

Agenda Item Details

Meeting May 10, 2012 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. ATTACHMENT A - CONSENT CALENDAR

Subject 16.16 Approve Minutes of April 19, 2012, Regular Board Meeting

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the April 19, 2012, Regular Board Meeting minutes as presented.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT**Item: 16.16**

TO: Board of Trustees

FROM: Dan Moser, Superintendent

SUBJECT: Approve Minutes of April 19, 2012, Regular Board Meeting

Attached are the minutes of the April 19, 2012, Regular Board Meeting for review and approval by the Board of Trustees.

FISCAL IMPACT:

None

FUNDING SOURCE:



None

RECOMMENDATION:

It is recommended that the Board of Trustees approve the April 19, 2012, Regular Board Meeting minutes as presented.

Executive Content

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED May 10, 2012**



**EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES**

Meeting Held at Education Center

April 19, 2012

4:00 p.m.

1. CALL TO ORDER/ROLL CALL

1.01 Roll Call

The Regular Meeting of the Board of Trustees was called to order at 4:00 p.m. by President Biehl. Vice President Martinez-Roach, Clerk Herrera and Member Le were present. Member Nguyen arrived at 5:30 p.m.

1.02 Announcement and Public Comment regarding Items to be discussed in Closed Session (Government Code 54957.7)

President Biehl extended a welcome to everyone, explained the format of the meeting, noted that all Board Meetings are recorded and offered the public to comment on item(s) to be discussed in Closed Session.

There were no public speakers.

1.03 Recess to Closed Session in the Superintendent's Conference Room (Open Session will resume at the end of Closed Session at approximately 6:00 p.m.) See item 2 on agenda (Closed Session).

The Board of Trustees recessed to Closed Session in the Superintendent's Conference Room.

2. CLOSED SESSION

2.01 Expulsion(s): A - B

Student A:

On a vote of 4/0, with Member Nguyen absent, the Board voted to approve the modified expulsion of Student A.

Student B:

On a vote of 4/0, with Member Nguyen absent, the Board voted to approve the modified expulsion of Student B.

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

- *Superintendent*

2.03 Public Employment/Public Employee Appointment (Government Code Section 54957)

- *Internal Auditor*
- *Director of Special Services*
- *Coordinator of Special Services*
- *Administrator of Special Services*
- *Associate Principals*
- *Adult Education Supervisor*

2.04 Public Employee Discipline/Dismissal/Release (Government Code Section 54957)

2.05 Conference with Labor Negotiators (Government Code Section 54957.6)

Agency Designated Representatives:

Dan Moser, Superintendent

Cathy Giammona, Associate Superintendent of Human Resources and Instruction

Marcus Battle, Associate Superintendent of Business Services

Juan Cruz, Assistant Superintendent of Instructional Services

Vida Branner, Director of Compensation and Classified Employee Relations

Cari Vaeth, Director of Human Resources

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

**2.06 Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9
of the Government Code**

- *Three (3) Potential Cases*

**2.07 Conference with Legal Counsel – Existing Litigation
Subdivision (a) of Section 54956.9 of the Government Code**

- *Claim of M.A. and Y.G.*

On a vote of 4/0, with Member Nguyen absent, the Board voted to reject the claim of M.A. and Y.G.

OPEN SESSION AT APPROXIMATELY 6:00 P.M. – EDUCATION CENTER BOARD ROOM

3. PLEDGE OF ALLEGIANCE

4. WELCOME AND EXPLANATION TO AUDIENCE

Information explaining Board meeting procedures and how citizens can address the Board will be read. Written information is located near the entrance to the Board Room.

President Biehl extended a welcome to everyone, explained the format of the meeting and noted that all Board Meetings are recorded.

5. ADOPTION OF AGENDA

For consideration by the Board of Trustees.

Request made to carry agenda item 11.06 to next Board Meeting.

Motion by Member Le, second by Vice President Martinez-Roach, to carry agenda item 11.06 to the May 10, 2012, Board Meeting.

Vote: 5/0

Request to place items 11.01, 14.01, 14.02, 14.03, 14.04 and 12.01 under section 8 “Special Order of Business.”

Motion by President Biehl, second by Member Nguyen, to move the following agenda items under section 8 “Special Order of Business” and to be heard in the following order:

- ❖ 11.01 *Approve Escuela Popular Accelerated Family Learning Center Charter Renewal*
- ❖ 12.01 *Andrew Hill High School International Baccalaureate Program Presentation*
- ❖ 14.01 *Discussion and/or Action regarding Measure E Unfunded Project Analysis*
- ❖ 14.02 *Discussion, Consideration and/or Action regarding General Obligation Bond Options, Timing for Issuance, and Bond Voter Survey*
- ❖ 14.03 *Adopt Resolution #2011/2012-32 Authorizing Delivery and Sale of Refunding Certificates of Participation in the Principal Amount of not to Exceed \$17,000,000 to Refinance Solar Equipment Lease/Purchase Agreement, and Approving Related Documents and Actions*
- ❖ 14.04 *Adopt Resolution #2011/2012-33 Authorizing the Issuance and Sale of Taxable Refunding OPEB Bonds in the Principal Amount of not to exceed \$10,000,000 to Refinance a portion of the Debt Service Payments on the 2006 OPEB Bonds, and Approving Related Documents and Actions*

Vote: 5/0

6. **BOARD SPECIAL RECOGNITION(S)**

6.01 **Recognition for Community Services:**

- **California-Community Partners for Youth (CCPY)**
“Connecting Local At-Risk Youth with Personal Accountability & Inspiring Vision in their Lives”

- ❖ *Jeff Bornefeld*
- ❖ *Pattie Cortese*

6.02 **Recognition of Outgoing Measure G and E CBOC Members**

- *John Moore*
- *Jon Reinke*
- *David Hernandez*

7. **STUDENT BOARD LIAISONS**

7.01 **Nayeli Delgado, Student Representative – Apollo High School**

7.02 **Deanna Pham, ASB Executive Vice President – Independence High School**

8. **SPECIAL ORDER OF BUSINESS – OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

The Superintendent and/or Board Member(s) may request that items be considered, discussed, and acted on out of the order indicated on the agenda as per schedule.

