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Agenda Item Details

Meeting Apr 19, 2018 - 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 16.02 Approve Minutes of January 18, 2018, Regular Board Meeting

Type Action, Minutes

Recommended Action It is recommended that the Board of Trustees approve the January 18, 2018, Regular Board Meeting minutes as presented.

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent


SUBJECT: Approve Minutes of January 18, 2018, Regular Board Meeting

Attached are the minutes of the January 18, 2018, 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 January 18, 2018, Regular Board Meeting minutes as presented.

 [BA_2018_01_18_Reg_Minutes.pdf \(221 KB\)](#)

APPROVED
Board of Trustees
April 19, 2018





Each student graduates prepared for college and career,
empowered to thrive in a global society.

EAST SIDE UNION HIGH SCHOOL DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

**Meeting Held at
East Side Union High School District
Board Room
830 N. Capitol Avenue, San Jose, CA 95133
January 18, 2018
4:00 p.m.**

1. CALL TO ORDER / ROLL CALL

1.01 Roll Call

President J. Manuel Herrera called the meeting to order at 4:03 PM.

Present for roll call:

- President J. Manuel Herrera
- Vice President Pattie Cortese
- Clerk Lan Nguyen
- Member Frank Biehl
- Member Van Le

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

Persons wishing to address the Board on Closed Session items or any subject not on the agenda must fill out a speaker request form, which is located at the entrance of the Board Room.

Public speakers:

- Rick Huck (2.05)
- Paul Kick (2.05)
- Marcus Reese (2.05)
- Jamal Jackson (2.05)
- Phil Stearns (2.05)
- Jam Braun (2.05)

1.03 Recess to Closed Session in the Superintendent's Conference Room (Open Session will resume at the end of Closed Session in the Board Room at approximately 6:30 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 Mindfulness Practice

2.02 Expulsion(s)

- **17-18-011**

Student 17-18-011:

Motion by Frank Biehl, second by Lan Nguyen, to approve the suspension of expulsion for both semesters of student 17-18-011.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

2.03 Public Employee Performance Evaluation (Government Code Section 54957)

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

- **Associate Superintendent of Human Resources (1)**
- **Associate Superintendent of Business Services (1)**
- **Associate Superintendent of Educational Services (1)**

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

2.06 Conference with Labor Negotiators (Government Code Section 54957.6)

Agency Designated Representatives:

Chris D. Funk, Superintendent

Marcus Battle, Associate Superintendent of Business Services

Cari Vaeth, Associate Superintendent of Human Resources

Glenn Vander Zee, Associate Superintendent of Educational Services

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

Administrator Collaborative of East Side (ACES)

Unrepresented Employees:
Administrators
Managers
Confidential Employees

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

- **Claim for Damages of M. Tang**
- **Claim for Damages of J. Russell; and,**
- **Four (4) Potential Cases**

Claim for Damages of M. Tang

Motion by Frank Biehl, second by Van Le, to reject the claim of M. Tang.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

Claim for Damages of J. Russell

Motion by Van Le, second by Frank Biehl, to reject the claim of J. Russell.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

**Claim for Damages of Alan Luong and Alexander Luong versus East Side
Union High School District, US District Court for the Northern District of
California, Case Number 5:16-CV07329**

Motion by Frank Biehl, second by Pattie Cortese, to approve the settlement agreement and release in the matter of Alan and Alexander Luong versus East Side Union High School District, US District Court for the Northern District of California, Case Number 5:16-CV07329, pursuant to which the District will pay to the plaintiff the sum of \$150,000 for educationally-related services and placement consistent with IDEA and inclusive of attorney fees and costs and also a waiver and release provisions.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

**2.08 Conference with Legal Counsel – Existing Litigation:
Paragraph (1) of subdivision (d) of Government Code Section 54956.9:**

One (1) Case

- **San Diego Unified Sch. District, et a. v. State of California, et al.,
Sacramento County Superior Court Case no.: 34-2017-80002696**

**3. RESUME OPEN SESSION AT APPROXIMATELY 6:30 P.M. - EDUCATION CENTER
BOARD ROOM**

3.01 Pledge of Allegiance

Presenting the colors are Major Pierce and Sergeant Hunter with the Wm. C. Overfelt High School U.S. Army JROTC.

4. WELCOME AND EXPLANATION TO AUDIENCE

4.01 Any person may address the Board on any item on the meeting agenda. Information explaining Board meeting procedures and how citizens can address the Board will be read. Persons wishing to address the Board must fill out a speaker request form, which is located at the entrance of the Board Room. Written information is located near the entrance to the Board Room.

5. ADOPTION OF AGENDA

5.01 The Superintendent and/or Board Member(s) may request that items be removed from the agenda for consideration and/or carried to a future Board meeting for consideration and/or action, and/or that the Board take action in a regular meeting on a subject not listed on the published agenda on an emergency basis or other basis allowed by law. (Gov. Code 54954.2)

See section 4: President Frank Biehl moved section 5 to the end of the Consent Calendar. Items 11.02, 11.03, 11.04 and 11.05 were pulled from the agenda.

