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Agenda Item Details

Meeting	Mar 20, 2014 - ESUHS D REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	16. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR
Subject	16.04 Approve Minutes of February 13, 2014, Regular Board Meeting
Type	Action (Consent)
Recommended Action	It is recommended that the Board of Trustees approve the February 13, 2014, Regular Board Meeting minutes as presented.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 16.04

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

SUBJECT: Approve Minutes of February 13, 2014, Regular Board Meeting

Attached are the minutes of the February 13, 2014, 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 February 13, 2014, Regular Board Meeting minutes as presented.

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES**

APPROVED

March 20, 2014

[BA_20140213_Regular_Minutes.pdf \(66 KB\)](#)



Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of

any board member.



EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES
Meeting Held at Education Center – Board Room
February 13, 2014
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 4:10 p.m. by President Herrera. Vice President Le, Clerk Carrasco, and Member Biehl were present. Member Nguyen arrived at 5:45 p.m.

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

President Herrera 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.

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**

*Student A:
Motion by Vice President Le, second by Member Biehl, to approve the expulsion of Student A as modified.*

Vote: 4/0/1, Member Nguyen was absent

2.02 **Public Employee Performance Evaluation (Government Code Section 54957)**

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

Chris D. Funk, Superintendent

Marcus Battle, Associate Superintendent of Business Services

Juan Cruz, Assistant Superintendent of Instructional Services

Cari Vaeth, Director of Human Resources

Vida Branner, Director of Compensation and Classified Employee Relations

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

Unrepresented Organizations:

Administrators

Managers

Confidentials

- 2.06 Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code Section 54956.9**

- *Two (2) Potential Cases*

- 2.07 Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to subdivision (d)(4) of Government Code Section 54956.9**

- *One (1) Potential Case*

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 Herrera 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.

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

No Items on Calendar Under this Section

7. **Student Board Liaisons**

7.01 Calero High School

- Daniel Vargas, Student Representative
- Angelique Dominguez, Student Representative
- Chris Karp, Student Representative for Post Senior Program

7.02 Yerba Buena High School

- Jenny Nguyen, ASB President
- Araceli Gomez, Senior Class President
- Shawndina Meas, Junior Class President
- Dorothy Nguyen, Sophomore Class President
- Aaron Rivera, Freshmen Class President

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

8.01 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.

8.02 Presentation/Update regarding Results from Sale of General Obligation Bonds, 2012 Election, Series A - Dale Scott, Dale Scott & Company, and Chris D. Funk, Superintendent

Presentation item; no action taken

8.03 Presentation, Discussion and/or Action regarding Results of Ed Tech General Obligation Bond Voter Survey - Dale Scott, Dale Scott & Company, and Chris D. Funk, Superintendent

Presentation item; no action taken

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

No Items on Calendar Under this Section

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.

Any person may address the Board on any item on the meeting agenda. Persons wishing to address the Board must fill out a gold request form, which is located at the entrance of the Board Room.

Public speaker(s):

- *Mary McElroy – Health Concerns*

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

11.01 Presentation, Discussion and/or Action to Adopt Proposed New ESUHSD Logo - Dan Orloff, Orloff Williams, and Chris D. Funk, Superintendent

Public speaker(s):

- *Jon Reinke*

Motion by Member Biehl, second by Vice President Le, to adopt the new ESUSHD logo.

Vote: 5/0

11.02 Discussion and/or Action regarding 2014 California School Boards Association (CSBA) Delegate Assembly Election – Chris D. Funk, Superintendent

Motion by Member Biehl, second by Vice President Le, to nominate the following persons as candidates to the 2014 California School Boards Association (CSBA) Delegate Assembly:

- *Robert Benevento*
- *Frank Biehl*
- *Cynthia Chang*
- *Judy Hannemann*
- *Nancy Newkirk*

Vote: 5/0

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

No Items on Calendar Under this Section

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

13.01 Discussion and/or Action to Approve Certification of Correction of the 2012-13 Audit Findings - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance

Motion by Vice President Le, second by Member Biehl, to approve the certification as presented, which indicates that, effective fiscal year 2013-14, all corrective action(s) specified has/have been taken or that the plan(s) of correction will be followed.

Vote: 5/0

13.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Motion by Member Biehl, second by Vice President Le, to approve the contract(s) for professional services of \$50,000 (attached) with an amendment to the recommendation as follows:

The Board of Trustees ratify the Agreement with New Technology Network, LLC that permits James Lick High School to join the network of schools throughout the country that use and follow the NTHS Model (the "New Tech Network") for the period of January 1, 2014, through June 30, 2018. The total cost for the entire term of the Agreement shall not exceed \$771,400 unless additional services are requested by ESUHSD.

Motion does not include: "and to authorize the Superintendent and/or designee to execute any amendments to the Agreement that may be needed during the term, including funding."

Vote: 5/0

13.03 Discussion and/or Action to Receive First Reading of Amended Board Policy #3350 Travel Expenses - Marcus Battle, Associate Superintendent of Business Services, and Vida Branner, Director of Compensation and Classified Employee Relations

Received first reading

13.04 Discussion and/or Action to Receive First Reading of Amended Board Policy #3513.1 Mobile Communication - Marcus Battle, Associate Superintendent of Business Services, and Vida Branner, Director of Compensation and Classified Employee Relations

Received first reading

13.05 Discussion and/or Action to Approve Revocation of Independence High School Booster Club, Inc.'s Approval to Solicit Contributions or Funds Per Education Code 51520 and 51521 - Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance, and Kelly Kwong, Senior Manager of Internal Controls

Motion by Member Biehl, second by Clerk Carrasco, to approve the revocation of "Independence High School Booster Club, Inc." authorization to solicit contributions or funds on any District site for any purpose and/or upon the representation that any money received is to be used wholly or in part for the benefit of any District students or academic or athletic programs.

Vote: 5/0

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

14.01 Discussion and/or Action to Approve Variable Term Waiver Request for Certificated Employee - Cari Vaeth, Director, Human Resources

Motion by Vice President Le, second by Member Biehl, to approve the variable term waiver request for a certificated employee.

Vote: 5/0

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

15.01 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director, Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager

Motion by Vice President Le, second by Member Biehl, to approve the bond/capital projects contract(s) over \$50,000 (attached).

Vote: 5/0

15.02 Discussion and/or Action to Ratify CUPCCAA Informal Bond Project(s) - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director of Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager

Motion by Member Nguyen, second by Member Biehl, to ratify the CUPCCAA Informal Bond Project(s) as presented.

Vote: 5/0

15.03 Discussion and/or Action to Approve 2013 Capital Construction Project Lists for Evergreen Valley, Oak Grove, Phoenix, Piedmont Hills, Santa Teresa, Silver Creek, and Yerba Buena High Schools - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance & Facilities, Julio Lucas, District Architect, Robert Ball, Bond Program Manager, SGI, Lauren Kelly, Evergreen Valley High School Principal, Martha Brazil, Oak Grove High School Principal, Greg Louie, Phoenix and Santa Teresa High School Principal, Adolfo Laguna, Silver Creek High School Principal, and Tom Huynh, Yerba Buena High School Principal

Motion by Member Nguyen, second by Vice President Le, to approve 2013 Capital Construction Project Lists for Evergreen Valley, Oak Grove, Phoenix, Piedmont Hills, Santa Teresa, Silver Creek, and Yerba Buena High Schools. The motion also includes approval of an advance of \$2 million of future capital monies to Yerba Buena High School to support its 2013 Project List.

Vote: 5/0

Consent / Action Calendar Sections 16-20

All items listed under the Consent/Action Calendar are considered by the Board to be routine and will be enacted in one motion. There will be no discussion of these items prior to the time the Board considers the motion, unless members of the Board or the Superintendent request specific items to be discussed and/or removed from the Consent/Action Calendar.

