Agenda Item Details

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

Category: 16. ATTACHMENT A - CONSENT CALENDAR

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

Access: Public

Type: Action (Consent)

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

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 16.16

TO: Board of Trustees

FROM: Dan Moser, Superintendent

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

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

FISCAL IMPACT:
None

FUNDING SOURCE:
None

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

Executive Content

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

5/5/2012 12:41 PM
The Regular Meeting of the Board of Trustees was called to order at 4:00 p.m. by President Biehl. Vice President Martinez-Roach, Clerk Herrera and Member Le were present. Member Nguyen arrived at 5:30 p.m.

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

There were no public speakers.

The Board of Trustees recessed to Closed Session in the Superintendent’s Conference Room (Open Session will resume at the end of Closed Session at approximately 6:00 p.m.) See item 2 on agenda (Closed Session).

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

2. CLOSED SESSION

2.01 Expulsion(s): A - B

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

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

- Superintendent

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

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

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

2.05 Conference with Labor Negotiators (Government Code Section 54957.6)

**Agency Designated Representatives:**
- Dan Moser, Superintendent
- Cathy Giammona, Associate Superintendent of Human Resources and Instruction
- Marcus Battle, Associate Superintendent of Business Services
- Juan Cruz, Assistant Superintendent of Instructional Services
- Vida Branner, Director of Compensation and Classified Employee Relations
- Cari Vaeth, Director of Human Resources

**Employee Organizations:**
- American Federation of Teachers (AFT)
- California School Employees Association (CSEA)
- East Side Teachers Association (ESTA)

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

- Three (3) Potential Cases

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

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

On a vote of 4/0, with Member Nguyen absent, the Board voted to reject the claim of M.A. and Y.G.
OPEN SESSION AT APPROXIMATELY 6:00 P.M. – EDUCATION CENTER BOARD ROOM

3. PLEDGE OF ALLEGIANCE

4. WELCOME AND EXPLANATION TO AUDIENCE

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

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

5. ADOPTION OF AGENDA

For consideration by the Board of Trustees.

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

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

Vote: 5/0

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

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

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

Vote: 5/0
6. **BOARD SPECIAL RECOGNITION(s)**

6.01 Recognition for Community Services:
- California-Community Partners for Youth (CCPY)
  “Connecting Local At-Risk Youth with Personal Accountability & Inspiring Vision in their Lives”
  - Jeff Bornefeld
  - Pattie Cortese

6.02 Recognition of Outgoing Measure G and E CBOC Members
- John Moore
- Jon Reinke
- David Hernandez

7. **STUDENT BOARD LIAISONS**

7.01 Nayeli Delgado, Student Representative – Apollo High School

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

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

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

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

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

*Public hearing held. There were no public speakers.*

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

*Public hearing held.*

**Public speaker:**
- Jeanette Bruntz, AFT President
10. **PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD OF TRUSTEES**

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

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

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

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

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

**Public speakers:**
- Patricia Reguerin
- San Juana Ochoa
- Daisy Barocio
- Merle Boxill

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

4/1, Vice President Martinez-Roach voted No

Vice President Martinez-Roach stated for the record that she always votes against charter schools because she believes in public schools and that students should be enrolled in a comprehensive school; students should be in the public school system.
11.02 Adopt Resolution #2011/2012-27 Cash Incentive Retirement Program (CIRP) for Classified Employees - Marcus Battle, Associate Superintendent, Business Services, and Vida Branner, Director of Compensation and Classified Employee Relations

Public speaker:
  • Angie Nunn, CSEA President

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

Resolution amended as follows:
  • Delete last bullet: “The employee must retire from the District by June 30, 2012.”
  • The third current bullet add: “Employee must submit an irrevocable retirement letter no later than May 25, 2012”

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

Vote: 5/0

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

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

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

Presentation item; no action taken.

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

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

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

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

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

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

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

Item carried to May 10, 2012, Board Meeting.

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

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

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

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

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

Vote: 5/0

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

Public speaker:

- Marisa Hanson, ESTA President

Received first reading to amend Board Policy #6142.7 Physical Education.
11.10 Receive First Reading of Proposed Amendments to Board Policy 2121 and Board Bylaws 9320 and 9321.1 – Dan Moser, Superintendent

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

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

Public speaker:
- Hoi Yung Poon, DeAnza College My Vote Our Future Campaign Director

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

Vote: 5/0

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

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

Vote: 5/0

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

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

Vote: 5/0

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

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

Public speaker:
- Joanne Winterstein

Presentation item; no action taken.
12.02 Receive Charter School Renewal Petition from San Jose Conservation Corps – Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, and Kirsten King, Director of Instructional Services

Received Charter School Renewal Petition from San Jose Conservation Corps.