6. BOARD SPECIAL RECOGNITION(S)

6.01 Fall Sports Recognitions

Evergreen Valley

- Girls Golf, Mt. Hamilton Division, Blossom Valley Athletic League Champions
- Girls Tennis, Mt. Hamilton Division, Blossom Valley Athletic League Champions
- Girls Water Polo, Santa Teresa Division, Blossom Valley Athletic League Champions

Independence

- Football, Santa Teresa Division, Blossom Valley Athletic League Champions

James Lick

- Girls Volleyball, West Valley Division, Blossom Valley Athletic League Champions

Mt. Pleasant

- Boys Cross Country, West Valley Division, Blossom Valley Athletic League Champions

Oak Grove

- Football, Mt. Hamilton Division, Blossom Valley Athletic League Champions

7. STUDENT BOARD LIAISON(S) (5 minutes each school)

7.01 Andrew Hill High School

- **Merlin Nunez, Student Representative**
- **Jaime Bernal, Student Representative**
- **Vi Tran, Student Representative**

7.02 Independence High School

- **Nimreta Singh, ASB President**
- **Jaquelyn Huynh, ASB Executive Vice President**
- **Leslie Loi, ASB Vice President of Special Events**
- **Vivian Ho, ASB Vice President of Finance and Records**
- **Jessica Carrillo, ASB Historian**

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 Discussion and/or Consideration regarding Proposed Draft Resolution #2017/2018-16 Ordering an Election for the Purpose of Submitting to the Qualified Electors of the District the Question of Levying an Education Parcel Tax Upon Each Parcel in the District for Educational Purposes and Establishing the Specifications of the Election Order - Marcus Battle, Associate Superintendent of Business Services, and Charles F. Adams, Jones Hall

Presentation/discussion only of proposed draft Resolution #2017/2018-16 Ordering an Election for the Purpose of Submitting to the Qualified Electors of the District the Question of Levying an Education Parcel Tax Upon Each Parcel in the District for Educational Purposes and Establishing the Specifications of the Election Order. The item will be placed on the Board agenda at the February Board meeting for a public hearing and action/consideration by the Board of Trustees.

8.03 Discussion and/or Action to Review and Accept the Annual Financial and Performance Audit Report for Fiscal Year Ending June 30, 2017 and Reports for Measure G, E, Z, 2012-I, 2014-I Technology GO Bond Funds - Marcus Battle, Associate Superintendent of Business Services, Silvia Pelayo, Director of Finance and Joyce Peters, Vavrinek, Trine, Day & Co., LLP

Motion by Frank Biehl, second by Van Le, to accept the Annual Financial and Performance Audit Report for Fiscal Year Ending June 30, 2017 and Reports for Measure G, E, Z, 2012-I, 2014-I Technology GO Bond Funds as presented.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

8.04 Presentation, Discussion and/or Action Regarding Measure E, G, I, and Tech I Proposition 39 Bond Fund Performance Audit Report for Fiscal Years Ended June 30, 2016, and June 30, 2017 - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, Tahir Ahad, President, Total School Solutions, Vern Weber, Senior Consultant- Planning Management, Martin Tokunaga, Senior Consultant, and Romeo Tabaranza, Associate

Motion by Frank Biehl, second by Pattie Cortese, to accept the Measure E, G, I, and Tech I Bond Fund Performance Audit Report for the Fiscal Years ended June 30, 2016, and June 30, 2017.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

8.05 Presentation, Discussion and/or Action regarding Demography Study - Marcus Battle, Associate Superintendent of Business Services, Larry Ferchaw, Partner, Cooperative Strategies, and Andrew Bishop, Senior Associate Director, Cooperative Strategies

Item is for informational purposes only; no action is taken.

8.06 Update and/or Discussion regarding East Side Union High School District's Child Development Program and Services - Chris D. Funk, Superintendent

Item is for informational purposes only; no action is taken.

Public speaker:

- Alexis Arriaga
- Ian Fay
- Jerrie Calderon
- Carmen Geniz
- Leeann Aiassa
- Tiffany Nguyen

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

9.01 Hold Public Hearing at Approximately 6:45 p.m. - Disclosure of Major Provisions of Proposed Tentative Agreement for 2017-2018 Contract Reopeners with San Jose Federation of Teachers, Local 957, AFT, AFL-CIO (Per AB1200; Government Code Section 3547.5); Discussion and/or Action - Cari Vaeth, Associate Superintendent of Human Resources

Public hearing held. There were no public speakers.

9.02 Discussion and/or Action to Ratify and Approve Tentative Agreement for 2017-2018 Contract Reopeners with San Jose Federation of Teachers, Local 957, AFT, AFL-CIO (Per AB1200; Government Code Section 3547.5) - Cari Vaeth, Associate Superintendent of Human Resources

Motion by Frank Biehl, second by Lan Nguyen, to ratify the tentative agreement for 2017-2018 contract reopeners between the East Side Union High School District and the San Jose Federation of Teachers, Local 957, AFT, AFL-CIO.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

9.03 Hold Public Hearing at Approximately 6:50 p.m. Regarding the Proposed Adoption of the Initial Proposal for Contract Reopeners for 2018-2019: From East Side Union High School District to California School Employees Association, Chapter 187 - Cari Vaeth, Associate Superintendent of Human Resources

Public hearing held. There were no public speakers.

9.04 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Contract Reopeners for 2018-2019: From East Side Union High School District to California School Employees Association, Chapter 187 - Cari Vaeth, Associate Superintendent of Human Resources

Motion by Frank Biehl, second by Lan Nguyen, to adopt the District's initial proposal for contract reopeners for 2018-2019 to the California School Employees Association, Chapter 187.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

9.05 Hold Public Hearing at Approximately 6:55 p.m. - Regarding the Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to the East Side Teachers Association/CTA/NEA - Cari Vaeth, Associate Superintendent of Human Resources

Public hearing held.