Superintendent asserts that the following Business Transactions, Personnel Actions, Maintenance of Records, Approvals and Recommendations requiring Board Action have been carried out to the best of his knowledge in accordance with the law.

Motion by Member Biehl, second by Member Nguyen, to approve the entire consent/action calendar, sections 16-20, as presented.

Vote: 5/0

16. Board of Trustees / Superintendent - Consent / Action Calendar

- 16.01 Ratify/Approve Board Member's Lawful Expenses/Mileage to Conferences/ Workshops/Meetings**

17. Instructional Services / Student Services - Consent / Action Calendar

- 17.01 Approve School Field Trips**
- 17.02 Approve CAHSEE Local Waivers for Special Education Students**
- 17.03 Approve the 2014 Summer School Program**

18. Business Services - Consent / Action Calendar

- 18.01 Approve Award of Bid(s)**
- 18.02 Approve Contract(s) for Professional Services At or Below \$50,000**
- 18.03 Approve Memoranda of Understanding**
- 18.04 Approve Budget Transfers**
- 18.05 Approve Purchase Orders**
- 18.06 Approve Change Orders to Purchase Orders**
- 18.07 Accept Report of Credit Card Purchases for Statement Dated November 22, 2013**
- 18.08 Accept Warrant Register for the Month of January 2014**
- 18.09 Approve Facilities Use Agreement**

19. Human Resources - Consent / Action Calendar

- 19.01 Ratify/Approve Classified Personnel Actions Presented February 13, 2014**
- 19.02 Ratify/Approve Certificated Personnel Actions Presented February 13, 2014**
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented February 13, 2014**

20. Facilities - Consent / Action Calendar

- 20.01 Approve Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000**
- 20.02 Approve Notice of Completion for KIPP Charter School New Drinking Fountain Project, E-089-002 (Val's Plumbing & Heating, Inc.)**

21. WRITTEN REPORTS/RECOMMENDATION

Items under section 21 are written reports that are received into the public record. No action is taken by the Board. A Board Member or the Superintendent may request an item to be placed on the agenda for discussion and/or action at a future meeting.

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

Item received

22. FUTURE AGENDA ITEMS

- 22.01 Opportunity for Board of Trustees to Request Items on Future Agendas**
- 22.02 Future Items**

Board President J. Manuel Herrera & Board Member Frank Biehl

Item	Date (tentative)	Type
PE Credit	September 2014	Presentation/Discussion

Board Vice President Van Le

Item	Date (tentative)	Type
Academic Report (Site & Gender)	March 2014	Presentation/Discussion

22.03 Annual Governance Calendar

July
Summer School Program (concludes session)
Summer School Graduation

August
Board Retreat
Expulsion Hearing Panel Committee
First Day of School
Williams Quarterly Report

September
Board Study Session/Workshop
College Night
Conflict of Interest/Board Policy (updates)
Public Hearing and Adoption: Gann Spending Limit
Public Hearing: Sufficiency or Insufficiency of Textbooks
Unaudited Actuals

October
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
Superintendent's Annual Evaluation
Williams Quarterly Report

November
Board Study Session/Workshop
Election Orientation for New Board Members

December
Annual Organizational Board Meeting
CSBA Annual Conference
Election Orientation for New Board Members
End of First Semester
First Interim Report
Superintendent's Mid-Year Evaluation

January
Audit Report
Board Audit Committee Selections/Appointments
Board Retreat
Financial & Performance Audit Report for Bond Measures
Magnet Night
Martin Luther King, Jr. Writing, Art & Multi-Media Awards Ceremony & Reception
Policies & ByLaws (Begin Review by Series)
Sports Recognitions (Fall)
Technology Report
Williams Quarterly Report

February
Audit Committee Charter Amendment(s)
Non-Re-Elects

March
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
March 15 Notices
Safety Plan Goals for Each Site
Second Interim Report
SJPD Secondary Employment Application

April
Board Study Session/Workshop
Form 700 – Statement of Economic Interests Due to Santa Clara County (filing)
Honor Nights
Migrant Education Awards Night
NSBA Annual Conference
Williams Quarterly Report

May
Board Self-Evaluation
Budget (Preliminary/Draft) Presentation
Employee Recognition Event
Graduations
Honor Nights
Last Day of School
Sports Recognitions (Winter/Spring)

June
Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting)
Budget Adoption (second June Board Meeting)
Employee Retirement Celebration
ESTA Safety Survey
Master Contracts for Capitol Projects
Plan for Expelled Youth (due every three years – 2015)
Program Improvement Update
Safety Plan Assessment for Each School
Single Plan for Student Achievement (SPSA) for Each School
Summer School Program (session begins)
Superintendent's Annual Evaluation

23. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

23.01 Board of Trustees

Lan Nguyen, Member (no comment made)

Van Le, Board Clerk

I would like to thank JROTC for their participation at the Tet Festival at the Fairgrounds. Board colleagues Frank Biehl and Lan Nguyen attended the event. It was very well represented. Thank you.

J. Manuel Herrera, Board Vice President

My comment is to publicly thank Mary Guillen for her extraordinary work in producing the State of the District event. This was a masterful orchestration with an incredible set of logistics and decisions all the way from the food order, the arrangement of the room, the production of program, and the selection of plaques. She handled an incredible load and it is duly appreciated and recognized. Thank you so much Mary Guillen.

Frank Biehl, Board President (no comment made)

Magdalena Carrasco, Board Clerk

I just wanted to mention that the next Board Audit Committee is March 12.

I went on a site visit to Calero. I just wanted to thank Angie Nunn and Principal Ibarra. It was a great tour. It is a wonderful and great school. I am really happy about the presentation that was given today. Thank you for your hospitality.

23.02 Chris D. Funk, Superintendent (no comment made)

24. REPORT CLOSED SESSION ACTION(S)

Legal Counsel will report on Closed Session action item(s).

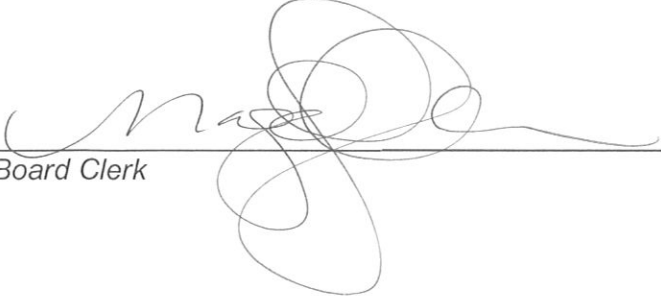
See section 2.0 for reporting out of Closed Session items.

25. ADJOURNMENT

President adjourns the meeting.

The meeting was adjourned at 8:56 p.m.

Respectfully submitted,



Board Clerk

Agenda Item Details

Meeting Feb 13, 2014 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

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

Subject 15.01 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director, Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager

Access Public

Type Action, Discussion

Recommended Action It is recommended that the Board of Trustees approve the Bond/Capital Projects Contract(s) as presented.

Public Content**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 15.01**

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director of Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager

SUBJECT: Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000

The attachment for the Bond/Capital Projects Contract(s) over \$50,000 is 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 Bond/Capital Projects Contract(s) as presented.