9. **PUBLIC HEARING(S) – OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

9.01 **Hold Public Hearing at Approximately 6:10 p.m. - Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to California School Employees Association, Chapter 187 - Dan Moser, Superintendent; Cathy Giammona, Associate Superintendent, Human Resources and Instruction; and Vida L. Branner, Director of Compensation and Classified Employee Relations**

Public hearing held. There were no public speakers.

9.02 **Hold Public Hearing at Approximately 6:15 p.m. - Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to San Jose Federation of Teachers Local 957, AFT, AFL-CIO - Dan Moser, Superintendent; and Cathy Giammona, Associate Superintendent, Human Resources and Instruction**

Public hearing held.

Public speaker:

- *Jeanette Bruntz, AFT President*

10. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD OF TRUSTEES

Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code section 54954.2(a) and 54954.3) preclude any action. As an unagendized item, no response is required from the Board or District staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.

Persons wishing to address the Board must fill out a gold request form, which is located at the entrance of the Board Room.

Public speakers:

- *Ricardo Reyes – AHHS WASC*
- *Robson – Developing a Policy, SB 578, Awarding Partial Credits to Foster Youth*
- *Erin Glenn – Developing a Policy, SB 578, Awarding Partial Credits to Foster Youth*
- *Kitina Martin - Developing a Policy, SB 578, Awarding Partial Credits to Foster Youth*
- *Sergio Cuevas - Developing a Policy, SB 578, Awarding Partial Credits to Foster Youth*
- *Wendy Kineer - Developing a Policy, SB 578, Awarding Partial Credits to Foster Youth*
- *Marisa Hanson – Administration Appointment*
- *Vanessa Sepulveda – Dress Code/Uniform at Yerba Buena High School*

11. BOARD OF TRUSTEES/SUPERINTENDENT - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

11.01 Approve Escuela Popular Accelerated Family Learning Center Charter Renewal – Cathy Giammona, Associate Superintendent, Human Resources and Instructional Services, Juan Cruz, Assistant Superintendent of Instructional Services, and Kirsten King, Director of Instructional Services

Public speakers:

- *Patricia Reguerin*
- *San Juana Ochoa*
- *Daisy Barocio*
- *Merle Boxill*

Motion by Clerk Herrera, second by Member Nguyen, to approve the Escuela Popular Accelerated Family Learning Center Charter renewal. The Charter will be renewed for five (5) years and will expire on June 30, 2017.

4/1, Vice President Martinez-Roach voted No

Vice President Martinez-Roach stated for the record that she always votes against charter schools because she believes in public schools and that students should be enrolled in a comprehensive school; students should be in the public school system.

11.02 Adopt Resolution #2011/2012-27 Cash Incentive Retirement Program (CIRP) for Classified Employees - Marcus Battle, Associate Superintendent, Business Services, and Vida Branner, Director of Compensation and Classified Employee Relations

Public speaker:

- *Angie Nunn, CSEA President*

Motion by Vice President Martinez-Roach, second by Member Le, to adopt as amended Resolution #2011/2012-27 Cash Incentive Retirement Program (CIRP) for classified employees.

Resolution amended as follows:

- *Delete last bullet: "The employee must retire from the District by June 30, 2012."*
- *The third current bullet add: "Employee must submit an irrevocable retirement letter no later than May 25, 2012"*

Also, to authorize and direct the Associate Superintendent, Human Resources, and Associate Superintendent, Business Services to: 1) Execute the Cash Incentive Program and any and all other documents necessary or proper to implement the Program; 2) Execute any and all documents, including any amendment to the Program, necessary or proper to maintain favorable determination of the Program.

Vote: 5/0

11.03 Board Audit Committee Update, Discussion and/or Action - Lan Nguyen, Audit Committee Chairperson, and Patricia Martinez-Roach, Board Audit Committee Vice Chairperson

Lan Nguyen, Board Audit Committee Chairperson

The Audit Committee met on April 3. The full Committee was in attendance. There were a lot of reports provided by the Internal Auditor and External Auditor.

11.04 Presentation, Discussion and/or Action regarding the Efforts by the District and its Partners Towards Fulfilling the District Goal Set by the Board in its College and Career Readiness for All Resolution - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, Kirsten King, Director of Instructional Services, and Presented by Manny Barbara, Silicon Valley Education Foundation

Presentation item; no action taken.

11.05 Discussion/Action to Approve Final Proposition 39 Facilities Offer and Facilities Use Agreement with ACE Charter School – Dan Moser, Superintendent

Motion by Member Herrera, second by President Biehl, to take action on the following:

- 1) *The Board finds that the use of the Independence High School facilities by Ace Charter High School on the terms and conditions set forth in the Facilities Use Agreement will not interfere with the educational program or activities at the Independence site, will not unduly disrupt the residents in the surrounding*

neighborhood, and will not jeopardize the safety of the students at the Independence site; and,

- 2) Approve and authorize the execution of the Facilities Use Agreement for the period July 1, 2012, through June 30, 2013.

Vote: 4/1, President Martinez-Roach voted No

For the record, Vice President Martinez-Roach expressed her concern about the number of rooms being given to ACE Charter School; she does not agree on the number of rooms and feels it is excessive, including furniture being provided to the Charter School. She is concerned about the supervision of charter school students and the impact it will have on site administration. She feels that this is a disservice to East Side Union High School District students and staff.

11.06 Discussion/Action to Approve App Development and Cooperation Agreement – Dan Moser, Superintendent

Item carried to May 10, 2012, Board Meeting.

11.07 Receive First Reading of Proposed Amended Board Bylaw #9270 Conflict of Interest; Revolving Door Policy and #9270E (Appendix A) Designated Positions/Disclosure Categories – Dan Moser, Superintendent

Received first reading of proposed amended Board Bylaw #9270 Conflict of Interest; Revolving Door Policy and #9270E (Appendix A) Designated Positions/Disclosure Categories.

