend the Contract term for one (1) year at the rates indicated in Exhibit “A” of the Contract. The term for the second year will start on October 1, 2020 and end on September 30, 2021. OT has satisfactorily rendered the routine maintenance services at Laney College throughout the past year. Further, it is recommended for the Board to approve this Amendment to ensure that the District remains in compliance with the remediation plan the District stipulated to in order to address the Payne v. Peralta Amended Consent Decree.

As previously reported, on March 14, 2019, the Board of Trustees adopted Resolution 18/19-66 which authorized District staff to take necessary measures required to expedite the retention of service providers required to ensure timely compliance with the provisions of the consent decree issued in the Payne v. Peralta civil action.

Thereafter, under the direction of Vice Chancellor Sata, the ADA Compliance Strike Team solicited a proposal from OT to assess and repair door and finish hardware at Laney College. The assessment and repair were necessary to ensure District compliance with ADA requirements identified in the District’s remediation plan to address the Payne v. Peralta Amended Consent Decree.

On October 8, 2019, the Board ratified a Contract for Routine Maintenance with OT (“Contract”). The one-year Contract included two (2) one (1) year options for a total of three (3) years in an amount not-to-exceed \$3,051,384.00. The specific not-to-exceed amounts for each additional year were set forth in Exhibit “A” to the Contract. Approval of this Amendment will extend the term of the Contract through September 30, 2021.

A summary of the Contract years and associated costs follows:

Contract Year	Amount
Year One – Oct. 1, 2019 to Sept. 30, 2020	NTE \$1,511,217.00
Year Two – Oct. 1, 2020 to Sept. 30, 2021	NTE \$775,562.00
Year Three – Oct. 1, 2021 to Sept. 30, 2022	NTE \$764,605.00
TOTAL	NTE \$3,051,384.00

Budget String	Percent	Year Two Total

1-63- 391-6202-1-710000-2348-02	75%	\$575,562.00
1-61-163-5881-1-651000-1950-02	25%	\$200,000.00
CONTRACT TOTAL		\$775,762.00

Contact Information:

Opening Technologies, Inc.

2050 Commerce Avenue

Concord, CA 94520

(925) 674-6900

Gary Allen, Manager, Business Development Education Market

DELIVERABLES/SCOPE OF WORK:

In accordance with the remediation plan discussed above, OT will continue to furnish the door and finish hardware routine maintenance services detailed in Exhibit "A" to the Contract. Per the terms of the Contract, OT will assess the doors noted in the Contract and will complete necessary repairs. Further, any doors that cannot be brought into compliance with ADA and functionality standards will be assessed by OT and recommendations will then be provided for the appropriate repairs, replacements and additions required to bring those doors within ADA compliance.

ANTICIPATED COMPLETION DATE:

The term of second year of the Contract is from October 1, 2020 to September 30, 2021. Following that term, the District can exercise its right to extend the Contract for a third and final year which would start on October 1, 2021 and end on September 30, 2022.

EVALUATION AND RECOMMENDED ACTION:

The Facilities Planning and Development Director, the Project Manager and the Acting Chancellor recommend approval of Amendment No. 1 to the Contract for Routine Maintenance with Opening Technologies, Inc. to extend the term of the Contract for a second year and approve the \$775,562 contract price for the extended term of the Contract to ensure Laney College's compliance with the American with Disabilities Act (ADA) requirements addressed in the Payne v. Peralta Amended Consent Decree.