Public speaker:

- Marisa Hanson, ESTA President

9.06 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to the East Side Teachers Association/CTA/NEA - Cari Vaeth, Associate Superintendent of Human Resources

Motion by Frank Biehl, second by Van Le, to adopt the District's Initial Proposal for Successor Contract: from the East Side Union High School District to the East Side Teachers Association/CTA/NEA.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

10. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

10.01 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. Any person may address the Board on any item on the meeting agenda. Persons wishing to address the Board must fill out a speaker request form, which is located at the entrance of the Board Room. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.

Public speakers:

- Theresa Scott – Grading Policy
- Jacob Headley - Layoffs
- Marisa Hanson, ESTA President – ESTA Layoffs?
- Winston Ashby – Support for PHHS Principal
- Pastor Jethroe Moore, II – Lyft / Uber
- Cynthia Cruz Mora – Layoffs
- Barbara Boone – Support for PHHS Principal
- Traci Williams

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

11.01 Discussion and/or Action to Adopt Resolution #2017/2018-17 Calling for Full and Fair Funding of California's Public Schools - Frank Biehl, Board Member

Motion by Frank Biehl, second by Van Le, to adopt Resolution #2017/2018-17 Calling for Full and Fair Funding of California's Public Schools.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

11.02 Discussion and/or Action regarding Employment Contract for Associate Superintendent of Human Resources - Chris D. Funk, Superintendent

Motion by Van Le, second by Pattie Cortese, to approve a one year employment contract extension, July 1, 2018, to June 30, 2019, for Cari Vaeth, Associate Superintendent of Human Resources. Employment contract language to be brought back at February, 2018, Board meeting for ratification.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

11.03 Discussion and/or Action regarding Employment Contract for Associate Superintendent of Business Services - Chris D. Funk, Superintendent

Motion by Lan Nguyen, second by Frank Biehl, to approve a one year employment contract extension, July 1, 2018, to June 30, 2019, for Marcus Battle, Associate Superintendent of Business Services. Employment contract language to be brought back at February, 2018, Board meeting for ratification.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

11.04 Discussion and/or Action regarding Employment Contract for Associate Superintendent of Educational Services - Chris D. Funk, Superintendent

Motion by J Manuel Herrera, second by Lan Nguyen, to approve a one year employment contract extension, July 1, 2018, to June 30, 2019, for Glenn Vander Zee, Associate Superintendent of Educational Services. Employment contract language to be brought back at February, 2018, Board meeting for ratification.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

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

12.01 Discussion and/or Receipt of Charter School Renewal Petition for Luis Valdez Leadership Academy submitted by The Foundation for Hispanic Education – Glenn Vander Zee, Associate Superintendent of Educational Services

Motion by Frank Biehl, second by Van Le, to receive the charter school renewal petition for Luis Valdez Leadership Academy submitted by The Foundation for Hispanic Education.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

12.02 Discussion and/or Receipt of Charter School Renewal Petition for B. Roberto Cruz Leadership Academy submitted by The Foundation for Hispanic Education – Glenn Vander Zee, Associate Superintendent of Educational Services

Motion by Pattie Cortese, second by Van Le, to receive the charter school renewal petition for B. Roberto Cruz Leadership Academy submitted by The Foundation for Hispanic Education.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

12.03 Discussion and/or Action to Approve the 2018 Summer School Program - Glenn Vander Zee, Associate Superintendent of Educational Services, and Teresa Marquez, Director of Professional Development and Instructional Services

Motion by Van Le, second by Lan Nguyen, to approve the 2018 Summer School Program.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

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

13.01 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

Motion by Lan Nguyen, second by Pattie Cortese, to approve the contract(s) for professional services over \$25,000 as presented and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed

during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

13.02 Discussion and/or Action to Approve Random Giveaway Donation of Seven (7) Surplus Laptops Following Education Code 60510 - Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Linda Ornelas, Director of Marketing & Public Engagement

Motion by Van Le, second by Lan Nguyen, to approve the District's random giveaway donation of seven (7) surplus laptops to seven incoming 9th grade students.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

13.03 Adopt Resolution #2017/2018-18 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 60010 and 60510

Motion by Lan Nguyen, second by Van Le, to adopt Resolution #2017/2018-18 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal pursuant to Education Code Sections 60010 and 60510.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

13.04 Discussion and/or Action to Receive First Reading of Proposed Amendments to the following Board Policies: BP 3260 Fees and Charges, BP 3270 Sale and Disposal of Books, Equipment and Supplies (Personal Property), BP 3311.1 Uniform Public Construction Cost Accounting Procedures, BP 3551 Food Service Operations/Cafeteria Funds, BP 3555 Nutrition Program Compliance and BP 3580 District Records - Marcus Battle, Associate Superintendent of Business

Received first reading of proposed amendments to the following Board Policies: BP 3260 Fees and Charges, BP 3270 Sale and Disposal of Books, Equipment and Supplies (Personal Property), BP 3311.1 Uniform Public Construction Cost Accounting Procedures, BP 3551 Food Service Operations/Cafeteria Funds, BP 3555 Nutrition Program Compliance and BP 3580 District Records.