11.08 Receive Second Reading/Adopt New Board Policy #3314.4 Clearing Fund and Receive Second Reading/Adopt Amendment to Board Policy #3452 Student Activity Funds – Dan Moser, Superintendent

Motion by Vice President Martinez-Roach, second by Clerk Herrera, to:

- *Receive and adopt the second reading of new Board Policy #3314.4 Clearing Fund*
- *Receive and adopt the second reading to amend Board Policy #3452 Student Activity Funds*

Vote: 5/0

11.09 Receive First Reading to Amend Board Policy #6142.7 Physical Education - Juan Cruz, Assistant Superintendent of Instructional Services, and Kirsten King, Director of Instructional Services

Public speaker:

- *Marisa Hanson, ESTA President*

Received first reading to amend Board Policy #6142.7 Physical Education.

11.10 Receive First Reading of Proposed Amendments to Board Policy 2121 and Board Bylaws 9320 and 9321.1 – Dan Moser, Superintendent

Received first reading of proposed amendments to Board Policy 2121 and Board Bylaws 9320 and 9321.1.

11.11 Adopt Resolution #2011/2012-28 In Support of "My Vote Our Future" Project – Frank Biehl, Board President

Public speaker:

- *Hoi Yung Poon, DeAnza College My Vote Our Future Campaign Director*

Motion by Clerk Herrera, second by President Biehl, to adopt Resolution #2011/2012-28 in Support of "My Vote Our Future" Project.

Vote: 5/0

11.12 Adopt Resolution #2011/2012-29 Declaring May 7-11, 2012, as National Teacher Appreciation Week and May 9, 2012, as California Day of the Teacher – Dan Moser, Superintendent

Motion by Clerk Herrera, second by Member Nguyen, to Adopt Resolution #2011/2012-29 Declaring May 7-11, 2012, as National Teacher Appreciation Week and May 9, 2012, as California Day of the Teacher.

Vote: 5/0

11.13 Adopt Resolution #2011/2012-30 Declaring May 20-26, 2012, as Classified School Employees Week - Dan Moser, Superintendent

Motion by Clerk Vice President Martinez-Roach, second by Member Le, to Adopt Resolution #2011/2012-30 Declaring May 20-26, 2012, as Classified School Employees Week.

Vote: 5/0

12. INSTRUCTIONAL SERVICES/STUDENT SERVICES - OPERATIONAL ITEMS/.BOARD DISCUSSION AND/OR ACTION

12.01 Andrew Hill High School International Baccalaureate Program Presentation - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, Bettina Lopez, Principal of Andrew Hill High School, and Mike Winsatt, International Baccalaureate Coordinator (10 minutes)

Public speaker:

- *Joanne Winterstein*

Presentation item; no action taken.

- 12.02 Receive Charter School Renewal Petition from San Jose Conservation Corps – Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, and Kirsten King, Director of Instructional Services**

Received Charter School Renewal Petition from San Jose Conservation Corps.

- 12.03 Adopt Resolution #2011/2012-31 Adopted Admissions Guideline Modifications at San Jose State University - Dan Moser, Superintendent, Cathy Giammona, Associate Superintendent Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, and Kirsten King, Director of Instructional Services**

Motion by Clerk Herrera, second by Vice President Martinez-Roach, to adopt Resolution 2011/2012-31 Adopted Admissions Guideline Modifications at San Jose State University.

Vote: 5/0

- 12.04 Receive the First Valenzuela/CAHSEE and Williams Settlement Uniform Complaints Quarterly Report for Period Covering January 1, 2012 through March 31, 2012 as required by EC 35185 (Williams Settlement Legislation SB550 and AB2727) - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, and Robert Ibarra, Coordinator of Professional Development/Migrant Education**

Received the first Valenzuela/CAHSEE and Williams Settlement Uniform Complaints Quarterly Report for the period covering January 1, 2012, through March 31, 2012, as required by Education Code 35185 (Williams Settlement Legislation SB550 and AB2727)

13. HUMAN RESOURCES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

- 13.01 Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to East Side Teachers Association - Dan Moser, Superintendent; and Cathy Giammona, Associate Superintendent, Human Resources and Instruction**

Public speaker:

- *Marisa Hanson, ESTA President*

Motion by Vice President Martinez-Roach, second by Clerk Herrera, to adopt the initial proposal for successor contract from the East Side Union High School District to the East Side Teachers Association.

Vote: 5/0

14. BUSINESS SERVICES/STUDENT SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

- 14.01 Discussion and/or Action regarding Measure E Unfunded Projects Analysis - Marcus Battle, Associate Superintendent of Business Services, and Bob Bush, SGI Bond Project Manager**

Presentation item; no action taken.

- 14.02 Discussion, Consideration and/or Action regarding General Obligation Bond Options, Timing for Issuance, and Bond Voter Survey - Marcus Battle, Associate Superintendent of Business Services, and Cheryl Vesely, Presenter from Dale Scott and Company**

Motion by President Biehl, second by Vice President Martinez-Roach, to direct the District's financial advisor, Dale Scott & Company, to undertake a random telephone survey (poll) of voters to determine support for a bond election. The poll would test two scenarios: 1) How the voters would feel about a reauthorization bond election; and, 2) How the voters would feel about a new General Obligation Bond election. This would be without capital appreciation bonds.

Vote: 5/0

- 14.03 Adopt Resolution #2011/2012-32 Authorizing Delivery and Sale of Refunding Certificates of Participation in the Principal Amount of not to Exceed \$17,000,000 to Refinance Solar Equipment Lease/Purchase Agreement, and Approving Related Documents and Actions - Marcus Battle, Associate Superintendent of Business Services, Charles Adams, from Jones Hall, and Cheryl Vesely, from Dale Scott and Company**

Public speaker:

- *Marisa Hanson, ESTA President*

No action taken to adopt Resolution.

President Biehl asked if there are other alternatives for refinancing and that refinancing options, such as straight refinancing, be presented at next Board Meeting for discussion and/or action by the Board.