File Attachments

[Amendment No. 1_Opening Technologies \(9.29.2020\)\(REVISED\)_3603702_1\(DMS\).pdf \(23 KB\)](#)

[Opening Tech- Laney ADA Upgrade Doors \\$1,511,217_3600166_1\(DMS\).PDF \(7,910 KB\)](#)

[Opening Technology MARC_Amend. #1_signed.pdf \(8,915 KB\)](#)

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

6. CONSENT CALENDAR - FACILITIES

Subject	6.4 Consider Approval of the Independent Consultant Agreement for Professional Services with Terraphase Engineering, Inc. in the Amount of \$13,900 for the Phase II Environmental Site Assessment – Hazmat Building Material Assessment and Surficial Soil Sampling for the New Landscape Horticulture Complex (MLH) Project at Merritt College. Presenter: Director Atheria Smith.
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Sep 29, 2020
Absolute Date	Sep 29, 2020
Fiscal Impact	Yes
Dollar Amount	\$13,900.00
Budgeted	Yes
Budget Source	1-43-391-5105-1-710000-2463-00 (Fund 43 - Measure G Fund)

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Kitchell CEM

BACKGROUND/ANALYSIS:

The Board is asked to approve the Independent Consultant Agreement for Professional Services (“Agreement”) with Terraphase Engineering Inc. (“Terraphase”) for the Phase II Environmental Site Assessment (“Services”) required for the Merritt College Landscape Horticulture Complex (MLH) project. The scope of work set forth in the Agreement includes Phase II Environmental Site Assessment services such as hazardous building material assessment and surficial soil sampling. The Services were recommended following the May 2020 completion of the Phase I Environmental Site Assessment performed by Basics Environmental. The Services shall be completed before the start of construction of the MLH project. It is imperative that the District have the Services performed in a timely manner as the Phase II Environmental Site Assessment is listed as a HAZ-1 mitigation measure in the project’s CEQA Initial Study Mitigated Negative Declaration (“IS/MND”) presented and approved by the Board on September 15, 2020.

Previously, the Department of General Services (DGS) solicited four organizations for the provisions of geotechnical engineering services for Geotechnical Hazards Reports needed in connection with the Merritt College Horticulture, Laney College Theater Modernization, College of Alameda Aviation Complex, and Auto/Diesel Projects. Three proposals were received, and the proposed scopes of work were reviewed by Kitchell CEM, Placemakers (CEQA Consultant), AECOM and DGS. Terraphase Engineering Inc. was the lowest bidder while also meeting the assessment requirements for this project site.

In the 2020-21 Fiscal Year, Terraphase Engineering Inc. has been awarded the following additional contracts or contract amendments with the District:

Contract Type	Entity Using Vendor	Amount	Board Approval
Agreement for Professional Services with Terraphase Engineering, Inc. for Phase II Environmental Site Assessment – Hazmat Building Material Assessment and Surficial Soil Sampling for the New Landscape Horticulture Complex. (This Item)	Merritt College	\$13,900.00	Pending September 29, 2020
Amendment No. 1 Professional Services – New Transportation Technology Center for Geotechnical and Hazardous Material and reporting services.	College of Alameda	\$11,560.00	Pending September 29, 2020

Amendment No. 1 Professional Services - additional environmental consulting services including a soil gas survey, incremental sampling at the Laney Child Development Center and Regulatory interface with the Alameda County Health Department	Laney College	\$33,225.00	July 28, 2020
Agreement for Professional Services for the Landscape Horticulture Complex for percolation testing.	Merritt College	\$5,440.00	NA
TOTAL		\$64,125	

Contact Information:

Terraphase Engineering Inc.

1404 Franklin St. Ste 600

Oakland, CA 94612

Ph: (510) 645-1850

Jeff Raines, Principal Geotechnical Engineer

DELIVERABLES/SCOPE OF WORK:

Terraphase shall conduct a Phase II Environmental Site Assessment of Hazardous Building Materials for an asbestos-containing material (ACM), lead-based paint (LBP), polychlorinated biphenyls (PCBs), and visual assessment for mold at the Horticulture Project (i.e., Maintenance Building, Greenhouse, classrooms/labs, restroom, and Lath House) located at Merritt College located at 12500 Campus Drive in Oakland, California.