[Contracts Over \\$50K FINAL.pdf \(147 KB\)](#)

[2014 0213 Attachment A 13.02.pdf \(176 KB\)](#)

[2014 0213 Attachment B 14.05.pdf \(599 KB\)](#)

[2014 0213 Attachment C 11.04.pdf \(1,714 KB\)](#)

[2014 0213 Attachment D 15.01.pdf \(897 KB\)](#)

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES**

APPROVED**February 13, 2014**

Executive Content

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contract(s) for Services over \$50,000
Board Meeting of February 13, 2014

1. BLACH Construction Company - Ratification

Reviewed by:	Project Name and Number	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger Marcus Battle	W. C. Overfelt High School Adult Education Center New Academic and Administrative Building E-042-001	\$554,631.84 (not to exceed increased amount) Measure E	W.C. Overfelt Adult Education / Facilities Rich Uribe, Director Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board ratify Amendment #2 and Change Order #2 to Purchase Order #905110 for construction management services provided by Blach Construction Company for the W. C. Overfelt Adult Education Center New Academic and Administrative Building Project.

On April 09, 2009, (Board Item 13.02), the Board awarded a Construction Management Services Agreement in the amount of \$1,127,181.45 to Blach Construction Company (see attachment A). Duration time was to commence to run on April 28, 2009, and completion was to be no later than (1,095) consecutive calendar days from the start date.

On March 13, 2012, (Board Item 14.05), the Board approved Amendment No. 01 and Change Order #1 to extend the contract term through February 28, 2013 (see attachment B).

This change order #2 is to add funds to cover the actual construction cost per the Construction Management Agreement. Construction cost total was \$11,212,088.49 X 5% approved pre-construction + 10% approved construction management fees equal \$1,681,813.27 (\$1,681,813.27 - \$1,127,181.45 = \$554,631.82). Administration is requesting an additional amount of \$554,631.82.

Original Contract Amount	\$1,127,181.45
Previously Authorized Change Order #1 (Board Approved on 3/13/12)	N/A
Contract Amount Prior to This Change Order	\$1,127,181.45
Requested Change Order #2	\$554,631.82
Revised Contract Amount	\$1,681,813.27

RECOMMENDATION

It is recommended that the Board of Trustees ratify Amendment #2 and Change Order #2 to Purchase Order #905110 for the Construction Management Agreement with **Blach Construction Company** for the construction management services provided for the W. C. Overfelt Adult Education Center New Academic and Administrative Building Project (Project #E-042-001)

2. IBI Group Architects (formerly BFGC Architecture)

Reviewed by:	Project Name and Number	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger Marcus Battle	Evergreen Valley High School Miscellaneous Building Improvements Project E-075-004	\$4,000.00 (not to exceed increased amount) Measure E	Evergreen Valley High School/ Facilities Lauren Kelly, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board approve Amendment #1 to Work Authorization agreement No. 01 and Change Order #1 to Purchase Order #200640 for the additional architectural design services for the Evergreen Valley High School Miscellaneous Building Improvements Project.

On May 31, 2011 (Board Item 11.04), the Board awarded an architectural design agreement for \$110,000.00 to IBI Group Architects (formerly BFGC Architecture) (see attachment C).

This change order #1 is for the following:

- Additional service fee covers revisions to DSA approved construction plans and specifications related to removal of walls between classrooms. Administration is requesting an additional allowance of \$4,000.00.

Original Contract Amount	\$110,000.00
Previously Authorized Change Order	N/A
Contract Amount Prior to This Change Order	\$110,000.00
Requested Change Order #1	\$4,000.00
Revised Contract Amount	\$114,000.00

RECOMMENDATION

It is recommended that the Board of Trustees approve Amendment #1 to Work Authorization agreement No. 01 and Change Order #1 to Purchase Order #200640 for the additional architectural design services with **IBI Group Architects** for the Evergreen Valley High School Miscellaneous Building Improvements Project. (Project #E-075-004).

3. Santa Clara Valley Construction Inspections (SCVCI) - Ratification

Reviewed by:	Project Name and Number	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger Marcus Battle	Calero High School Modernization E-080-002	\$40,368.00 (not to exceed increased amount) Measure E	Calero High School/ Facilities Robert Ibarra, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board ratify Amendment #1 and Change Order #1 to Purchase Order #300938 for the Professional Inspections Services Agreement with Santa Clara Valley Construction Inspections (SCVCI) for the provision of required Division of State Architect (DSA) project inspection services for the Calero High School Modernization Project.

On August 23, 2012, (Board Item 15.01), the Board awarded a Professional Inspections Services Agreement in the amount of \$73,566.00 to Santa Clara Valley Construction Inspections (SCVCI) (see attachment D).

This change order #1 is for additional service fee for continuous project inspection/management between time periods January 12, 2013, through September 17, 2013. This is due to construction time lines exceeding contract durations, and unforeseen contractor performed overtime work authorized by the District staff. Administration is requesting an additional allowance of \$40,368.

Original Contract Amount	\$73,566.00
Previously Authorized Change Order #	N/A
Contract Amount Prior to this Change Order	\$73,566.00
Requested Change Order #1	\$40,468.00
Revised Contract Amount	\$113,934.00

RECOMMENDATION

It is recommended that the Board of Trustees ratify Amendment #1 and Change Order #1 to Purchase Order #300938 for the Professional Inspections Services Agreement with **Santa Clara Valley Construction Inspections (SCVCI)** for the provision of required Division of State Architect (DSA) project inspection services for the Calero High School Modernization Project, (Project #E-080-002).

Agenda Item Details

Meeting Apr 09, 2009 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M.
 Category 13. Business Services - Operational Items/Board Discussion and/or Action
 Subject 13.02 Approve Contracts for Professional Services - Jerry Kurr, Associate Superintendent of Administration and Business Services-ATTACHMENT B
 Access Public
 Type Action

Public Content



EAST SIDE UNION HIGH SCHOOL DISTRICT

TO:	Board of Trustees
FROM:	Bob Nuñez, Superintendent
PREPARED BY:	Jerry Kurr, Associate Superintendent of Administration and Business Services
SUBJECT:	Approve Contracts for Professional Services - ATTACHMENT B
The following Contracts for Professional Services are recommended for Board approval.	

A. Education Center/School Sites

No.	Contractor Name	Reviewed by	Contract Period	Cost/ Funding Source	School/ Dept. Manager	Purpose
1	William Wheat	R. Marquez G. Castro- Stanley A. Garofalo D. Bertrand	September 1, 2008 - June 04, 2009	\$2,000.00 Perkins Vocational Ed	Independence High School Grettel Castro -Stanley	Provide teachers with the tools on how to teach business plan writing to students. Completion of the program will lead to students competing in a business plan competition at the end of the school year using outside industry professionals
2	West Valley Mission CCD/South Bay RHORC	B. Lopez M. Metz D. Moser	November 1, 2008 - June 30, 2009	\$3,000.00 Health Science	Andrew Hill Bettina Lopez	Develop a psychology course matching Mission College Psych 001; Develop a mental health summer paid institution for 30 Andrew Hill seniors; Create a program of study between Mission and Andrew Hill High School; Create a certificate called "Community Health Worker for Mental Health"

3	Santa Clara County Department of Drug & Alcohol	J. Klassen D. Moser D. Bertrand	April 10, 2009 – June 30, 2009	(\$11,553.00) (Revenue) Leadership Training Grant	Education Center Dan Moser	Provide leadership training services to parents, teachers, counselors, advisors and students of ESUHSD to strengthen the school communities to address issues including academic achievement, substance abuse and violence
4	Ngo Nguyen	K. King D. Moser D. Bertrand	October 1, 2008 - June 30, 2009	\$2,000.00 Testing & Accountability Report Card	Education Center Dan Moser	Provide Vietnamese Translation Services