- 14.04 Adopt Resolution #2011/2012-33 Authorizing the Issuance and Sale of Taxable Refunding OPEB Bonds in the Principal Amount of not to exceed \$10,000,000 to Refinance a portion of the Debt Service Payments on the 2006 OPEB Bonds, and Approving Related Documents and Actions - Marcus Battle, Associate Superintendent of Business Services, Charles Adams, from Jones Hall, and Cheryl Vesely, from Dale Scott and Company**

Public speaker:

- *Marisa Hanson, ESTA President*

No action taken to adopt Resolution.

President Biehl asked that this item be deferred to the next meeting for further discussion/action by the Board. He asked Associate Superintendent Battle to meet with Mr. Bruce Berg who has much knowledge in the area of finance and education. He also asked Mr. Battle to see if there are other alternatives and to also examine timing, including the choices and risk being taken by refinancing or not refinancing so that the Board can make a measured decision.

Vice President Martinez-Roach would like to see options, such as long-term refinancing.

Administration will look at other options, do a risk analysis and bring back, when appropriate, at a future meeting.

14.05 Approve Contracts for Professional Services over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Motion by Clerk Herrera, second by Member Le, to approve contracts for professional services over \$50,000 (attached).

Vote: 5/0

15. FACILITIES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

No items on calendar under this section.

16. ATTACHMENT A – CONSENT CALENDAR ITEMS

Motion by Member Nguyen, second by Clerk Herrera, to approve the entire consent calendar as presented.

Vote: 5/0

- 16.01 Ratify/Approve Classified Personnel Actions Presented April 19, 2012**
- 16.02 Ratify/Approve Certificated Personnel Actions Presented April 19, 2012**
- 16.03 Ratify/Approve Student Aide Personnel Actions Presented April 19, 2012**
- 16.04 Approve School Field Trips**
- 16.05 Approve Award of Bids**
- 16.06 Approve Contracts for Professional Services At or Below \$50,000**
- 16.07 Approve Memoranda of Understanding**
- 16.08 Approve Budget Transfers**
- 16.09 Approve Purchase Orders**

- 16.10 Approve Change Orders to Purchase Orders
- 16.11 Accept Donations, Grants and Awards
- 16.12 Accept Warrant Register for the Month of March 2012
- 16.13 Adopt Resolution #2011/2012-34 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546
- 16.14 Approve Minutes of February 22, 2012, Special Board Meeting
- 16.15 Approve Minutes of March 3, 2012, Board Retreat/Meeting
- 16.16 Approve Minutes of March 8, 2012, Regular Board Meeting
- 16.17 Approve Minutes of March 13, 2012, Regular Board Meeting

17. **WRITTEN REPORTS/RECOMMENDATIONS**

- 17.01 Receive Update to Previously Approved Change Orders for Current Bond Projects which Exceed the 10% Allowance

Item received

- 17.02 Receive Proposition 227 District Implementation Plan

Item received

- 17.03 Vietnamese Language Report

Item received

18. **FUTURE AGENDA ITEMS**

- 18.01 Opportunity for Board of Trustees to request items on future agendas.

- Parent Involvement Plan – Patricia Martinez-Roach, Board Vice President
- Child Care Program – Patricia Martinez-Roach, Board Vice President
- Special Education Program Costs – Patricia Martinez-Roach, Board Vice President
- Charter Schools – Patricia Martinez-Roach, Board Vice President
- Chinese Language Program – J. Manuel Herrera, Board Member, and Patricia Martinez-Roach, Board Vice President
- Special Board Meeting: Follow-Up on Board Retreat – Frank Biehl, Board President
- Allowable Advertising – Frank Biehl, Board President

New item(s) requested by Board of Trustees:

- AB 578 Policy on Foster Youth – Patricia Martinez-Roach, Board Vice President
- MASCA Status – Patricia Martinez-Roach, Board Vice President

19. **BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS**

19.01 **Board of Trustees**

Lan Nguyen, Member

On SB 578, most people know that I worked for Child Protective Services, specifically foster youth. I am no longer working there and there will be no conflict of interest if I work on that particular issue.

Van Le, Member

I attended a couple of events. The first is an event sponsored by Kiwanis. It was very moving and there were a lot of emotions at the event. I would like to see more events of this type to support of students. I also attended the Cesar Chavez contest winners celebration. I met with the School Site Council at Silver Creek High School. The students have done a wonderful job a Silver Creek with the Beautification Program.

19.02 **Dan Moser, Superintendent**

20. **REPORT CLOSED SESSION ACTION(S)**

Attorney will report on Closed Session action item(s).

See section 2.0 for reporting out of Closed Session items.

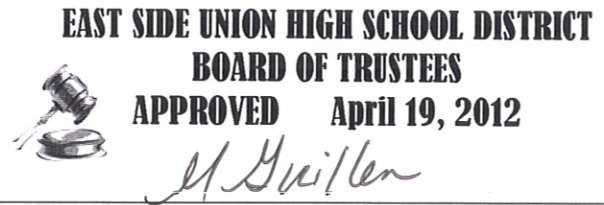
21. **ADJOURNMENT**

President adjourns the meeting.

President Biehl adjourned the meeting at 10:45 p.m.

Respectfully submitted,


J. Manuel Herrera, Clerk
East Side Union High School District



Agenda Item Details

Meeting Apr 19, 2012 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. ATTACHMENT A - CONSENT CALENDAR

Subject 16.06 Approve Contracts for Professional Services At or Below \$50,000

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the contracts for professional services at or below \$50,000 as listed in the attachment and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 16.06

Item: 16.06

TO: Board of Trustees

FROM: Dan Moser, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

SUBJECT: Approve Contracts for Professional Services At or Below \$50,000

The attached list of Contracts for Professional Services at or below \$50,000, is being recommended for Board approval and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

FISCAL IMPACT:

As indicated in the attachment

FUNDING SOURCE:

As indicated in the attachment

RECOMMENDATION:

It is recommended that the Board of Trustees approve the contracts for professional services at or below \$50,000 as listed in the attachment and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

[16.06 Contract Under \\$50k.pdf \(53 KB\)](#)

Executive Content

Item: 16.06

EAST SIDE UNION HIGH SCHOOL DISTRICT PROFESSIONAL CONTRACT SERVICES At or Below \$50,000 Board Meeting of April 19, 2012