The Scope of Work includes:

Task 1 – Hazardous Building Material Assessment

- a. Terraphase will review construction drawings provided by the Owner and available ACM or LBP inspection reports that have been conducted at this site.
- b. Terraphase will perform a visual inspection to identify suspect ACMs, LBPs, PCBs located in the work area. Terraphase will then collect up to 210 samples of suspect ACMs, 15 samples of suspect LBPs, and 15 samples of suspect PCBs to confirm the visual observations. ACM samples will be analyzed by polarized light microscopy (PLM). LBP samples will be analyzed by Flame Atomic Absorption (FAA) or other suitable analytical methods), as needed. PCB samples will be analyzed by Environmental Protection Agency SW-846 3540C/8082A. The samples will be analyzed by an appropriately qualified laboratory on a standard 5 to 10-day turnaround times.
- c. Terraphase will also conduct a visual inspection for mold, which could pose indoor air quality concerns for sensitive individuals.

Task 2 – Surficial Soil Sampling

- a. Terraphase will conduct surficial soil samples from the site.
- b. The samples will be collected on a ¼-acre grid.
- c. Eight samples (and one duplicate sample) will be collected as part of this task.
- d. The samples will be analyzed for pesticide and heavy metals in accordance with the DTSC's "Interim Guidelines For Sampling Agricultural Fields that are Proposed for School Site".

Task 3 – Reporting

- a. A standalone summary report will be prepared that can be submitted to the local air quality management district and/or the DTSC, if required.
- b. The report will comply with federal, state and local regulations.
- c. A California Occupational Safety and Health Administration Certified Asbestos Consultant (CAC) and/or a California Department of Public Health Lead Related Inspector/Assessor (I/A) will provide technical oversight on the scope of work, laboratory results analysis, and report conclusions as they pertain the hazardous building materials.

A California licensed Professional Engineer will provide oversight for the surficial soil sampling scope of work, laboratory results, and report conclusions.

ANTICIPATED COMPLETION DATE:

Terraphase will complete the Services on or before November 30, 2020.

EVALUATION AND RECOMMENDED ACTION:

The Construction Manager, Facilities Planning and Development Director, and Acting Chancellor recommend approval of the Independent Consultant Agreement for Professional Services with Terraphase in the amount of \$13,900 for the Phase II Environmental Site Assessment – Hazmat Building Material Assessment and Surficial Soil Sampling for the MLH project at Merritt College.

File Attachments

[Independent Consultant Services Agreement_TerraPhase_PH I ESA_20200929 \(Clean\)_3603316_1\(DMS\).pdf \(160 KB\)](#)
[Terraphase - Merritt MARC_signed.pdf \(1,416 KB\)](#)

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

7. CONSENT CALENDAR - FINANCE

Subject	7.1 Consider Approval of Budget Transfer Report for the period covering from August 1, 2020 through August 31, 2020. Presenter: Acting Vice Chancellor Ahmed
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Sep 29, 2020
Absolute Date	Sep 29, 2020
Fiscal Impact	No
Budgeted	No
Budget Source	N/A

TO: Members of the Board of Trustees

FROM: Adil Ahmed, Acting Vice Chancellor for Finance & Administration

PREPARED BY: Richard Ferreira, Executive Assistant

Background/Analysis:

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

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

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

For PCCDs Budget Transfer Reports:

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

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

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

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

The Acting Chancellor recommends approval.

File Attachments

[Budget Transfer Report 08312020.pdf \(688 KB\)](#)

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

7. CONSENT CALENDAR - FINANCE

Subject	7.2 Review of Purchase Order Report for the period covering from August 1, 2020 through August 31, 2020. Presenter: Acting Vice Chancellor Ahmed
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Sep 29, 2020
Absolute Date	Sep 29, 2020
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	N/A

TO: Members of the Board of Trustees

FROM: Adil Ahmed, Acting Vice Chancellor for Finance & Administration

PREPARED BY: Richard Ferreira, Executive Assistant

Background/Analysis:

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

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

FUND	Number of Orders Issued	Total Dollar Value
Fund Code: 01 General Unrestricted	186	\$2,837,714.77
Fund Code: 08 Parcel Tax, Measure E	10	\$4,549.82
Fund Code: 10 College Designated Funds	21	\$217,156.83
Fund Code: 11 General Restricted Fund	169	\$728,954.88
Fund Code: 43 Gen. Obligation Bond Meas. G	11	\$1,668,143.78
Fund Code: 61 Cap. Out. Proj. Funds-State	4	\$5,441.40
Fund Code: 63 Bond Measure A	100	\$1,907,384.32
Fund Code: 68 Child Development Fund	6	\$16,472.49
Total	507	\$7,385,818.29

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

The Acting Chancellor recommends review.

File Attachments

[Purchase Order Report 08312020.pdf \(288 KB\)](#)

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

7. CONSENT CALENDAR - FINANCE

Subject	7.3 Consider Ratification of the Warrant/Payment Report for the period covering August 1, 2020 through August 31, 2020. Presenter: Acting Vice Chancellor Ahmed
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Sep 29, 2020
Absolute Date	Sep 29, 2020
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	N/A

TO: Members of the Board of Trustees

FROM: Adil Ahmed, Acting Vice Chancellor for Finance & Administration

PREPARED BY: Richard Ferreira, Executive Assistant

Background/Analysis:

Consider ratification of the AP, Travel, and Consulting Contract Warrant Register from August 1, 2020 through August 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 Acting Chancellor recommends ratification.

File Attachments

[Warrent Payment Report 08312020.pdf \(321 KB\)](#)

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

8. ACTION ITEMS

Subject **8.1 Consider Approval of a Classified Personnel Item. Presenter: Vice Chancellor Whittaker**

Meeting Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Action

Preferred Date Sep 29, 2020

Absolute Date Sep 29, 2020

Fiscal Impact Yes

Budgeted Yes

Budget Source Fund 11 Budget String: 5-11-546-2102-1-640000-2063-00 (75%) 5-11-546-2102-1-672700-2078-00 (25%)

TO: Peralta Board of Trustees

FROM: Chanelle Whittaker

PREPARED BY: Socorro Taylor

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

RATIFICATION OF CLASSIFIED PERSONNEL ITEMS

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

A. CLASSIFIED EMPLOYMENT

(NP = New Position *= New Employee)

<u>Name</u>	<u>Location</u>	<u>Department/Reports to:</u>
None	<u>Berkeley City College</u>	
None	<u>College of Alameda</u>	
	<u>District Office</u>	
	<u>Laney College</u>	
Toya Groves	Student Services Specialist/Restoring Our Communities (ROC)	Student Services/Dean Diane Chang
Classified employment of Toya Groves as Student Services Specialist, effective September 30, 2020.		
	<u>Merritt College</u>	
None		

B. PHASE-IN RETIREMENT

None

C. LEAVE OF ABSENCE

None

D. PUBLIC EMPLOYEE RETIREMENT AND RESIGNATION

1. Retirement

<u>Name</u>	<u>Location</u>	<u>Department/Reports to:</u>
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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>District Office</u>	
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None	<u>Laney College</u>	
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None	<u>Merritt College</u>	
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2. Resignation

None	<u>Berkeley City College</u>	
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None	<u>College of Alameda</u>	
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None	<u>District Office</u>	
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None	<u>Laney College</u>	
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None	<u>Merritt College</u>	
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E. SHORT-TERM NON-CONTINUING POSITIONS

<u>Name</u>	<u>Location</u>	<u>Department/Reports to:</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>District Office</u>	
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None	<u>Laney College</u>	
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None	<u>Merritt College</u>	
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DELIVERABLES/SCOPE OF WORK:

N/A

ANTICIPATED COMPLETION DATE:

N/A

EVALUATION AND RECOMMENDED ACTION:

The Acting Chancellor recommends approval.