B. FACILITIES

1	ERT, Inc.	A. Garofalo D. Bertrand K. Lanford	February 5, 2009 - February 4, 2010	\$4,200.00 Measure G (Oak Grove)	Education Center Alan Garofalo	Provide Project Management and Oversight Services during Abatement and Air Sampling at OGHS Kiln Project
2	Smith-Emery Company	A. Garofalo D. Bertrand K. Lanford	January 21, 2009 - December 31, 2010	\$2,972.00 Measure E (Evergreen Valley) Measure G (Oak Grove)	Education Center Alan Garofalo	Provide Special Testing and Inspection Services for EVHS and OGHS Kiln Room Project
3	Aedis, Inc.	A. Garofalo D. Bertrand J. Rono	April 10, 2009 - October 31, 2012	\$1,244,281.25 Measure E (Oak Grove Silver Creek Overfelt Adult Ed)	Education Center Alan Garofalo	To Provide Architectural and Engineering Services for the Construction/Modernization Projects: <ul style="list-style-type: none"> • \$160,031.25 Bldg D Modernization (Art Classroom) OGHS • \$558,232 New Multi-Purpose Classroom Bldg (SCHS) • \$526,018 New Academic & Administration Bldg(OAC)
4	BFGC	A. Garofalo D. Bertrand J. Rono	April 10, 2009 - October 31, 2012	\$90,720.00 Measure E (Evergreen Valley)	Education Center Alan Garofalo	To Provide Architectural and Engineering Services for the Complete Upstairs PE Teaching Stations at EVHS
5	Cody Anderson Wasney Architects, Inc.	A. Garofalo D. Bertrand J. Rono	April 10, 2009 - October 31, 2012	\$817,407.00 Measure E (Foothill James Lick)	Education Center Alan Garofalo	To Provide Architectural and Engineering Services for the Construction/Modernization Projects: <ul style="list-style-type: none"> • \$150,174 Bldgs B, C & E at FHHS • \$667,233 Two Story Classroom Bldg 500 wing at JLHS

FISCAL IMPACT:	As listed above
FUNDING SOURCE:	As listed above
RECOMMENDATION:	Recommend approval and ratification of contract for professional services as listed above.

Executive Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contracts for Professional Services over \$50,000
Board Meeting of March 13, 2012

Item 15.01
Attachment B

1. Blach Construction Company

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 28, 2009 – February 28, 2013 (extension of contract term)	Fees limited to percentage of construction Measure E	Silver Creek High School & W.C. Overfelt Adult Education Adolfo Laguna, Principal, Rich Uribe, Director Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve the extension of contract term to February 29, 2013 to complete the two remaining projects, Silver Creek High School New Multi-Purpose Building/Theatre and W.C. Overfelt Adult Education Two-Story Building. The original contract period was April 28, 2009 through and including April 28, 2012.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve the extension of contract term for the two remaining Projects for the extended Term of April 28, 2009 through and including February 28, 2013.

2. ENGEO Incorporated

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	June 1, 2011 – August 31, 2012 (no change)	\$ 43,078.00 (not to exceed) 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 #1 to Purchase Order No. 103173 for the provision of special testing and inspections required for the James Lick High School New Two Story Classroom Bldg. 500, Project No. E-030-001.

This change order is being issued for additional services required that were not known at the time of the original quote. Testing services varies depending on the need of the project, the General Contractor's means and methods, schedule, Inspector of Record's and other agency's request for additional tests.

Original Purchase Order was approved for \$60,703.00 + Change Order #1 \$43,078.00 = the new Purchase Order total of \$103,781.00.

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order No. 103173 with ENGEO Incorporated for the contract term June 1, 2011 through and including August 31, 2012 for the provision of special testing and inspections services for the James Lick High School New Two Story Classroom Building 500, Project No. E-030-001 in an increased amount not-to-exceed \$43,078.00.

3. Facilities Management Planning and Operations, Inc. (FMPO)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 10, 2009 – December 31, 2012 (extension of contract term)	\$277,425.00 (increased amount) 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 approve Change Order #2 to Purchase Order No. 905017 to extend the term and to add funds due to the increased construction costs for the Yerba Buena Title IX Interior Modernization Project.

Original Construction Management fees were based on the estimated construction budget at the time the contract was issued. Since that time, the construction costs has gone up and per the contract, FMPO is entitled to an increase to their Purchase Order/Contract to reflect this change.

This Purchase Order/Contract includes other Title IX Interior Modernization Projects: Andrew Hill, James Lick, Santa Teresa, and W. C. Overfelt High Schools, but this change order is only for the Yerba Buena High School Title IX Interior Modernization Project.

Original Purchase Order was approved for \$1,105,564.50 + Change Order #1 \$153,243.00 + Change Order #2 \$277,425.00 = the new Purchase Order total of \$1,536,232.50.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #2 to Purchase Order No. 905017 with Facilities Management Planning and Operations, Inc. in the amount of \$277,425.00 for the Yerba Buena High School Title IX Interior Modernization Project, (Project No. E-060-003).

4. Spencer Associates

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	To be determined upon final contract negotiations	\$354,000.00 Measure E	Piedmont Hills High School/Facilities Traci Williams, Principal Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to authorized Administration to enter into final contract negotiations and sign a contract with Spencer Associates for the provision of comprehensive professional architectural and associated planning services for the Piedmont Hills Modernization Special Education Classroom B4 and construct a New Science Classroom Building Project.

At the May 31, 2011 Board Meeting Administration made a recommendation under the **AWARD OF BID** memo to award the Phase-2 Measure "E" Bond Projects to the Architectural Firms recommended by the review committee. In that recommendation this project was recommended to go to Perkins & Will. However, after several months of contract negotiations, we have not been able to finalized contract negotiations. Due to this impasse, Administration has terminated negotiations with Perkins & Will and is now recommending that the Board award this project to the second recommended Architect, Spencer Associates.

Selection Process

A Request for Qualification (RFQ) (RFQ-03-07-08) process was conducted by ESUHSD Administration. The recommendation for award was brought to the Board on June 19, 2008 for approval whereby a pool of architectural firms to provide comprehensive professional architectural and associated planning services for the district's capital improvement and expansion projects was established. All eleven Board approved Architectural Firms were solicited for these projects.

The evaluation of proposals were conducted of a committee of 5 and included the following factors: (1) Consultant's Proposed Team; (2) Consultant's Reference Projects; (3) Consultant's past performance with ESUHSD; (4) Consultant's proposed costs; and (5) Interviews, if scheduled (non were scheduled). This original recommendation was approved by the Board of Trustees on May 31, 2011.

RECOMMENDATION

It is recommended that the Board of Trustees approve Administration to enter into final contract negotiations and sign a contract with Spencer Associates for the provision of comprehensive professional architectural and associated planning services for the Piedmont Hills Modernization Special Education Classroom B4 and construct a New Science Classroom Building Project in an estimated amount of \$354,000.00.

**EAST SIDE UNION HIGH SCHOOL DISTRICT
Board Meeting of May 31, 2011**

AWARD OF BIDS

**Item 15.01
Attachment C**

1. B-14-10-11, E-035-003 Mt. Pleasant High School/New Multi-Purpose/Classroom Building

Bid	Bid Opening	Legal Advertisements	Advertisement Date(s)	Project Description
B-14-10-11 A/E Probable Construction Costs: \$4,680,000.00	May 17, 2011	Emailed or Faxed to all Pre-Qualified Bidders	April 6, 2011	Construction of a new multi-purpose and classroom building.