A. SCHOOL SITES/EDUCATION CENTER

	Contractor Name	Reviewed By	Contract Period	Cost/Funding	School/Dept. Manager	Purpose
1	Bel-Aire Productions, Inc.	M. Brazil J. Cruz C. Giammona D. Bertrand	May 23, 2012 – May 24, 2012	\$1,000.00 General Fund	Oak Grove High School Martha Brazil, Principal	To provide sound system rental for graduation this includes setup the day prior to graduation, person to run the equipment, and breakdown of equipment.
2	EMQ Families First	M. Brazil J. Cruz C. Giammona D. Bertrand	April 19, 2012 – May 24, 2012	\$4,000.00 Title I	Oak Grove High School Martha Brazil, Principal	To provide drug and alcohol education classes to Oak Grove students and to provide a parent's educational meeting on drug use among teenagers.
3	Laurie Boswell	R. Ibarra K. King J. Cruz D. Bertrand C. Giammona	May 21, 2012 – May 23, 2012	\$3,200.00 Professional Development Program	Education Center Robert Ibarra, Coordinator	To provide water safety instructions and certification for 12 physical education teachers on 5/12, 5/22 & 5/23.
4	Naviance	G. Louie J. Cruz C. Giammona D. Bertrand	March 2, 2012 – June 2, 2012	\$1,000.00 Site Miscellaneous Funds	Santa Teresa High School Greg Louie, Principal	REQUEST FOR RATIFICATION Provide Professional Development services.
5	PediaVision, Holdings, LLC	C. Hersom D. Bertrand J. Cruz C. Giammona	April 20, 2012 – April 20, 2015	\$11,565.00 Medi-Cal Reimbursement	Health – Special Education Carole Hersom, Coordinator	To provide a Pedia Vision Screener assessment solution with carrying case and WiFi printer & router. Also included in the price is 3 years extended warranty. PediaVision is the only manufacturer and the sole global distributor of this equipment at this time. Other equipment was evaluated by District staff but this equipment was developed specifically to meet the needs of students with autism.

6	The Regents of the University of California/ Puente Project	K. King C. Giammona D. Moser D. Bertrand	July 1, 2011 – June 30, 2012	\$16,800.00 (REVENUE)	Andrew Hill, Bettina Lopez Mt. Pleasant, Teresa Marquez W.C. Overfelt, Vito Chiala	ESUHSD and Puente shall work together to provide a program for educationally disadvantaged students at each of the 3 schools through the use of the Puente High School Program offered by The Regents of the University of California.
7	Santa Clara County Fairgrounds	K. King C. Giammona D. Bertrand	February 9, 2013	No cost to ESUHSD	Education Center Kirsten King, Director Paul Kilkenny, Subject Area Coordinator – Science	To rent the fairgrounds to have the Science Palooza for 2013. ESUHSD does not pay the costs for the Science Palooza. The non-profit Synopsys Outreach Foundation will pay the costs as they have in the past. ESUHSD will sign the contract and provide the insurance coverage and Synopsys will pay the costs and run the event.
8	Stanford University	D. Moser M. Metz B. Lopez C. Giammona D. Bertrand	February 1, 2012 - January 31, 2013	\$23,631.40 (REVENUE) Medical Magnet Program	Andrew Hill High School Bettina Lopez, Principal Mary Metz, Coordinator	REQUEST FOR RATIFICATION ESUHSD will: <ul style="list-style-type: none"> • Coordinate and dissemination of health professions materials to families; • Promote a health professions speaker series; • Provide access to classroom and clinical presentations by Stanford medical students; • Sponsor student health profession clubs such as Health Occupations Students of America, Red Cross Club, Medical Peer Group; • Facilitate visits to Stanford School of Medicine Provide office space and equipment for office staff facilitating Stanford sponsored events; • Facilitate professional development activities offered by Stanford staff; • Facilitate a workshop for college applications and financing a college education; • Coordinate a tracking system with Stanford program evaluator to monitor impact of Stanford sponsored activities; and • Facilitate conduct of Stanford STEM cell Science mentorship program at Andrew Hill High School.

9	VT Safety Services	C. Hersom D. Bertrand J. Cruz C. Giammona	February 9 & 10, 2012	\$2,145.00	Health – Special Education	Health – Special Education Carole Hersom, Coordinator	REQUEST FOR RATIFICATION To provide an annual CPR and First Aid Training for Post Senior Staff. Training includes the certification.
10	Willdan Financial Services	K. Poon D. Bertrand M. Battle	April 20, 2012 – December 30, 2012	\$3,250.00 \$1,750-General Fund \$1,500 Measure G	Business Services	Business Services Karen Poon, Director	To provide services to complete the IRS required arbitrage calculation showing the District is in compliance with the GO Bonds Series 1999C & 2002B for final calculations and Series 2007A & 2002G for installment calculations.
11	Zaida McCall-Perez	C. Hersom D. Bertrand J. Cruz C. Giammona	July 1, 2011 – June 20, 2013	\$8,000.00 State Performance Plan Facilitated Review Grant	Health – Special Education	Health – Special Education Carole Hersom, Coordinator	RATIFICATION To assist districts who have been designated as disproportionate in Special Education. The ESUHSD is in receipt of a grant (2011-2013) from the California Department of Education and the Napa County Office of Education which will provide a minimum of 10 days of Technical Assistance from a facilitator.

B. FACILITIES

	Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1	Cleary Consultants, Inc.	K. Lanford M. Battle D. Bertrand J. Unger	April 20, 2012 – June 30, 2012	\$11,200.00 (Not to exceed) Measure E	Piedmont Hills, Santa Teresa, Silver Creek and Yerba Buena High Schools /Facilities Traci Williams, Greg Louie, Adolfo Laguna, Tom Huynh, Principals Kathy Lanford, Assistant Director	To perform environmental screening studies of the on-site soils located at the Campus Lighting Project at Piedmont Hills, Santa Teresa, Silver Creek and Yerba Buena High Schools, Project Nos. E-045-005, E-070-004, E-055-007 and E-060-007.