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

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

Vote: 5/0

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

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

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

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

Public speaker:
- Marisa Hanson, ESTA President

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

Vote: 5/0
14. **Business Services/Student Services - Operational Items/Board Discussion and/or Action**

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

*Presentation item; no action taken.*

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

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

*Vote: 5/0*

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

*Public speaker:*

- Marisa Hanson, ESTA President

*No action taken to adopt Resolution.*

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

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

*Public speaker:*

- Marisa Hanson, ESTA President

*No action taken to adopt Resolution.*
President Biehl asked that this item be deferred to the next meeting for further discussion/action by the Board. He asked Associate Superintendent Battle to meet with Mr. Bruce Berg who has much knowledge in the area of finance and education. He also asked Mr. Battle to see if there are other alternatives and to also examine timing, including the choices and risk being taken by refinancing or not refinancing so that the Board can make a measured decision.

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

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

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

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

Vote: 5/0

15. **Facilities - Operational Items/Board Discussion and/or Action**

No items on calendar under this section.

16. **Attachment A – Consent Calendar Items**

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

Vote: 5/0

16.01 Ratify/Approve Classified Personnel Actions Presented April 19, 2012

16.02 Ratify/Approve Certificated Personnel Actions Presented April 19, 2012

16.03 Ratify/Approve Student Aide Personnel Actions Presented April 19, 2012

16.04 Approve School Field Trips

16.05 Approve Award of Bids

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

16.07 Approve Memoranda of Understanding

16.08 Approve Budget Transfers

16.09 Approve Purchase Orders
16.10 Approve Change Orders to Purchase Orders

16.11 Accept Donations, Grants and Awards

16.12 Accept Warrant Register for the Month of March 2012

16.13 Adopt Resolution #2011/2012-34 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546

16.14 Approve Minutes of February 22, 2012, Special Board Meeting

16.15 Approve Minutes of March 3, 2012, Board Retreat/Meeting

16.16 Approve Minutes of March 8, 2012, Regular Board Meeting

16.17 Approve Minutes of March 13, 2012, Regular Board Meeting

17. **WRITTEN REPORTS/RECOMMENDATIONS**

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

*Item received*

17.02 Receive Proposition 227 District Implementation Plan

*Item received*

17.03 Vietnamese Language Report

*Item received*

18. **FUTURE AGENDA ITEMS**

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

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

*Special Board Meeting: Follow-Up on Board Retreat – Frank Biehl, Board President*

*New item(s) requested by Board of Trustees:*

*AB 578 Policy on Foster Youth – Patricia Martinez-Roach, Board Vice President*
*MASCA Status – Patricia Martinez-Roach, Board Vice President*
19. **BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS**

19.01 Board of Trustees

*Lan Nguyen, Member*

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

*Van Le, Member*

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

19.02 Dan Moser, Superintendent

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

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

See section 2.0 for reporting out of Closed Session items.

21. **ADJOURNMENT**

President adjourns the meeting.

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

Respectfully submitted,

[Signature]

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

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

Category  16. ATTACHMENT A - CONSENT CALENDAR

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

Access  Public

Type  Action (Consent)

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

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 16.06

TO:   Board of Trustees

FROM:  Dan Moser, Superintendent

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

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

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

FISCAL IMPACT:
As indicated in the attachment

FUNDING SOURCE:
As indicated in the attachment

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

16.06 Contract Under $50k.pdf (53 KB)
# EAST SIDE UNION HIGH SCHOOL DISTRICT
PROFESSIONAL CONTRACT SERVICES At or Below $50,000
Board Meeting of April 19, 2012