Bid Results:

Contractor	BASE BID – New Multi-Purpose Bldg & Classroom Modernization	TOTAL BASE BID
Dilbeck & Sons, Inc.	\$4,622,000.00	\$4,622,000.00
BRCO Constructors, Inc.	\$4,695,000.00	\$4,695,000.00
DL Falk Construction, Inc.	\$4,734,000.00	\$4,734,000.00
John Plane Construction, Inc.	\$4,788,000.00	\$4,788,000.00
Zolman Construction.& Development, Inc.	\$4,840,000.00	\$4,840,000.00
Beals Martin & Associates, Inc.	\$4,889,575.00	\$4,889,575.00

NOTE: At the May 10, 2011 Board Meeting, the Board of Trustee authorized the Superintendent or designee to award bids for public works projects and for those bids to be ratified at the May 31, 2011 Board meeting. This is one of those projects.

FISCAL IMPACT: \$4,622,000.00 which the amount does include a 10% allowance to be managed by the District.

FUNDING SOURCE: Measure E

RECOMMENDATION: It is recommended that the Board of Trustees ratify the above listed bid award for the Mt. Pleasant High School New Multi-Purpose/Classroom Building Project to Dilbeck & Sons, Inc., as the lowest responsible bidder.

2. B-15-10-11, E-035-002 Mt. Pleasant High School / Classroom Modernization

Bid	Bid Opening	Legal Advertisements	Advertisement Date(s)	Project Description
B-15-10-11 A/E Probable Construction Costs: \$13,915,000.00	May 03, 2011	Emailed or Faxed to all Pre-Qualified Bidders	April 6, 2011	Public works project for classroom modernization.

Bid Results:

Contractor	BASE BID –Classroom Modernization	TOTAL BASE BID
Zolman Construction & Development, Inc.	\$10,450,000.00	\$10,450,000.00
Westbay Builders	\$10,690,000.00	\$10,690,000.00
Dilbeck & Sons, Inc.	\$10,840,320.00	\$10,840,320.00
BRCO Constructors, Inc.	\$11,150,000.00	\$11,150,000.00
Beals Martin & Associates, Inc.	\$11,692,709.00	\$11,692,709.00
Best Contracting Services	\$11,880,000.00	\$11,880,000.00
Cal Pacific Construction, Inc.	\$12,577,000.00	\$12,577,000.00

NOTE: At the May 10, 2011 Board Meeting, the Board of Trustee authorized the Superintendent or designee to award bids for public works projects and for those bids to be ratified at the May 31, 2011 Board meeting. This is one of those projects.

FISCAL IMPACT: \$10,450,000.00 which the amount does include a 10% allowance to be managed by the District.

FUNDING SOURCE: Measure E

RECOMMENDATION: It is recommended that the Board of Trustees ratify the above listed bid award for the Mt. Pleasant High School Classroom Modernization Project to Zolman Construction & Development, Inc., as the lowest responsible bidder.

3. B-17-10-11, E-065-002 Independence High School / Title IX Interior Modernization

Bid	Bid Opening	Legal Advertisements	Advertisement Date(s)	Project Description
B-17-10-11 A/E Probable Construction Costs: \$1,297,000.00	May 09, 2011	Emailed or Faxed to all Pre-Qualified Bidders	April 15, 2011	Modernization of the Boy's and Girl's locker rooms.

Bid Results:

Contractor	BASE BID –Title IX Interior Modernization	Alternate #1	TOTAL BASE BID
Beals Martin & Associates, Inc.	\$1,449,455.00	\$63,269.00	\$1,512,724.00
DRP Builders, Inc.	\$1,500,000.00	\$75,000.00	\$1,575,000.00
Rodan Builder, Inc.	\$1,533,000.00	\$50,000.00	\$1,583,000.00
Calstate Construction, Inc.	\$1,615,000.00	\$56,000.00	\$1,671,000.00
Angotti & Reilly Construction	\$1,647,055.00	\$39,252.00	\$1,686,307.00

NOTE: At the May 10, 2011 Board Meeting, the Board of Trustee authorized the Superintendent or designee to award bids for public works projects and for those bids to be ratified at the May 31, 2011 Board meeting. This is one of those projects.

FISCAL IMPACT: \$1,512,724.00 which includes costs for alternates 1. The amount does include a 10% allowance to be managed by the District

FUNDING SOURCE: Measure E

RECOMMENDATION: It is recommended that the Board of Trustees ratify the above listed bid award for the Independence High School Title IX Interior Modernization Project to Beals Martin & Associates, Inc., as the lowest responsible bidder.

4. B-18-10-11, E-050-003 Oak Grove High School / Title IX Interior Modernization

Bid	Bid Opening	Legal Advertisements	Advertisement Date(s)	Project Description
B-18-10-11 A/E Probable Construction Costs: \$774,000.00	May 18, 2011	Emailed or Faxed to all Pre-Qualified Bidders	April 18, 2011	Modernization of the Boy's and Girl's locker rooms.

Bid Results:

Contractor	BASE BID –Title IX Interior Modernization	TOTAL BASE BID
Calstate Construction, Inc.	\$1,255,000.00	\$1,255,000.00
Rodan Builders, Inc.	\$1,262,000.00	\$1,262,000.00
Beals Martin and Associates, Inc.	\$1,293,961.00	\$1,293,961.00
Cal-Pacific Construction, Inc.	\$1,369,000.00	\$1,369,000.00

NOTE: At the May 10, 2011 Board Meeting, the Board of Trustee authorized the Superintendent or designee to award bids for public works projects and for those bids to be ratified at the May 31, 2011 Board meeting. This is one of those projects.

FISCAL IMPACT: \$1,255,000.00 which the amount does include a 10% allowance to be managed by the District.

FUNDING SOURCE: Measure E

RECOMMENDATION: It is recommended that the Board of Trustees ratify the above listed bid award for the Oak Grove High School Title IX Interior Modernization Project to Calstate Construction, Inc., as the lowest responsible bidder.

5. B-19-10-11, E-055-003 Silver Creek High School / Title IX Interior Modernization

Bid	Bid Opening	Legal Advertisements	Advertisement Date(s)	Project Description
B-19-10-11 A/E Probable Construction Costs: \$947,000.00	May 18, 2011	Emailed or Faxed to all Pre-Qualified Bidders	April 18, 2011	Modernization of the Boy's and Girl's locker rooms.

NOTE: At the May 10, 2011 Board Meeting, the Board of Trustee authorized the Superintendent or designee to award bids for public works projects and for those bids to be ratified at the May 31, 2011 Board meeting. This is one of those projects.

Bid Results:

Contractor	BASE BID –Title IX Interior Modernization	TOTAL BASE BID
Rodan Builders, Inc.	\$1,036,000.00	\$1,036,000.00
Zolman Construction & Development, Inc.	\$1,040,000.00	\$1,040,000.00
Calstate Construction, Inc.	\$1,099,200.00	\$1,099,200.00
Beals Martin & Associates, Inc.	\$1,112,894.00	\$1,112,894.00
BRCO Constructors, Inc.	\$1,175,000.00	\$1,175,000.00

FISCAL IMPACT: \$1,036,000.00 which the amount does include a 10% allowance to be managed by the District

FUNDING SOURCE: Measure E

RECOMMENDATION: It is recommended that the Board of Trustees ratify the above listed bid award for the Silver Creek High School Title IX Interior Modernization Project to Rodan Builders, Inc., as the lowest responsible bidder.

6. RFP-11-10-11 Hazardous Material Surveying, Special Inspection and Testing and On-Site Observations

Bid	Bid Opening	Legal Advertisements	Advertisement Date(s)	Product Description
RFP # 11-10-11	March 22, 2011	San Jose Post Journal Challenge News District Website	March 03, 2011 & March 10, 2011	For the procurement of hazardous material surveying, special inspection and testing and on-site observations services for the Bond and Maintenance Projects.