2	Cleary Consultants, Inc	K. Lanford M. Battle D. Bertrand J. Unger	April 20, 2012 – June 30, 2012	\$14,000.00 (Not to exceed) Measure G	Independence, Mt. Pleasant, Silver Creek, W.C. Overfelt and Evergreen High Schools/Facilities Grettel Castro-Stanley, Teresa Marquez, Adolfo Laguna, Vito Chiala, Ana Lomas, Principals Kathy Lanford, Assistant Director	Perform environmental screening studies of the on-site soils located at the synthetic turf playfields for the Independence, Mt. Pleasant, Silver Creek, W.C. Overfelt and Evergreen High Schools - New Synthetic Turf and Field Projects , (Project No.: G-065-051, G-035-015, G-055-009, G-040-015, O-075-004).
3	Cleary Consultants, Inc.	K. Lanford M. Battle D. Bertrand J. Unger	April 20, 2012 – February 28, 2013	\$17,550.00 (Not to exceed) Measure E	Overfelt Adult Education Center/Facilities Kathy Lanford, Assistant Director	Provide Geotechnical testing services, requirement of DSA for the Overfelt Adult Education Center New Classroom Facility Increments 1, 2, 3 and 4 Project, Project No. E-042-001. Four geotechnical companies were solicited; Cleary Consultants, Inc. submitted the lowest responsive proposal.
4	Michael Henley & Co.	K. Lanford M. Battle D. Bertrand J. Unger	April 20, 2012 – December 31, 2012	\$16,800.00 (Not to exceed) Measure E	Piedmont Hills, Santa Teresa, Silver Creek and Yerba Buena High Schools /Facilities Traci Williams, Greg Louie, Adolfo Laguna, Tom Huynh, Principals Kathy Lanford, Assistant Director	Perform Inspector of Record (IOR) inspection services for the Campus Lighting Project at Piedmont Hills, Santa Teresa, Silver Creek and Yerba Buena High Schools, Project Nos. E-045-005, E-070-004, E-055-007 and E-060-007.

5	Sandis Civil Engineers Surveyors Planners	K. Lanford M. Battle D. Bertrand J. Unger	February 17, 2012 – June 30, 2012 (No change)	\$3,965.00 (Not to exceed) Measure E	Andrew Hill High School/Facilities Bettina Lopez, Principal Kathy Lanford, Assistant Director	<p>Change Order #1 to Purchase Order # 202178, Amendment #1 for additional Topographic Survey and Mechanical locating services needed for the design team to develop civil drawings for the Andrew Hill High School Campus Addition/New Science Building Project, (Project No.: E-025-003).</p> <p>The architect now requires current survey and locating services of an area on the opposite side of campus from where the new building will be installed in order to place a group of portable classrooms and attain DSA approval. This was not fully realized when the original agreement was presented to the Board on February 16, 2012.</p> <p>Original Purchase Order Amount \$7,500.00 + Change Order #1 \$3,965.00 = a new Purchase Order Total \$ 11,465.00.</p>
6	ScanTech Utility Locating Services	K. Lanford M. Battle D. Bertrand J. Unger	April 4, 2012 – June 30, 2012	\$ 3,900.00 (Not to exceed) Measure E	Piedmont Hills, Santa Teresa, Silver Creek and Yerba Buena High Schools /Facilities Traci Williams, Greg Louie, Adolfo Laguna, Tom Huynh, Principals Kathy Lanford, Assistant Director	<p>REQUEST FOR RATIFICATION</p> <p>Vendor to locate and identify underground utilities along the proposed new lighting trench locations for the Campus Lighting Project at Piedmont Hills, Santa Teresa, Silver Creek and Yerba Buena High Schools, Project Nos. E-045-005, E-070-004, E-055-007 and E-060-007.</p> <p>This information is needed to be incorporated into the bid package which is bidding April, 2012.</p>

Agenda Item Details

Meeting Apr 19, 2012 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 14. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

Subject 14.05 Approve Contracts for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Access Public

Type Action, Discussion

Recommended Action It is recommended that the Board of Trustees approve the contracts for professional services as recommended on the attachment

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 14.05

TO: Board of Trustees

FROM: Dan Moser, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

SUBJECT: Approve Contracts for Professional Services Over \$50,000

The attached list of Contracts for Professional Services over \$50,000, are being presented for Board review and approval.

FISCAL IMPACT:
As indicated in the attachment



FUNDING SOURCE:
As indicated in the attachment

RECOMMENDATION:
It is recommended that the Board of Trustees approve the contracts for professional services as recommended on the attachment.

[14.05 Contracts Over \\$50k.pdf \(61 KB\)](#)

Executive Content

EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED April 19, 2012

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contracts for Professional Services Over \$50,000
Board Meeting of April 19, 2012

1. Cody Anderson Wasney Architects (Ratification)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 10, 2009 – October 31, 2012 (no change)	\$21,291.00 (increased amount) Measure E	James Lick High School/ Facilities Glenn VanderZee, Principal Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #5 to the Purchase Order #905106 for the James Lick High School New Two Story Building 500 Project, (Project No.: E-030-001).

This change order is needed because of changes requested by the ESUHSD which include rooftop ductwork, low voltage systems, working with the fire marshal to resolve fire lane issues, and door height.

Original Purchase Order was approved for \$667,233.00 + Change Order #1 \$8,800.00 + Change Order #2 \$66,723.30 + Change Order # 3 \$6,825.75 + Change Order #4 \$3,745.50 + Change Order #5 \$21,291.00 = the new Purchase Order total of \$774,618.55.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #5 to Purchase Order # 905106 with Cody Anderson Wasney Architects in the amount of \$21,291.00 for the James Lick High School New Two Story Building 500 Project, (Project No.: E-030-001).

2. Kitchell CEM (Ratification)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford D. Moser M. Battle D. Bertrand J. Unger	April 6, 2012 – June 30, 2013	\$60,187.00 Measure E	Evergreen Valley, Silver Creek and Yerba Buena, High School/Facilities Ana Lomas, Adolfo Laguna, and Tom Huynh, Principals Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to ratify a Contract with Kitchell CEM for the Evergreen Valley, Silver Creek and Yerba Buena High School Paving, Fencing & Site Improvements (E-075-005, E-055-006 & E-060-006) in the amount of \$60,187.00.