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

14.01 Discussion and/or Action to Adopt Resolution #2017/2018-15 Declaring the Observance of Lincoln's Birthday on February 23, 2018

Motion by Pattie Cortese, second by Van Le, to adopt Resolution #2017/2018-15 declaring the observance of Lincoln's Birthday on Friday, February 23, 2018.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

14.02 Discussion and/or Action Regarding the Approval of the Student/Certificated Calendar for the 2018-2019 School Year - Cari Vaeth, Associate Superintendent of Human Resources

Motion by Frank Biehl, second by Lan Nguyen, to approve the student/certificated calendar for the 2018-2019 school year.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

15. FACILITIES/BOND - 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, Julio Lucas, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, Capital Projects Purchasing Manager

Motion by Lan Nguyen, second by Frank Biehl, to approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

15.02 Discussion and/or Action to Approve Additional Funding for the W.C. Overfelt High School Music, Art & Administration New Building and Central Quad Modernization Project using Measure Z - Site Allocation and Measure Z - Board Discretionary - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting

Motion by Frank Biehl, second by Van Le, to approve additional \$8,500,000 using Measure Z Site Allocation and Board Discretionary funds to be allocated to the project budget for W.C. Overfelt High School Music, Art & Administration New Building and Central Quad Modernization Project and procure and construct the project through the Design-Build delivery method.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

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 Lan Nguyen, second by Pattie Cortese, to approve the entire consent calendar as presented.

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Unanimous; Motion Carries

16. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR

16.01 Approve Minutes of October 12, 2017, Regular Board Meeting

16.02 Approve Minutes of November 16, 2017, Regular Board Meeting

17. EDUCATIONAL SERVICES / STUDENT SERVICES - CONSENT/ACTION CALENDAR

17.01 Approve Amendment to Administrative Hearing Panel Personnel for the 2017-2018 School Year

17.02 Ratify/Approve School Field Trips

17.03 Discussion and/or Action to receive the Fourth Quarterly Williams Settlement Uniform Complaint Report for period covering October 1, 2017 through December 31, 2017 as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727)

18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

18.01 Ratify/Approve Contract(s) for Professional Services At or Below \$25,000

18.02 Accept Report of Credit Card Purchases for Statement Dated May 22, 2017

18.03 Ratify/Approve Memoranda of Understanding

18.04 Ratify/Approve Change Orders to Purchase Orders

18.05 Approve Budget Transfers for the Month of November, 2017

It is recommended that the Board of Trustees approve the budget transfers for the month of November, 2017.

18.06 Approve Purchase Orders Dated November 28, 2017, through December 31, 2017

18.07 Adopt Resolution #2017/2018-19 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546

18.08 Accept Warrant Register for the Month of November, 2017

It is recommended that the Board of Trustees accept the warrant register for the month of November, 2017.

18.09 Approve Lawful Business Travel Expense of Marcus Battle, Associate Superintendent of Business Services, Primary Designated School Official (PDSO), Nadia Davis, Attendance Accounting/International Student Program Coordinator, Designated School Official (DSO), and Nguyet Dinh, Administrator of Minority Language Programs to travel to Vietnam

19. HUMAN RESOURCES - CONSENT/ACTION CALENDAR

19.01 Ratify/Approve Classified Personnel Actions Presented January 18, 2018

**19.02 Ratify/Approve Certificated Personnel Actions Presented January 18, 2018
Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le**

19.03 Ratify/Approve Student Aide Personnel Actions Presented January 18, 2018

20. FACILITIES/BOND - CONSENT/ACTION CALENDAR

20.01 Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

20.02 Ratification of Bond/Capital Projects Change Orders to Construction Contracts and Purchase Orders At or Below \$175,000

20.03 Approve the Capital Program Budget Adjustment Report

20.04 Ratify CUPCAA Informal Bond Project(s)

21. WRITTEN REPORTS/RECOMMENDATIONS

No Items on Calendar under this Section

22. FUTURE AGENDA ITEMS

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

The following items were requested for placement as future agenda items:

- Member Van Le:
 - Status of Construction Building Projects

22.02 Future Items

Board Vice President Pattie Cortese

Item	Date (tentative)	Type
Teen Parents <ul style="list-style-type: none">•Education•Support•Identification	February, 2018	Presentation/Discussion
Substitutes	February 13, 2018	Presentation/Discussion
Recycling Program	March, 2018	Presentation/Discussion
Burns Institute	TBD	Presentation/Discussion

Board Member Van Le

Item	Date (tentative)	Type
Alternative Schools	February 13, 2018	Presentation/Discussion
Grading Policy	TBD	Report