Bid Results:

Service Vendor	Phase I – Qualification	Ranking Order
HazMat Doc	99.3%	Primary
Environmental Remediation Technology, (ERT)	96.6%	Secondary
Millennium Consulting Associates	93%	Tertiary
ACC Environmental Consultants	95.6%	Alternate 1
RGA Environmental	96%	Alternate 2
Health Science Associates, Inc.	80%	
IHI Environmental	91.3%	

Bid Results: Asbestos Management Services Fee - (3) Year Period

Service Vendor	Asbestos Management fees	Optional Service Fee	Primary Vendor
Environmental Remediation Technology, (ERT)	\$30,600.00	\$30.00/2 hrs. \$180.00/ 4hrs.	X
Millennium Consulting Associates	\$46,490.00	\$15,000.00	
HazMat Doc	\$81,000.00	\$2,250.00	
RGA Environmental	\$82,550.00	\$12,795.00	
Health Science Associates, Inc.	\$92,900.00	\$88,200.00	
IHI Environmental	\$184,652.00	\$34,608.00	
ACC Environmental Consultants	\$304,503.00	\$15,294.00	

Purchasing conducted a formal Request for Proposals process as indicated above. Administration's recommendation is to award a contract for the hazardous material surveying, special inspection and testing and on-site observations services to a Primary, Secondary and Tertiary vendor with two alternate just in case the first three vendors are booked and not able to meet ESUHSD's schedule. It is the intention of the ESUHSD or designee to utilize the Primary vendor first on any projects that arise. If the Primary vendor cannot perform the services due to scheduling conflicts, ESUHSD or designee will go to the Secondary vendor for a proposal if the secondary vendor cannot perform the services due to scheduling conflicts, then ESUHSD or designee will go to the tertiary vendor. The alternates are then available should we have continued scheduling conflicts with the first three vendors or performance issues.

The second part of this RFP is for the Asbestos Management Services. Administration is recommending a single vendor award for a three-year contract.

FISCAL IMPACT: To Be Determined on a per project basis.

FUNDING SOURCE: Various including Measures E and G.

RECOMMENDATION: It is recommended that the Board of Trustees award multi-year contracts with primary, secondary and tertiary vendors to provide hazardous material surveying, special inspection and testing and on-site observations services for Bond and Maintenance projects for the term of June 1, 2011 – June 30, 2012 with the option to renew for two additional one-year renewal periods; and to award a three-year contract with Environmental Remediation Technology to perform Asbestos Management Services District wide. The term for all contracts under this recommendation will be July 1, 2011 through June 30, 2014.

7. Irwin Telescopic Seating Company – PIGGYBACK CONTRACT

Bid	Bid Opening	Legal Advertisements	Advertisement Date(s)	Product Description
RFP # 10016DF (Norfolk Public Schools' RFP)	November 4, 2009	Through their network of newspapers		For the procurement of Educational furniture for used by Norfolk Public Schools and other public agencies, including K-12 and Higher Education. There are no fees for ESUHSD for using this contract; all fees are absorbed by the vendor.

Awarding Agency: Norfolk Public Schools Request for Proposals 10016DF
 Award Date: March 5, 2010 and expires on March 4, 2011 and may be renewed for four additional one-year terms. February 28, 2012. (Contract Number 2010000070). Contract was extended through March 4, 2012 on February 28, 2011.

National IPA is a cooperative purchasing organization, established through a collaborative effort of public agencies across the United States with the specific purpose of reducing procurement costs by leveraging group volume. All participating agencies are eligible to utilize the master agreements through National IPA City of San Diego, California is a Principal Procurement Agencies (PPAs).

FISCAL IMPACT: \$246,950.51

FUNDING SOURCE: Measure E

RECOMMENDATION: It is recommended that the Board of Trustees authorize the use of this piggyback bid in accordance with Public Contract Code 20118 & 20118.2 from the National IPA for the purchase of retractable theater seating for an amount of \$246,950.51 and a contract term of June 1, 2011 – July 31, 2012.

8. RFP-19-10-11, Construction Management Services for Measure "G" KIPP Charter @ Independence High School Project.

Bid	Bid Opening	Legal Advertisements	Advertisement Date(s)	Project Description
RFP-19-10-11	May 18, 2011	Solicited all (4) pre-qualified Construction Management Firms	May 04, 2011	For the procurement of professional construction management services for ESUHSD's Measure "G" KIPP Charter at Independence High School Project #MG2011-001.

Bid Results:

Contractor	Professional Fees
SGI Construction Management	\$29,620.50
O'Connor Construction Management, Inc.	\$37,800.00
Facilities Management & Planning, Inc. (FMPO, Inc.)	\$45,000.00
BLACH Construction Company	\$150,219.00

A Request for Qualification (RFQ) (RFQ-02-08-09) process was conducted by ESUHSD Administration. The recommendation for award was brought to the Board on March 10, 2009 for approval whereby a "Measure E & G Pre-Approved Construction Management Firms (CM) List" was developed. All four Board approved CM firms were solicited for this project.

FISCAL IMPACT: \$29,620.50 (not to exceed)

FUNDING SOURCE: Measures G

RECOMMENDATION: It is recommended that the Board of Trustees award a contract to SGI Construction Management for Construction Management Services for the KIPP Charter Relocatable Portable Classrooms & Restroom Project #MG2011-001.

9. RFP-18-10-11, Architectural Services For Measure "E" Bond Projects – Phase II

Bid	Bid Opening	Legal Advertisements	Advertisement Date(s)	Project Description
RFP-18-10-11	May 16, 2011	Solicited all 11 Board approved Architectural Firms	May 2, 2011	For the procurement of professional Architectural Services for Measure "E" Bond Projects – Phase II

Bid Results:

Project	Architectural Firm Recommended	Proposed Fees
Andrew Hill Campus Addition/ New Science Building Project Identifier – E-025-00A	Cody Anderson Wasney	\$392,000.00
Andrew Hill Modernization at Buildings 100/Classroom, K/Library, and D/Multi-use Bldg. Project Identifier - E-025-00D	Cody Anderson Wasney	\$287,000.00
James Lick Modernize Multi-Use Building 900 Project Identifier - E-030-00H	Aedis	\$276,500.00
W.C. Overfelt Modernize Bldg. J/Art and Special Education Project Identifier - E-040-00M	FMPO	\$178,425.00
W.C. Overfelt Modernize Building D/Classroom Project Identifier - E-040-00N	NTD	\$284,625.00
Piedmont Hills Modernize Special Education Classroom B4 and Construct New Science Classroom Building E-045-00B	Perkins+Will	\$397,800.00
Oak Grove Modernize Building U Project Identifier - E-050-00I;	WLC	\$276,000.00
Oak Grove Modernize Building I/Theater Project Identifier - E-050-00J	WLC	\$234,000.00
Silver Creek Modernize/Add Toilet Rooms Project Identifier - E-055-00L	Aedis	\$123,200.00
Yerba Buena Modernize/Add to Theater Building 500 Project Identifier - E-060-00O	FMPO	\$383,625.00
Yerba Buena Modernize Ceramics Portion of Bldg. 1000 Project Identifier - E-060-00Q	Spencer	\$56,000.00

Independence Modernize Bldg. F/Performing Arts Center and Bldg. G/Visual Arts Complex Project Identifier - E-065-00F	Cody Anderson Wasney	\$546,000.00
Independence Modernize Home Economics Complex - Buildings L2, L3, L4/Modernize Building N Project Identifier - E-065-00G	Cody Anderson Wasney	\$266,000.00
Santa Teresa Modernize Units 100, 200, 400, 700, 1300, and 1400 Project Identifier - E-070-00K	Spencer	\$330,000.00
Evergreen Valley Replace Movable Partitions w/ Fixed Walls /Door Hardware Replacement/ Equipment for Special Education Classrooms/Increase Capacity of Boy's and Girl's Locker Rooms. Project Identifier - E-075-00E	BFGC	\$110,000.00
Evergreen Valley; Silver Creek; Yerba Buena Replace Blue Top PE stations/Travel Path and Courtyard Seating Improvements (EVHS)/Campus Security Upgrade (SCHS)/Site Lighting, Fencing, and Benches (YBHS) Project Identifier - E-XXX-00R	Sugimura Finney	\$45,454.00
Piedmont Hills; Silver Creek; Santa Teresa; Yerba Buena New Lighting for Student Parking Lot (PHHS)/ Campus Security Upgrade (SCHS)/Exterior Campus-Wide Lighting (STHS)/ Site Lighting, Fencing, and Benches (YBHS) Project Identifier - E-XXX-00S	Spencer	\$60,000.00

A Request for Qualification (RFQ) (RFQ-03-07-08) process was conducted by ESUHSD Administration. The recommendation for award was brought to the Board on June 19, 2008 for approval whereby a pool of architectural firms to provide the district with design and construction administration and management services for the district's capital improvement and expansion projects was established. All eleven Board approved Architectural Firms were solicited for these projects.