8. ACTION ITEMS

Subject **8.2 Consideration and Approval of the Attached Memorandum of Understanding (MOU) Between the District and the Peralta Federation of Teachers (PFT) Regarding Stipend for Transition to Distance Education. Presenter: Vice Chancellor Whittaker**

Meeting Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Action

Preferred Date Sep 29, 2020

Absolute Date Sep 29, 2020

Fiscal Impact Yes

Dollar Amount \$800,000.00

Budgeted Yes

Budget Source State Chancellor's Office COVID 19 BLOCK GRANT 1-11-141-1-1456-1-672000-2094-00 (Fiscal Impact is \$800,000)

TO: Peralta Board of Trustees

FROM: Chanelle Whittaker

PREPARED BY: Socorro Taylor

BACKGROUND/ANALYSIS:

The District and the Peralta Federation of Teachers entered into the attached Memorandum of Understanding regarding the conversion of face-to-face and hybrid classes to 100% distance education.

The fiscal impact is \$800,000. The budget source is the State Chancellor's Office COVID 19 BLOCK GRANT 1-11-141-1-1456-1-672000-2094-00.

DELIVERABLES/SCOPE OF WORK:

ANTICIPATED COMPLETION DATE:

EVALUATION AND RECOMMENDED ACTION:

The Acting Chancellor recommends approval.

File Attachments

[09-20-20 MOU between PCCD & PFT on Stipend for Transition to Distance Education.pdf \(128 KB\)](#)

8. ACTION ITEMS

Subject	8.3 Consideration and Approval of the Attached Memorandum of Understanding (MOU) Between the District and the Peralta Federation of Teachers (PFT) Regarding Class Cap Settlement. Presenter: Vice Chancellor Whittaker
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Sep 29, 2020
Absolute Date	Sep 29, 2020
Fiscal Impact	Yes
Dollar Amount	\$400,000.00
Budgeted	Yes
Budget Source	State Chancellor's Office COVID 19 BLOCK GRANT (Fiscal Impact is NOT TO EXCEED \$400,000)

Peralta Board of Trustees

FROM: Chanelle Whittaker

PREPARED BY: Socorro Taylor

BACKGROUND/ANALYSIS:

The District and the Peralta Federation of Teachers entered into the attached Memorandum of Understanding regarding the Implementation of Embedded Tutors and Course Design Specialists for classes with 35 or more students.

The fiscal impact is Not to Exceed \$400,000. The budget source is the State Chancellor's Office COVID 19 BLOCK GRANT 1-11-141-1-1456-1-672000-2094-00.

DELIVERABLES/SCOPE OF WORK:

ANTICIPATED COMPLETION DATE:

EVALUATION AND RECOMMENDED ACTION:

The Acting Chancellor recommends approval.

File Attachments

[09-29-20 MOU between PCCD & PFT on Class Cap Settlement.pdf \(133 KB\)](#)

8. ACTION ITEMS

Subject	8.4 Consider Approval of the Employment Agreement with Dr. Carla Walter. Presenter: President Bonilla
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Sep 29, 2020
Absolute Date	Sep 29, 2020
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Funds

Background/Analysis:

Consider approval of the Employment Agreement with Dr. Carla Walter to serve as Peralta Community College District's Interim Chancellor. The term of the Agreement is from October 1, 2020, to February 28, 2021, at an annual salary of \$314,943.00 with dental benefits. The terms have been agreed to by Dr. Carla Walter and the Employment Agreement is presented here for the Board's consideration.

File Attachments

[PCCD Interim Chancellor Agreement Walter 10-1-20 Final.pdf \(98 KB\)](#)

8. ACTION ITEMS

Subject **8.5 Consider Ratification of Change Order No. 2 to the Agreement for Construction Services with Rosendin Electric, Inc. for Repair Work to Malfunctioning Parking Lot Lighting at Laney College to Extend the Contract Time by 21 days. Presenter: Director Atheria Smith.**

Meeting Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Action

Preferred Date Sep 29, 2020

Absolute Date Sep 29, 2020

Fiscal Impact No

Budgeted No

Budget Source 1-63-391-6120-1-710000-2423-02 (Fund 63 Measure A)

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Swinerton

BACKGROUND/ANALYSIS:

As a result of unforeseen Covid-19 related delays, Rosendin Electric, Inc. ("Contractor") finished the scope of work set forth in the previously approved Change Order No 1, 21 days later than originally anticipated. Approval of this Change Order No. 2 ratifies the 21 day extension of the Contract Time.