22.03 Annual Governance Calendar

<p>July:</p> <ul style="list-style-type: none"> •Summer School Program (concludes session) •Summer School Graduation <p>August:</p> <ul style="list-style-type: none"> •Board Members' Expenses Report (Apr/May/June) •Expulsion Hearing Panel Committee •First Day of School •Superintendent's Annual Evaluation •Williams Quarterly Report <p>September:</p> <ul style="list-style-type: none"> •Board Study Session/Workshop •College Night •Conflict of Interest Board Policy (updates) •Public Hearing and Adoption: Gann Spending Limit •Public Hearing: Sufficiency/Insufficiency of Textbooks •Receive Annual Developer Fees Report •Unaudited Actuals <p>October:</p> <ul style="list-style-type: none"> •Bond Program Presentation •Solar Energy Presentation •Student Achievement Presentation •Williams Quarterly Report <p>November:</p> <ul style="list-style-type: none"> •Academic Success Analysis Biannual Presentation •Board Members Expenses' Report (July/Aug/Sept) •Board Study Session/Workshop •Election Orientation for New Board Members <p>December:</p> <ul style="list-style-type: none"> •Annual Organizational Board Meeting •CSBA Annual Conference •Election Orientation for New Board Members •End of First Semester •First Interim Report <p>January:</p> <ul style="list-style-type: none"> •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 •Master Business Relationship Agreement between ESUHSD and MetroED •Policies & ByLaws (Begin Review by Series) •Sports Recognitions (Fall) •Technology Report •Williams Quarterly Report 	<p>February:</p> <ul style="list-style-type: none"> •African American Students Achievement Awards •Audit Committee Charter Amendment(s) •Board Members' Expenses Report (Oct/Nov/Dec) •CSBA Delegate Assembly Election •IPC Annual Presentation •Non-Re-Elects •Safety Plan Goals for Each Site •State of the District <p>March:</p> <ul style="list-style-type: none"> •Academic Success Analysis Biannual Presentation •Cesar Chavez Writing, Art & Multi-Media Awards Luncheon •Latino Student Awards Recognition Ceremony •March 15 Notices •NSBA Annual Conference (<i>March or April</i>) •Second Interim Report •SJPD Secondary Employment Application •Superintendent's Mid-Year Evaluation •Vietnamese Students Achievement Awards <p>April:</p> <ul style="list-style-type: none"> •Board Study Session/Workshop •Form 700 – Statement of Economic Interests Due to Santa Clara County (filing) •Honor Nights (April/May) •Migrant Education Awards Night •Williams Quarterly Report <p>May:</p> <ul style="list-style-type: none"> •Asian American/Pacific Islander History Month Poster & Essay Contest Awards/Celebration •Board Members' Expenses Report (Jan/Feb/Mar) •Board Self-Evaluation •Board Study Session/Workshop •Budget (Preliminary/Draft) Presentation •Employee Retiree & Recognition Event •Graduations •Honor Nights (April/May) •Last Day of School •Preliminary Review of Proposed LCAP <p>June:</p> <ul style="list-style-type: none"> •Annual Consolidated Program Application (CONAPP) •Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting) •Budget Adoption (second June Board Meeting) •Budget Advisory Committee: Nominate/Appoint Board Reps (2) & Alternative Board Rep (1) -- (2-yr term, fiscal year) •Employee Retirement Celebration •ESTA Safety Survey •International Student Program Annual Presentation •Master Contracts for Capital Projects •Plan for Expelled Youth (due every 3 years; due 2018) •Safety Plan Assessment for Each School •Single Plan for Student Achievement (SPSA) Each School •Sports Recognitions (Winter/Spring) •Summer School Program (session begins)
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23. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

23.01 Board of Trustees:

- **J. Manuel Herrera, President**
-- MetroED
- **Pattie Cortese, Vice President**
- **Lan Nguyen, Clerk**
- **Frank Biehl, Member**
-- Board Audit Committee
- **Van Le, Member**

23.02 Chris D. Funk, Superintendent

24. REPORT CLOSED SESSION ACTION(S)

24.01 Legal Counsel will Report on Closed Session Actions

25. ADJOURNMENT

25.01 President Adjourns the Meeting

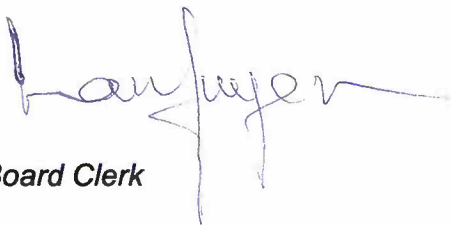
Board President J. Manuel Herrera adjourned the meeting at 11:25 PM.

26. NEXT MEETING

- **February 3, 2018: Board Retreat**
- **February 13, 2018: Regular Board Meeting**

The meeting was adjourned at 12:26 AM by Member J. Manuel Herrera

Respectfully submitted,



Board Clerk



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Agenda Item Details

Meeting	Jan 18, 2018 - ESUHS regular Board Meeting - 4:00 P.M., District Office - Board Room, 830 N. Capitol Avenue, San Jose, CA 95133
Category	13. Business Services - Operational Items/Board Discussion and/or Action
Subject	13.01 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager
Type	Action, Discussion
Recommended Action	It is recommended that the Board of Trustees approve the contract(s) for professional services over \$25,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager


SUBJECT: Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000

The attached contract(s) for professional services over \$25,000 are being presented for Board review and approval and to authorize administration to amend said contracts in accordance with Board Policy 3312.1.

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 over \$25,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

 [2018 0118 Contracts Over 25K.pdf \(94 KB\)](#)

Motion & Voting

It is recommended that the Board of Trustees approve the contract(s) for professional services over \$25,000 as presented and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive

of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

Motion by Lan Nguyen, second by Pattie Cortese.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of January 18, 2018

1. Palo Alto Preparatory School

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Francine Brissey	July 1, 2017 – June 30, 2018	NPS/NPA Services \$36,500.00	Instructional Services/ Special Services/ Barbara Moore

Contract Request

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to approve the SELPA contract with Palo Alto Preparatory School. Palo Alto Preparatory School will provide non-public school services and other related services for special education students per IEP requirements and in accordance with the Santa Clara County SELPAs Master Contract General Agreement for non-sectarian, non-public school/agency services.

Selection Process

SELPA

Recommendation

It is recommended that the Board of Trustees approve the contract with Palo Alto Preparatory School in the amount of \$36,500.00 for the term of July 1, 2017, through June 30, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

2. Mission Bay, Inc. (Change Order No. 1)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Francine Brissey	July 1, 2017 – June 30, 2018 (No Change)	Original: \$24,000.00 Change Order: \$4,000.00 Total: \$28,000.00	Instructional Services/ Special Services/ Barbara Moore

Contract Request

On November 30, 2017, ESUHSD administration approved the contract with Mission Bay, Inc. for \$24,000.00, this contract is on the January 18, 2018, list for Board Ratification. On December 4, 2017, administration received a request for a change order for this contract due to the new rates for the New Year. These rates will increase by 5% on January 1, 2018. Mission Bay, Inc. provides transportation services to a Special Education student in ESUHSD per settlement agreement.