Proposals were received from 9 of the 11 Board approved Architectural Firms. HMC and Verde Designs did not submit any proposals. Proposals were received from the remaining 9 firms. However, not all 9 firms submitted proposals on all 17 projects.

The evaluation of proposals were conducted of a committee of 5 and included the following factors: (1) Consultant's Proposed Team; (2) Consultant's Reference Projects; (3) Consultant's past performance with ESUHSD; (4) Consultant's proposed costs; and (5) Interviews, if scheduled (non were scheduled).

The team is making the recommendation to award to the specific Architectural Firm with final contract negotiations including fees to take place after Board Award.

FISCAL IMPACT: \$4,246,629.00 (estimated)

FUNDING SOURCE: Measures E

RECOMMENDATION: It is recommended to the Board of Trustees that the board approve Administration to enter into final contract negotiations and sign contracts with the recommended Architectural Firms as listed above for the Phase-2 Measure "E" Bond Projects.

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contracts for Professional Services over \$50,000
Board Meeting of August 23, 2012

Item: 15.01
Attachment D

1. AEDIS Architecture & Planning

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle J. Unger	April 9, 2009 – February 28, 2013 (change contract period)	\$27,860.00 (increased amount) Measure E	W.C. Overfelt Adult Education Center/Facilities Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #3 to the Purchase Order #905237 and Amendment #3 to Work Authorization #3 for the W.C. Overfelt Adult Education Center New Academic & Administrative Building Project, (Project No.: E-042-001).

This change order is issued due to District's request for Architect to provide design services during the construction phase of this project to create a new drop off lane at the W.C. Overfelt High School student parking lot located on the east side of the high school campus.

Scope of work to include a dual lane drop off area which includes parking lot light poles, a 4' chain link fence in a striped island to provide a safety barrier between the students and vehicles, restriping the existing parking lot for better vehicle circulation and better ADA access, and provide site security cameras located on the east end. This change requires DSA review and approval.

Original Purchase Order was approved for \$526,018.00 + Change Order #1 \$52,601.80.00 + Change Order #2 \$91,314.00 + Change Order #3 \$27,860.00 = the new Purchase Order total of \$697,793.80

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #3 to Purchase Order #905237 and Amendment #3 to Work Authorization #3 with AEDIS Architecture & Planning in the amount of \$27,860.00 for the W.C. Overfelt Adult Education Center New Academic & Administrative Building Project, (Project No.: E-042-001).

2. Consolidated Engineering Laboratories

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle J. Unger	June 17, 2012 – December 31, 2012 (change contract period)	\$18,309.00 (increased amount) Measure E	Silver Creek High School/Facilities Adolfo Laguna, 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 #2 to the Purchase Order #103309 for the Silver Creek High School Multi-Purpose Classroom Building Project, (Project No.: E-055-001).

This change order is needed because of additional materials testing and special inspection for the remaining construction schedule duration and unforeseen inspections. This change order request is not to exceed \$18,309.00.

Original Purchase Order was approved for \$68,014.00 + Change Order #1 \$28,655.00 + Change Order #2 \$18,309.00 = the new Purchase Order total of \$114,978.00.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #2 to Purchase Order #103309 with Consolidated Engineering Laboratories in the amount of \$18,309.00 for the Silver Creek High School Multi-Purpose Classroom Building Project, (Project No.: E-055-001).

3. Davillier-Sloan, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle J. Unger	December 20, 2011- December 31, 2012 (change contract period)	\$ 73,344.00 (increased amount) Measures G & E	Facilities/Purchasing Kathy Lanford, Assistant Director Marcus Battle, Associate Superintendent of Business Services

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #2 to the Purchase Order #202023 and Amendment #2 for the Contract Services Agreement with Davillier-Sloan, Inc (DSI) for the provision of Labor Compliance services for the Measure E projects awarded before January 01, 2012.

The Consultant will continue to monitor and review all certified payroll records received from the District's construction contractors awarded projects for compliance under its Department of Industrial Relations approved Labor Compliance Program and will notify the District if incorrect wages or other problems on the certified payroll are identified.

Original Purchase Order was approved for \$70,000.00 + Change Order #1 \$68,000.00 + Change Order #2 \$73,344.00 = the new Purchase Order total of \$211,344.00.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #2 to Purchase Order #202023 and Amendment #2 with Davillier-Sloan, Inc (DSI) for the extended term through December 31, 2012 for the provision of Labor Compliance services for the Measure E projects awarded before January 01, 2012 in the amount of \$73,344.00.

4. Santa Clara Valley Construction Inspections

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle J. Unger	September 17, 2012 – September 30, 2013	\$73,566.00 (not to exceed) Measure E	Calero High School/Facilities 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-2 DSA required project inspection services for Calero High School Modernization Project, (Project No.: E-080-002).

Selection Process

The ESUHSD Administration solicited the firms on the "Measure E & G Pre-Approved Inspector of Record Firms (IOR) List" which was approved by the Board of Trustees on June 21, 2012 (RFQ-18-11-12). The District received six (6) proposals from consultants in the pool. After careful review of each proposal submitted, District staff based their recommendation on demonstrated competence and qualifications to perform the service and achieve fair and reasonable fees.

The selection of the project inspector requires DSA approval. The Architect for the project also approves and submits the Inspector Qualification Record Form (DSA-5) to DSA for approval. Because of the possibility DSA will not approve the District's choice, staff is recommending three (3) IOR consultants in the following order. If DSA does not accept the District's first choice, we would award to the second choice and if needed, third choice. ESUHSD would move forward with the recommendation to the Board of Trustees to award the contract to Santa Clara Valley Construction Inspections pending DSA approval.

Proposal Results:

IOR	Total Fee
1 - Santa Clara Valley Construction Inspections – Clay Hanning, IOR	\$73,566.00
2 - Furman & Associates, Inc. – Jerry Furman, IOR	\$77,400.00
3 – Michael Henley & Company – Dan Butler, IOR or Steve Kindell, IOR	\$117,500.00

RECOMMENDATION

It is recommended that the Board of Trustees enter into and approve an Agreement pending DSA approval with Santa Clara Valley Construction Inspections, in an amount of \$73,566.00 for the term September 17, 2012 through September 30, 2012 for the provision of Class-2 DSA required project inspection services for Calero High School Modernization Project, (Project No. E-080-002).

5. United Compliance Corporation (UCC)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle J. Unger	October 21, 2011 until project close out is completed	\$25,000.00 (increase amount) Measure E	Santa Teresa High School /Facilities Greg Louie, 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 #1 to Purchase Order #201714 with United Compliance Corporation (UCC) for the additional scope of Construction Management Services to coordinate a Level 2 Modernization incorporating the Building 100 Counseling Suite into the Building 200 modernization in an increased amount of \$25,000.00 for the Santa Teresa High School Units 100, 200, 400, 700, 1300 & 1400 Buildings, (Project No.: E-070-003).