This project was originally presented to the Board of Trustees at the October 20, 2011 as part of the **Award of Bids** memo for the Construction Management Services for Measure "E" Bond Projects – Phase II. The projects were recommended and approved to be awarded to TBI Construction & Construction Management Company. On March 12, 2012, ESUHSD received written confirmation from TBI that they were closing down their business.

Based on the above information and after careful consideration of all facts, Administration decided that it would be best to award the contract to the #2 Company that was selected by the original Evaluation Committee.

Selection Process

A formal Request for Qualification (RFQ) (RFQ-03-11-12) process was conducted by ESUHSD Administration to expand the approved Construction Management Pool and was approved at the September 15, 2011 Board Meeting. Proposals were received from all nine (9) of the solicited approved Construction Management Firms. Not all nine (9) firms submitted proposals on all seventeen (17) projects and some submitted alternate proposals to provide the ESUHSD with alternate cost saving proposals. All proposals were considered in the evaluation process. The results of this solicitation process were approved at the October 20, 2011 Board Meeting.

RECOMMENDATION

It is recommended that the Board of Trustees ratify a Contract with Kitchell CEM for the Evergreen Valley, Silver Creek and Yerba Buena High Schools Paving, Fencing & Site Improvements (E-075-005, E-055-006 & E-060-006) in the amount of \$60,187.00 for the contract term of April 6, 2012 through and including June 30, 2013.

3. Michael Henley & Company

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 20, 2012 – February 28, 2013.	\$65,000.00 Measure E	W.C. Overfelt Adult Education Rich Uribe, Director Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into an agreement for Class-1 DSA required project inspection services for Overfelt Adult Education Center New Classroom Facility Project, (Project No. E-042-001).

Selection Process

The ESUHSD Administration solicited all of the firms on the "Measure E & G Pre-Approved Inspector of Record Firms (IOR) List" which was approved by the Board of Trustees on March 10, 2009. After careful review of each proposal submitted (costs and project team) it was concluded that ESUHSD would move forward with the recommendation to the Board of Trustees to award the contract to Michael Henley & Co.

RECOMMENDATION

It is recommended that the Board of Trustees enter into and approve an Agreement with Michael Henley & Co., in an amount of \$65,000.00 for the term April 20, 2012 through and including February 28, 2013 for the provision of Class-1 DSA required project inspection services for Overfelt Adult Education Center New Classroom Facility Project, (Project No. E-042-001) and to delegate authority to the Superintendent or designee to amend said agreement, including funding as needed.

4. Santa Clara County Office of Education

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
J. Cruz D. Moser D. Barnes D. Bertrand	May 1, 2012 – April 30, 2015	\$146,844.00 (REVENUE)	Child Development Program Deborah Barnes, Program Coordinator

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve the Standard Contracts Agreement with Santa Clara County Office of Education, Children's Services Department – Head Start Program for the contract term May 1, 2012 through and terminates on April 30, 2015 and to delegate authority to the Superintendent or designee to amend said contract, including funding, as needed.

Purpose of the Grant

ESUHSD shall administer and operate a full day comprehensive early childhood care and education service program to children whose families meet the Federal Income guidelines and other eligibility requirements of the Federal Head Start programs as outlined in the Federal Head Start Performance Standards, which is available for inspection at the County Office of Education (COE).

ESUHSD is to provide Full Day Head Start program enhancement services as outlined in the "Description of Enhancement Services" to 40 Federal Head Start eligible children, ages six weeks to 3.0 years, currently enrolled in ESUHSD's existing part-day childcare program. Program services shall be provided up to 10 hours per day.

All other requirements are outlined in the full Agreement.

Selection Process

Not Applicable

RECOMMENDATION

It is recommended that the Board of Trustees enter into and approve the Standard Contracts Agreement with Santa Clara County Office of Education, Children's Services Department – Head Start Program for the contract term May 1, 2012 through and terminates on April 30, 2015 and to delegate authority to the Superintendent or designee to amend said contract, including funding, as needed.

5. Santa Clara County Office of Education

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
J. Cruz D. Moser G. Sanchez D. Bertrand	July 1, 2012 – June 30, 2013	\$334,000.00 General Fund	Education Center, Student Services George Sanchez, Coordinator

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve an Agreement with Santa Clara County Office of Education for the contract term July 1, 2012 through and terminates on June 30, 2013 and delegate authority to the Superintendent or designee to amend said contract, including funding, as needed.

Due to the SCCOE's lack of sufficient resources, the ESUHSD must contribute a per student allotment amount of \$3,340 who attend 180 days (no increase from 2010-11 school year). For the 2012-2013 school year, ESUHSD will be designated 100 allotments (20 less than 2011-12 school year). However, this amount is only a projected difference between the actual cost to provide services to each student, less the per student Average Daily Attendance (ADA) funding received. Therefore, the per-allotment payment is subject to increase if absences or lack of enrollment result in lower governmental funding. In addition, if the projected difference is otherwise greater than anticipated ESUHSD will only be responsible for its own portion of the shortfall as generated by its allotment commitment and actual usage in relation to the difference between the per student ADA funding and actual expense to provide community school services.

Selection Process

There was no competitive solicitation done for this service.

The SCCOE operates community schools which provide services for students of school districts throughout Santa Clara County.

RECOMMENDATION

It is recommended that the Board of Trustees enter into and approve an Agreement with Santa Clara County Office of Education for the contract term July 1, 2012 through and terminates on June 30, 2013 and delegate authority to the Superintendent or designee to amend said contract, including funding, as needed.

6. Smith-Emery San Francisco

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 20, 2012 – February 28, 2013	\$74,350.00 Measure E	W.C. Overfelt Adult Education Rich Uribe, Director Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Smith-Emery San Francisco for the provision of special inspections and materials testing services required by DSA for the Overfelt Adult Education Center New Classroom Facility Project, (Project No. E-042-001).