Selection Process

N/A

Recommendation

It is recommended that the Board of Trustees approve the Change Order No. 01 to PO 801730 with Mission Bay, Inc. in the amount of \$4,000.00 for the term of July 1, 2017, through June 30, 2018.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of January 18, 2018

3. Ray Morgan Company – **Correction**

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Janice Unger Francine Brissey	December 1, 2017 – November 30, 2021	Various/ \$399,477.00 Plus Tax (Estimated) \$36,893.96 Bank Cost \$3,848.01 Total: \$440,218.97	District Wide/Various

Contract Request

On November 16, 2017, the Board of trustees approved the Contract with Ray Morgan Company for \$399,477.00. Administration is requesting an additional \$36,893.96 for the cost of tax required on the contract and an additional \$3,848.01 for Bank Costs.

Selection Process

Cooperative Bid RFP A77-2013

Recommendation

It is recommended that the Board of Trustees approve the correction in costs to PO 801747 for a new total amount of \$440,218.97. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

4. 101 Therapy Staffing, Inc. (**Change Order No. 1**)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Francine Brissey	September 1, 2017 – June 30, 2018 (no change)	Original: \$420,000.00 Change Order: \$296,000.00 Total: \$716,000.00	Instructional Services/ Special Services/ Barbara Moore

Contract Request

On November 16, 2017, ESUHSD Board approved the contract with 101 Therapy Staffing, Inc., for \$420,000.00. Administration received a request for a change order for this contract due to the under estimate of staffing needs.

Selection Process

N/A

Recommendation

It is recommended that the Board of Trustees approve the Change Order No. 01 to PO 801703 with 101 Therapy Staffing, Inc. in the amount of \$296,000.00 for the term of September 1, 2017, through June 30, 2018.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of January 18, 2018

5. Terris Barnes Walters Boigon Heath "TBWBH" (Amendment No. 2)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Chris Funk Marcus Battle Francine Brissey	July 1, 2017 – February 28, 2018 (no change)	Original Contract Amount: \$75,000.00 Amendment No. 01: \$70,000.00 Amendment No. 02: \$49,000.00 Total: \$194,000.00	Business Services/Marcus Battle

Contract Request

On June 22, 2017, ESUHSD Board approved the contract with TBWBH, for \$75,000.00. On November 20, 2017, Amendment No. 01 for \$70,000.00 was approved by the Board. ESUHSD Board requested staff negotiate a second follow-up mailer to inform all voters within District boundaries plus ESUHSD families regarding the results of the online survey and the pending local parcel tax.

Selection Process

Continuing Relationship

Recommendation

It is recommended that the Board of Trustees approve Amendment No. 02 increasing the contract amount with TBWBH by \$49,000.00 for the term of July 1, 2017, through February 28, 2018.



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Agenda Item Details

Meeting Jan 18, 2018 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 15. FACILITIES/BOND - 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, Julio Lucas, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, Capital Projects Purchasing Manager

Type Action, Discussion

Recommended Action It is recommended that the Board of Trustees approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, 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; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

- [2018 0118 Contract Over \\$50K.pdf \(148 KB\)](#)
- [Attachment A.pdf \(416 KB\)](#)
- [Attachment B.pdf \(115 KB\)](#)
- [Attachment C.pdf \(498 KB\)](#)
- [Attachment D.pdf \(416 KB\)](#)
- [Attachment E.pdf \(340 KB\)](#)

Motion & Voting

It is recommended that the Board of Trustees approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

Motion by Lan Nguyen, second by Frank Biehl.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contract(s) for Services over \$50,000
Board Meeting January 18, 2018

1. LPA, Inc. (Architect)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Janice Unger Tu Nguyen	September 17, 2015 through project completion (No change)	\$13,318.00 (not to exceed amount) Measure I	Piedmont Hill High School/Facilities/Construction Traci Williams, Principal Julio Lucas, Director of Construction, Maintenance, and Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify Amendment No. 03 to Work Authorization No. 01 and Change Order No. 03 to Purchase Order 601323 for additional scope of work that were not included in the existing Work Authorization No. 01 on the Piedmont Hills High School New CR Buildings D1 & D2 Project (Z-045-602).

On September 17, 2015 (Item No. 20.02) the Board of Trustees approved an architectural work authorization agreement for the design of the Bld. G Modernization, Bld. P New Classroom Bld., Bld. K Conversion to Science Labs/CR, and Site Infrastructure Improvements Project at Piedmont Hills High School with LPA, Inc. in the amount of \$1,178,000.00.

On January 21, 2016 (Item No. 15.03) the Board of Trustees approved Change Order No. 01 to Purchase Order 601323 from School Site Council's recommendation for the development of the new building south of Bld. D in lieu of modernizing Bld. K to house science classrooms. Also to defer the modernization of Bld. G and construction of a new building east of Bld. L and redirecting that associated funding to the new building south of Bld. D. Change only project name and number.