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order #201714 with United Compliance Corporation (UCC) in the amount of \$25,000.00 for the Santa Teresa High School Units 100, 200, 400, 700, 1300 & 1400 Buildings, (Project No.: E-070-003).

6. Williams Scotsman – Ratify Lease Agreement

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle J. Unger	July 1, 2012 – June 30, 2013	\$126,381.60 Capital Facilities	Oak Grove High School/Facilities Martha Brazil, Principal Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to ratify the continuation of the lease for twenty-four (24) relocatable classrooms at Oak Grove High School. Administration is requesting authorization to keep these relocatables on a month-to-month year extension. These units will be used to house students during the modernization of two (2) Measure E Classroom Modernization projects.

Selection Process

N/A. This is a continuation of a current lease.

RECOMMENDATION

It is recommended that the Board of Trustees approve the continuation of the lease for twenty-four (24) relocatable classrooms at Oak Grove High School with Williams Scotsman for an amount of \$126,381.60 for the extended period of July 1, 2012 – June 30, 2013.

Agenda Item Details

Meeting Feb 13, 2014 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

Subject 18.02 Approve Contract(s) 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 Contract(s) for Professional Services at or below \$50,000 as recommended on 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: 18.02**

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

SUBJECT: Approve Contract(s) for Professional Services At or Below \$50,000

The attached list of Contract(s) for Professional Services at or below \$50,000 is/are being presented for Board review and approval as recommended on 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.

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 Contract(s) for Professional Services at or below \$50,000 as recommended on 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.

[Contracts At or Below \\$50k 2-13-14.pdf \(26 KB\)](#)

Executive Content

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED
February 13, 2014**

Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

**EAST SIDE UNION HIGH SCHOOL DISTRICT
PROFESSIONAL CONTRACT SERVICES At or Below \$50,000
Board Meeting of February 13, 2014**

Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1. New Hope for Youth	Teresa Marquez Glenn VanderZee Juan Cruz Donna Bertrand	February 24, 2014 – May 29, 2014	\$12,000.00 (Not to exceed \$6,000 per school site) EIA	Mt. Pleasant Teresa Marquez, Principal James Lick Glenn VanderZee, Principal	To provide conflict medication, gang outreach, and individual youth intervention services. These services will be provided on site and will be scheduled for not less than four hours per week scheduled in advance with administration or as needed in response to specific incidents.
2. Norman Brand, Esq.	Vida Branner Rogelio Ruiz Marcus Battle Donna Bertrand	February 14, 2014	\$7,600.00 General Fund	Education Center/ Business Services Vida Branner, Director	To provide arbitration/mediation services on an ESUHSD classified employee matter.
3. Team San Jose	Teresa Marquez Juan Cruz Donna Bertrand	May 28, 2013	\$13,000.00 (estimate) General Fund	Mt. Pleasant Teresa Marquez, Principal	To enter into a Facility Use Agreement with Team San Jose for the rental of the Performing Arts Center for Mt. Pleasant's 2014 Graduation Ceremony.
4. Team San Jose	Greg Louie Juan Cruz Donna Bertrand	May 29, 2014	\$13,200.00 (estimate) General Fund	Santa Teresa Greg Louie, Principal	To enter into a Facility Use Agreement with Team San Jose for the rental of space within the San Jose Convention Center for Santa Teresa's 2014 Graduation Ceremony.
5. Team San Jose	Lauren Kelly Juan Cruz Donna Bertrand	May 30, 2014	\$20,000.00 (estimate) General Fund	Evergreen Valley Lauren Kelly, Principal	To enter into a Facility Use Agreement with Team San Jose for the rental of space within the San Jose Convention Center for Evergreen Valley's 2014 Graduation Ceremony.

6.	Santa Clara County Construction Careers Association (S4CA)	Adolfo Laguna Vito Chiala Juan Cruz Donna Bertrand	January 15, 2014 – June 30, 2014	\$9,600.00 California Partnership Academy	Silver Creek Adolfo Laguna, Principal W. C. Overfelt Vito Chiala, Principal	<p>REQUEST FOR RATIFICATION Contractor will coordinate the required industry components for the Construction Academy including development of academy/pathway outcomes, assessment, and academy team; conduct three student transition guidance workshops; assist students with completing transition applications and scholarship applications; recruit industry mentors for academy and magnet; coordinate academy and magnet internships; coordinate academy and magnet linkages to postsecondary education; and coordinate academy and magnet industry partnerships.</p>
7.	STRIVE for College	Vito Chiala Juan Cruz Donna Bertrand	January 1, 2014 – December 31, 2014	\$10,000.00 EIA	W. C. Overfelt Vito Chiala, Principal	<p>REQUEST FOR RATIFICATION STRIVE will provide a group of volunteer undergraduate students to mentor and guide eligible high school students at Overfelt through the process of applying to, enrolling in and planning for payment of four-year colleges and universities.</p>

Agenda Item Details

Meeting Feb 13, 2014 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 20. FACILITIES - CONSENT/ACTION CALENDAR

Subject 20.01 Approve Bond/Capital Projects Contract(s) 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 Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and to delegate authority to the Superintendent or designee to amend said contract(s) and purchase order(s) on an as needed basis, including funding.

Public Content**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 20.01**

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager

SUBJECT: Approve Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

The attached lists the Bond/Capital Projects Contracts for Professional Services at or below \$50,000 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 Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and to delegate authority to the Superintendent or designee to amend said contract(s) and purchase order(s) on an as needed basis, including funding.

[Contracts under \\$50K FINAL.pdf \(113 KB\)](#)

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES**

APPROVED**February 13, 2014**
Executive Content

Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

Last Modified by Elicia Gaska on January 27, 2014

EAST SIDE UNION HIGH SCHOOL DISTRICT
BOND/CAPITAL PROJECTS PROFESSIONAL CONTRACT SERVICES At or Below \$50,000
 Board Meeting of February 13, 2014

A. BOND / FACILITIES

Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1. Adobe Systems Incorporated	André Bell Marcus Battle Janice Unger	February 15, 2014 – February 14, 2015	\$3,600.00 (not to exceed) Measure G, E & I	Capital Accounting/Facilities André Bell, Assistant Director of Capital Accounting	Provide EchoSign Enterprise Edition software/license for (10) users. Annual commitment – Annual payment. Software is used for uploading and routing documentation for signatures and approvals.
2. ANLA Associates, Inc.	Linda da Silva Marcus Battle Janice Unger	February 15, 2014, until project is completed	\$11,100.00 (not to exceed) Measure E	Overfelt Adult Education Center/Facilities Rich Uribe, Director Linda da Silva, Director of Construction, Maintenance & Facilities	Provide landscape architectural services in the preparing a landscape maintenance manual for the Overfelt Adult Education Center Project (Project # E-042-001) Deliverables will be in the form of a landscape maintenance manual for District staff use.
3. Willdan Financial Services	André Bell Marcus Battle Janice Unger	February 15, 2014, until completed	\$9,000.00 (not to exceed) Measure G & E	Capital Accounting/Facilities André Bell, Assistant Director of Capital Accounting	Provide Arbitrage Rebate Services for Measure G & E GO Bonds. This addendum to the agreement between Willdan Financial Services and East Side Union High School District, dated January 11, 2007, is amended to include additional issue/reports and fees. The IRS requires that an Arbitrage Rebate report be prepared on Tax-Exempt Bonds every 5 th bond year and at the final redemption date.