On November 14, 2019, Laney College ("Laney Campus") experienced a sudden, surge of power in the lighting control wiring which caused the circuit breaker within the transformer room located adjacent to the physical plant in Building E to fail. The resulting malfunction of the lighting in the parking lot impaired visibility at the Laney Campus during low light periods of the day ("Loss of Lighting").

On December 10, 2019, the Governing Board of Trustees approved Resolution No.19/20-15 authorizing the Chancellor, or her designee, to take all actions required to restore power to the malfunctioning parking lot lights at the Laney College campus. At the same meeting, the Board of Trustees ratified an Agreement for Construction Services with Contractor to perform the necessary repair work. While the temporary installation of gas-operated lighting addressed the immediate need, more permanent repairs were required to adequately address the failed circuit breaker.

The additional repairs were accomplished via three phases which were completed by December 13, 2019. The first was the provision and installation of a replacement 150 amp breaker. The second was the removal and replacement of the damaged parking lot wiring. The third, and final step, was a complete investigation and repair of the pre-existing parking light system to ensure District staff and students were protected from any risks posed by impaired visibility in the lot.

Despite the foregoing repairs, many of the existing fluorescent fixtures remained inoperable due to the bulbs being out or faulty ballasts. Furthermore, the intensity of the light being provided was insufficient, and the lighting conditions were still dim.

Ultimately, the light provided by the temporary lights was substantially better than the permanent fixtures. Change Order No. 1 addressed these issues by having 24 LED fixtures installed at six selected light poles. The lighting system is now upgraded by improving the lighting conditions throughout the parking lot. This Change Order No. 2 is requesting approval of an extension of the Contract Time by 21 days which allowed the Contractor to complete the project. No monies are involved.

A summary of Rosendin's Agreement and Change Orders is noted below.

Document	Change	Price	Completion Date	Board Approval Date
Agreement for Construction Services	N/A	\$80,000.00		12/10/19

Change Order #1	Cost of Upgrade of Existing Parking Lot Lighting System, due to Unforeseen Conditions	\$27,849.00	July 31, 2020	6/9/20
Change Order #2	Time Extension	\$0.00	August 21, 2020	This item.
Contract Total:		\$107,849.00		

DELIVERABLES/SCOPE OF WORK:

The scope of work set forth in the Agreement for Construction Services was not changed by this amendment. The Contractor's scope of work is summarized below.

1. Contractor will safely power off, disconnect and replace twenty four (24) existing fluorescent pole mounted luminaire heads with new LED replacements that include 6" mounting arms. Four (4) LED luminaire heads will be installed per pole for a total of six (6) poles.
2. Contractor will relocate fourteen (14) of the removed and working fluorescent fixtures, install at specified locations, and make operable.

ANTICIPATED COMPLETION DATE:

The scope of work set forth in Change Order No. 1 was completed by August 21, 2020. Approval of Change Order No. 2 ratifies the extension of the Contract Time to August 21, 2020.

EVALUATION AND RECOMMENDED ACTION:

The College President, the Facilities Planning and Development Director and Acting Chancellor recommend ratification of Change Order No. 2 to the Agreement for Construction Services with Rosendin Electric, Inc. for repair work to malfunctioning parking lot lighting at Laney College to extend the Contract Time for 21 days.