On February 16, 2017 (Item No. 15.01) the Board of Trustees approved Change Order No. 02 to Purchase Order 601323 for increase in current and future reimbursable expenses that were not included in the existing Work Authorization No. 01

This Amendment No. 03, Change Order No. 03 to Purchase Order 601323 is for additional scope of work to add energy management systems technology design and coordination for the HVAC system including reimbursable expenses that were not included in the existing Work Authorization No. 01. (Attachment A)

Original Contract Amount	\$1,178,000.00
Previous Change Order Amounts	5,000.00
Contract Amount Prior to This Change Order	\$1,183,000.00
Change Order No. 03 (Amendment No. 03 increase for additional work and reimbursable expenses for project)	\$13,318.00
Revised Contract Amount	\$1,196,318.00

RECOMMENDATION

It is recommended that the Board of Trustees ratify Amendment No. 03 and Change Order No. 03 to Purchase Order 601323 for additional scope of work and reimbursable expenses for the project with **LPA, Inc.**, for the New CR Buildings D1 & D2 Project at Piedmont Hills High School (Project No. Z-045-602) in the increased amount of \$13,318.00 and authorize Administration to execute change orders in accordance with Board Policy 3312.1

2. Ninyo & Moore – Material Testing & Special Inspection

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Janice Unger Tu Nguyen	March 13, 2017 through project completion	\$55,250.00 (not to exceed increased amount) Measure I	Yerba Buena High School/Facilities/Construction Tom Huynh, Principal Julio Lucas, Director of Construction, Maintenance, and Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees approve Change Order No. 01 to Purchase Order 702876 for the Yerba Buena New Student Union and Quad Modernization Project (Project No. Z-060-601)

On March 9, 2017 (Item No. 6.01) the Board of Trustees approved RFP-21-16-17 and contract service agreement for the Yerba Buena New Student Union and Quad Modernization Projection with Ninyo & Moore in the amount not to exceed \$74,221.00

This Change Order No. 01 increase to contract/PO is due to additional time and associated fees for materials testing and special inspection services. (Attachment B)

Original Contract Amount	\$74,221.00
Previous Change Order Amounts	\$0.00
Contract Amount Prior to This Change Order	\$74,221.00
Change Order No. 01	\$55,250.00
Revised Contract Amount	\$129,471.00

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order No. 01 to Purchase Order 702876 with **Ninyo & Moore**, for an increased amount of \$55,250.00 for the Yerba Buena New Student Union and Quad Modernization Project (Project No. Z-060-601) and authorize Administration to execute change orders in accordance with Board Policy 3312.1

3. Williams Scotsman

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Janice Unger Tu Nguyen	(18) month lease term February 28, 2016 through August 28, 2017 (term extension to April 10, 2018)	\$12,000.00 (not to exceed increased amount) Measure E	Independence High School (IAC)/Facilities Julio Lucas, Director of Construction, Maintenance, and Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees approve Change Order No. 02 to Purchase Order 602028 for the IH IAC Portable Village Project (Project No. E-065-007)

On February 12, 2015 (Item 21.02) the Board of Trustees approved a (18) month lease agreement for (5) classroom portables with Williams Scotsman for the final negotiated amount of \$82,165.30.

On August 18, 2016 (Item 15.01) the Board of Trustees ratified Amendment/Change Order No. 01 for adding tax for the initial cost, which was to be determined upon, invoice receipt per lease agreement in the amount of \$3,455.05.

This Amendment/Change Order No. 02 is to extend rental of the (5) classroom portables for temporary housing with Williams Scotsman, term extension to April 10, 2018 in the amount of \$12,000.00 (Attachment C)

Original Contract Amount	\$82,165.30
Previous Change Order Amounts	\$3,455.05
Contract Amount Prior to these Change Orders	\$85,620.35
Change Order No. 02	\$12,000.00
Revised Contract Amount	\$97,620.35

RECOMMENDATION

It is recommended that the Board of Trustees approve Amendment/Change Order No. 02 to Purchase Order 602028 and extend term of lease with **Williams Scotsman** for the IH IAC Portable Village Project (Project No. E-065-007) in the increased amount not to exceed \$12,000.00 and end date to April 10, 2018 and authorize Administration to execute change orders in accordance with Board Policy 3312.1

4. The Cooperative Purchasing Network (TCPN) – MeTEOR Education (LLC (formerly Contrax Furnishings, LLC/Contrax Group LLC) (Piggyback)

Awarding Agency	Award Date	Legal Advertisements	Advertisement Date(s)	Project Description
Region 4 Education Service Center RFP #14-22, submitted on December 10, 2014. Contract # R142203	February 24, 2015 Contract Term: May 01, 2015 – April 30, 2018 with renewal annually for additional two (2) year if mutually agreed	Multiple advertisements throughout the USA	December 11, 2014, December 18, 2014	Purchase furniture and installation services for the Yerba Buena High School New Student Union and Quad Modernization Project.

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify Purchase Order 801946 for furniture and installation services for the Yerba Buena High School New Student Union and Quad Modernization Project (Project No. Z-060-601)

On the April 16, 2015 (Item No. 20.02) the Board of Trustees approved the use of the TCPN agreement through the awarding agency Region 4 Education Service Center (“Region 4”) with one of the awarded dealers, Contrax Furnishing, LLC/Contrax Group, LLC.

On December 22, 2016, Region 4 was notified by Contrax Furnishing, LLC/Contrax Group, LLC that they changed their name to MeTEOR Education, LLC to incorporate new design and consulting services.

On March 23, 2017 (Item 20.02), the Board of Trustees approved administration to use this piggyback bid (in accordance with Public Contract Code 20118, 20118.2 & Section 1101) from The Cooperative Purchasing Network (TCPN) finding that it is in the District's best interest to enter into purchase order contracts with MeTEOR Education, LLC., for an amount not to exceed \$1,100,000.