Selection Process

Three vendors were sent request for quotes and the results are as follows:

	MatriScope	Smith-Emery	Bagg Engineers
Estimated Total	\$104,332.60	\$74,350.00	\$63,470.00

Based on the above fees, the anticipated number of inspections and testing estimated for this project, Administration is recommending that the award be issued to Smith-Emery San Francisco as the lowest responsive proposal. The proposal submitted by Bagg Engineers was determined by the reviewer and confirmed by the vendor that they had left out some important testing/inspections out of their proposal. Therefore, Bagg's proposal was not considered to be complete.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract with Smith-Emery San Francisco for the contract term April 20, 2012 through and including February 28, 2013 for the provision of special inspections and materials testing services required by DSA for the Overfelt Adult Education Center New Classroom Facility Project, (Project No. E-042-001), and to delegate authority to the Superintendent or designee to amend said agreement, including funding as needed.

7. United Compliance Corporation (Ratification)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford D. Moser M. Battle D. Bertrand J. Unger	April 9, 2012 – July 31, 2013	\$44,100.00 Measure E	Yerba Buena High School/ Facilities Tom Huynh, Principal Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to ratify a Contract with United Compliance Corporation (UCC) for the Yerba Buena High School Modernization of the Ceramics Portion of Building 1000 (E-060-005) in the amount of \$44,100.00.

This project was originally presented to the Board of Trustees at the October 20, 2011 as part of the **Award of Bids** memo for the Construction Management Services for Measure "E" Bond Projects – Phase II. The projects were recommended and approved to be awarded to TBI Construction & Construction Management Company. On March 12, 2012, ESUHSD received written confirmation from TBI that they were closing down their business.

Based on the above information and after careful consideration of all facts, Administration decided that it would be best to award the contract to the #2 Company that was selected by the original Evaluation Committee.

Selection Process

A formal Request for Qualification (RFQ) (RFQ-03-11-12) process was conducted by ESUHSD Administration to expand the approved Construction Management Pool and was approved at the September 15, 2011 Board Meeting. Proposals were received from all nine (9) of the solicited approved Construction Management Firms. Not all nine (9) firms submitted proposals on all seventeen (17) projects and some submitted alternate proposals to provide the ESUHSD with alternate cost saving proposals. All proposals were considered in the evaluation process. The results of this solicitation process were approved at the October 20, 2011 Board Meeting.

RECOMMENDATION

It is recommended that the Board of Trustees ratify a Contract with United Compliance Corporation (UCC) for the Yerba Buena High School Modernization of the Ceramics Portion of Building 1000 (E-060-005) in the amount of \$44,100.00 for the contract term of April 9, 2012 through and including July 31, 2013.

8. Van Pelt Construction Services (Ratification)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford D. Moser M. Battle D. Bertrand J. Unger	April 9, 2012 – July 31, 2014	\$240,000.00 Measure E	Yerba Buena High School/ Facilities Tom Huynh, Principal Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to ratify a Contract with Van Pelt Construction Services (VPCS) for the Yerba Buena High School Modernize / Add to Theater Building 500 (E-060-004) in the amount of \$240,000.00.

This project was originally presented to the Board of Trustees at the October 20, 2011 as part of the **Award of Bids** memo for the Construction Management Services for Measure "E" Bond Projects – Phase II. The projects were recommended and approved to be awarded to TBI Construction & Construction Management Company. On March 12, 2012, ESUHSD received written confirmation from TBI that they were closing down their business.

Based on the above information and after careful consideration of all facts, Administration decided that it would be best to award the contract to the #2 Company that was selected by the original Evaluation Committee.

Selection Process

A formal Request for Qualification (RFQ) (RFQ-03-11-12) process was conducted by ESUHSD Administration to expand the approved Construction Management Pool and was approved at the September 15, 2011 Board Meeting. Proposals were received from all nine (9) of the solicited approved Construction Management Firms. Not all nine (9) firms submitted proposals on all seventeen (17) projects and some submitted alternate proposals to provide the ESUHSD with alternate cost saving proposals. All proposals were considered in the evaluation process. The results of this solicitation process were approved at the October 20, 2011 Board Meeting.

RECOMMENDATION

It is recommended that the Board of Trustees ratify a Contract with Van Pelt Construction Services (VPCS) for the Yerba Buena High School Modernize / Add to Theater Building 500 (E-060-004) in the amount of \$240,000.00 for the contract term of April 9, 2012 through and including July 31, 2014.

9. World Wide Workshop, the creators of Globaloria

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
J. Cruz D. Moser V. Chiala M. Brazil G. Louie C. Giammona D. Bertrand	March 15, 2012 – June 30, 2014	\$182,887.00 (WCO) \$ 45,659.77 (OGHS) \$ 69,554.00 (STHS) (REVENUE)	W. C. Overfelt High School Oak Grove High School Santa Teresa High School Vito Chiala, Principal Martha Brazil, Principal Greg Louie, Principal

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve a Memorandum of Understanding Agreement for Implementation of Globaloria with World Wide Workshop, the creators of Globaloria for the contract term March 15, 2012 through June 30, 2014 and delegate authority to the Superintendent or designee to amend said contract, including funding, as needed.

W. C. Overfelt, Oak Grove and Santa Teresa High Schools applied for and were awarded a grant from the World Wide Workshop for the implementation of the Globaloria Digital Platform and Curriculum. The amount of each grant is broken up into two sections, the first being the amount for the Implementation of Globaloria for the educators and students; and the second is a Technology Sub Grant for hardware and software. The ownership of the hardware will not transfer to the ESUHSD until after the end of the two-year contract period.

High School	Implementation Grant	Technology Sub Grant	Total Amount of Award
William C. Overfelt	\$80,000.00	\$102,887.00	\$182,887.00
Oak Grove	\$45,000.00	\$ 659.77	\$ 45,659.77
Santa Teresa	\$45,000.00	\$ 24,554.00	\$ 69,554.00

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve a Memorandum of Understanding Agreement for Implementation of Globaloria with World Wide Workshop, the creators of Globaloria for the contract term March 15, 2012 through June 30, 2014 and delegate authority to the Superintendent or designee to amend said contract, including funding, as needed.