File Attachments

[Change Order No. 2 - REI_3602087_1\(DMS\).PDF \(109 KB\)](#)
[CO #1 and fully executed contract.pdf \(4,106 KB\)](#)
[Rosendin Electric MARC_signed.pdf \(9,918 KB\)](#)

8. ACTION ITEMS

Subject **8.6 Consider Ratification of Amendment No. 1 to the Independent Consultant Agreement for Professional Services with Bellecci & Associates, Inc. for the AC Paving Rehabilitation Project at Laney College to Extend the Term of the Agreement by 274 days to Account for DSA Project Approval Delays. Presenter: Director Atheria Smith**

Meeting Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type Action

Preferred Date Sep 29, 2020

Absolute Date Sep 29, 2020

Fiscal Impact No

Budgeted No

TO: Peralta Board of Trustees

FROM: Department of General Services

PREPARED BY: Swinerton

BACKGROUND/ANALYSIS:

As a result of unforeseen and unanticipated Division of State Architect (“DSA”) project approval delays, Bellecci & Associates, Inc.’s (“Consultant”) scope of work set forth in the Independent Consultant Agreement for Professional Services (“Agreement”) will not be completed until March 31, 2021. Ratification of this Amendment No. 1 approves the 274 day extension of the Agreement term to account for the prolonged DSA approval process for the project.

Consultant was selected through an informal bid process and was the most qualified based on its work plan, experience, schedule, communication skills, and completeness of its proposal. The District Agreement with Consultant was approved by the Board on October 22, 2019. The scope of the Consultant’s work set forth in the Board approved Agreement, as described below, has not changed. However, the time extension memorialized in this Amendment No. 1 is needed to account for the anticipated new completion date of March 31, 2021. The time extension and pushed out completion date for the construction project stem from the additional time required to obtain DSA approval of the project.

A summary of the Agreement and Amendment follows:

Document	Change	Price	Completion Date	Board Approval Date
Original Contract Agreement for Construction Services	N/A	\$63,786.00	June 30, 2020	10/22/19
Amendment #1	Time Extension	\$0.00	March 31, 2021	This item.
Contract Total		\$63,786.00		

Bellecci & Associates, Inc. is a local civil engineering firm which has been provided design professional services for more than 30 years. Projects include paving rehabilitation, utility upgrades and relocations, complete street designs, and sustainable/environmental designs. Frank Bellecci is the Founding Principal of the firm. Dan Leary is a Principal and will manage this particular project.

Contact Information

2290 Diamond Blvd. Suite 100, Concord, CA 94520.

925-681-4880

www.bellecci.com

DELIVERABLES/SCOPE OF WORK:

Consultant will complete the same scope set forth in the Board approved Agreement, which consists of water pollution control, storm drainage improvements, demolition work and asphalt paving rehabilitation work. Amendment No. 1 extends the time for the Consultant to complete the services as necessitated by a prolonged DSA approval time.

ANTICIPATED COMPLETION DATE:

The Project is anticipated to be complete by March 31, 2021.

EVALUATION AND RECOMMENDED ACTION:

The Facilities Planning and Development Director, the Project Manager and the Acting Chancellor recommend ratification of this Amendment No. 1 to the Independent Consultant Agreement for Professional Services with Bellecci & Associates, Inc. for the AC Paving Rehabilitation Project at Laney College to extend the term of the Agreement 274 days to account for DSA project approval delays.

File Attachments

[Amendment #1 to Agreement for Professional Services \(Bellecci & Associa\) \(Clean\)_3602054_1\(DMS\).pdf \(19 KB\)](#)

[Original Agreement Bellecci & Associates,..._3599595_1\(DMS\).PDF \(2,419 KB\)](#)

[Bellecci Associates MARC _signed.pdf \(3,255 KB\)](#)

9. REPORTS/ANNOUNCEMENTS

Subject	9.1 Board of Trustees' Reports
Meeting	Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

9. REPORTS/ANNOUNCEMENTS

Subject

9.2 Announcements

Meeting

Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type

Information

10. ADJOURNMENT

Subject

10.1 Meeting Adjournment

Meeting

Sep 29, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type

Procedural