This Purchase Order 801946 is being brought back to the Board of Trustees to ratify for purchase of the furniture and installation services in the amount of \$90,362.83 (includes tax and labor) (Attachment D)

RECOMMENDATION

It is recommended that the Board of Trustees ratify Purchase Order 801946 with **MeTEOR Education, LLC** for the Yerba Buena High School New Student Union and Quad Modernization Project (Project No. Z-060-601) in the amount of \$90,362.83 and authorize Administration to execute change orders in accordance with Board Policy 3312.1

5. Virco, Inc. (Piggyback Contract)

Awarding Agency	Award Date	Legal Advertisements	Advertisement Date(s)	Project Description
US Communities - San Diego Unified School District, RFP No. SV-15-0028-13	January 01, 2015 through December 31, 2017 w/ (2) additional one year options	San Diego Daily Transcript by Onvia Demand Star	June 05, 2014, June 12, 2014	Purchase furniture and installation services for the Independence Building J Modernization Project

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify Purchase Order 802007 for furniture and installation services for the Independence Building J Modernization Project (Project No. Z-065-008)

On August 17, 2017 (Item No. 20.02) the Board of Trustees approved Administration's recommendation to establish a pool of FF&E vendor/suppliers that have met the qualification requirements of RFQ-45-16-17, and further recommended that the Board of Trustees approve the use of these piggyback bids/contracts (in accordance with Public Contract Code 20118, 20118.2 & Section 1101) from various national cooperative contracts, government and/or other piggyback contracts from public corporation or agencies

On November 27, 2017, RFB-02-17-18 for FF&E requirements for Independence Building J Modernization project was sent to the pool of FF&E vendor/suppliers to bid. Staff received three proposals, from Virco Inc., Workspace Interiors-Office Depot, and KI. Staff's recommendation to use Virco, Inc. and Workspace Interiors – Office Depot since the provided items are what the District requested. The selection process was not based solely on cost, but seeking best value.

This Purchase Order 802007 is being brought back to the Board of Trustees to ratify for purchase of the furniture and installation services in the amount of \$95,682.72 (includes tax and installation) (Attachment E)

RECOMMENDATION

It is recommended that the Board of Trustees ratify Purchase Order 802007 with **Virco, Inc.** for the Independence Building J Modernization Project (Project No. Z-065-008) in the amount of \$95,682.72 and authorize Administration to execute change orders in accordance with Board Policy 3312.1



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Agenda Item Details

Meeting	Jan 18, 2018 - 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	18.01 Ratify/Approve Contract(s) for Professional Services At or Below \$25,000
Type	Action
Recommended Action	It is recommended that the Board of Trustees ratify the projects contract(s) for professional services at or below \$25,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Janice Uinger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing


SUBJECT: Ratify/Approve Contract(s) for Professional Services At or Below \$25,000

The attached lists the General Purchasing Contracts for Professional Services at or below \$25,000 being recommended for Board ratification.

Fiscal Impact:
As presented in the attachment

Funding Source:
As presented in the attachment

Recommendation:
It is recommended that the Board of Trustees ratify the projects contract(s) for professional services at or below \$25,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

 [2018 0118 Prof Serv Contracts under \\$25K.pdf \(108 KB\)](#)

Motion & Voting

It is recommended that the Board of Trustees ratify the projects contract(s) for professional services at or below \$25,000 as presented and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original

contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

Motion by Lan Nguyen, second by Pattie Cortese.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le



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Agenda Item Details

Meeting Jan 18, 2018 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category 20. FACILITIES/BOND - CONSENT/ACTION CALENDAR
Subject 20.01 Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000
Type Action, Discussion
Recommended Action It is recommended that the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees
FROM: Chris D. Funk, Superintendent
PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, Capital Projects Purchasing Manager
SUBJECT: Ratify 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 ratification.

Fiscal Impact:
As indicated in the attachment

Funding Source:
As indicated in the attachment

Recommendation:
It is recommended that the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

[2018 0118 Prof Serv Contract under \\$50K.pdf \(67 KB\)](#)

Motion & Voting

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not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

Motion by Lan Nguyen, second by Pattie Cortese.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

East Side Union High School District
Capital Projects Professional Services Contracts under \$50,000
Board Meeting of January 18, 2018

Project Number / Name	Project Description	Purchase Order Number / Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
F35-052-007 / DW Athletic Fields/Joint	Consultant to provide architectural services for the Independence High School athletic fields. 1) Preliminary design: \$9,000.00 2) Reimbursables: \$400.00	801692 / CP2299	August 14, 2017 through project completion	Callander Associates Landscape	\$9,400.00	11/20/2017
F26-052-001 / EC Adult Transition Program North	Consultant to provide the following scope of work: site topographic ground survey and underground utility locating services for the Education Center	801726 / CP2308	November 29, 2017 through project completion	Underwood & Rosenblum, Inc.	\$11,400.00	11/29/2017
G-XXX-212 / DW Interior Flooring (Pkg 11 - AH, IH)	Consultant to provide the following scope of work: provide classroom moving services for Andrew Hill and Independence High School. Location : 1) Andrew Hill Room 404, 406, 408. 2) Independence Room B311	801809 / CP2334	December 6, 2017 through project completion	Managed Facilities Solutions	\$3,051.99	12/6/2017
Z-089-601 / JL New Parking Lot (Science Garden)	To provide construction management services for the joint use parking lot project at James Lick High School. Per DSA-43-EPDP/Apl #01-116369	801872 /CP2323	December 22, 2017 through April 2018	Gilbane Building Company	\$42,680.00	12/12/2017
Z-052-993 / District Program Cost	C/O #1 Dated 12/13/2017 change order is for the Addendum to Continuing Disclosure Services Agreement between ESUHSD and Dale Scott & Company. Services to be added include the preparation and filing of SB1029 Annual Debt Transparency Reports (ADTRs). A one time fee of \$500 is also included	702852 / CP1921	No Change	Dale Scott & Company, Inc.	Original Amount: \$6,500.00 + (\$3,000.00) = \$9,500.00	3/7/2017