## A. SCHOOL SITES/EDUCATION CENTER

<table>
<thead>
<tr>
<th>Contractor Name</th>
<th>Reviewed By</th>
<th>Contract Period</th>
<th>Cost/ Funding</th>
<th>School/Dept. Manager</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bel-Aire Productions, Inc.</td>
<td>M. Brazil J. Cruz C. Giammone D. Bertrand</td>
<td>May 23, 2012 – May 24, 2012</td>
<td>$1,000.00 General Fund</td>
<td>Oak Grove High School Martha Brazil, Principal</td>
<td>To provide sound system rental for graduation this includes setup the day prior to graduation, person to run the equipment, and breakdown of equipment.</td>
</tr>
<tr>
<td>2 EMQ Families First</td>
<td>M. Brazil J. Cruz C. Giammone D. Bertrand</td>
<td>April 19, 2012 – May 24, 2012</td>
<td>$4,000.00 Title I</td>
<td>Oak Grove High School Martha Brazil, Principal</td>
<td>To provide drug and alcohol education classes to Oak Grove students and to provide a parent's educational meeting on drug use among teenagers.</td>
</tr>
<tr>
<td>3 Laurie Boswell</td>
<td>R. Ibarra K. King J. Cruz D. Bertrand C. Giammone</td>
<td>May 21, 2012 – May 23, 2012</td>
<td>$3,200.00 Professional Development Program</td>
<td>Education Center Robert Ibarra, Coordinator</td>
<td>To provide water safety instructions and certification for 12 physical education teachers on 5/12, 5/22 &amp; 5/23.</td>
</tr>
<tr>
<td>4 Naviance</td>
<td>G. Louie J. Cruz C. Giammone D. Bertrand</td>
<td>March 2, 2012 – June 2, 2012</td>
<td>$1,000.00 Site Miscellaneous Funds</td>
<td>Santa Teresa High School Greg Louie, Principal</td>
<td>REQUEST FOR RATIFICATION Provide Professional Development services.</td>
</tr>
<tr>
<td>5 PediaVision, Holdings, LLC</td>
<td>C. Hersom D. Bertrand J. Cruz C. Giammone</td>
<td>April 20, 2012 – April 20, 2015</td>
<td>$11,565.00 Medi-Cal Reimbursement</td>
<td>Health – Special Education Carole Hersom, Coordinator</td>
<td>To provide a Pedia Vision Screener assessment solution with carrying case and WiFi printer &amp; router. Also included in the price is 3 years extended warranty. PediaVision is the only manufacturer and the sole global distributor of this equipment at this time. Other equipment was evaluated by District staff but this equipment was developed specifically to meet the needs of students with autism.</td>
</tr>
<tr>
<td>#</td>
<td>University/ Institution</td>
<td>Lead Contact(s)</td>
<td>Start Date</td>
<td>End Date</td>
<td>Amount (REVENUE)</td>
</tr>
<tr>
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<tr>
<td>6</td>
<td>The Regents of the University of California/ Puente Project</td>
<td>K. King, C. Giammona, D. Moser, D. Bertrand</td>
<td>July 1, 2011 – June 30, 2012</td>
<td>$16,800.00</td>
<td>Andrew Hill, Bettina Lopez, Mt. Pleasant, Teresa Marquez, W.C. Overfelt, Vito Chiala</td>
</tr>
<tr>
<td>7</td>
<td>Santa Clara County Fairgrounds</td>
<td>K. King, C. Giammona, D. Bertrand</td>
<td>February 9, 2013</td>
<td>No cost to ESUHSD</td>
<td>Education Center, Kirsten King, Director, Paul Kilkenny, Subject Area Coordinator – Science</td>
</tr>
</tbody>
</table>
| 8 | Stanford University | D. Moser, M. Metz, B. Lopez, C. Giammona, D. Bertrand | February 1, 2012 – January 31, 2013 | $23,631.40 | Andrew Hill High School, Bettina Lopez, Principal, Mary Metz, Coordinator | REQUEST FOR RATIFICATION ESUHSD will:  
- Coordinate and dissemination of health professions materials to families;  
- Promote a health professions speaker series;  
- Provide access to classroom and clinical presentations by Stanford medical students;  
- Sponsor student health profession clubs such as Health Occupations Students of America, Red Cross Club, Medical Peer Group;  
- Facilitate visits to Stanford School of Medicine Provide office space and equipment for office staff facilitating Stanford sponsored events;  
- Facilitate professional development activities offered by Stanford staff;  
- Facilitate a workshop for college applications and financing a college education;  
- Coordinate a tracking system with Stanford program evaluator to monitor impact of Stanford sponsored activities; and  
- Facilitate conduct of Stanford STEM cell Science mentorship program at Andrew Hill High School. |
### Request for Ratification

#### 9. VT Safety Services
- Contractor: C. Hersom, D. Bertrand, J. Cruz, C. Giammona
- Start Date: February 9 & 10, 2012
- Cost: $2,145.00
  - Health - Special Education
  - Carole Hersom, Coordinator
- Purpose: To provide an annual CPR and First Aid Training for Post Senior Staff. Training includes the certification.

#### 10. Wildan Financial Services
- Contractor: K. Poon, D. Bertrand, M. Battle
- Start Date: April 20, 2012 – December 30, 2012
- Cost: $3,250.00
  - Business Services
  - Karen Poon, Director
- Purpose: To provide services to complete the IRS required arbitrage calculation showing the District is in compliance with the GO Bonds Series 1999C & 2002B for final calculations and Series 2007A & 2002G for installment calculations.

#### 11. Zaida McCall-Perez
- Contractor: C. Hersom, D. Bertrand, J. Cruz, C. Giammona
- Start Date: July 1, 2011 – June 20, 2013
- Cost: $8,000.00
  - Health - Special Education
  - Carole Hersom, Coordinator
- Purpose: To assist districts who have been designated as disproportionate in Special Education. The ESUHSD is in receipt of a grant (2011-2013) from the California Department of Education and the Napa County Office of Education which will provide a minimum of 10 days of Technical Assistance from a facilitator.

### Facilities

<table>
<thead>
<tr>
<th>Contractor Name</th>
<th>Reviewed By</th>
<th>Contract Period</th>
<th>Cost/ Funding</th>
<th>School/Dept. Manager</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cleary Consultants, Inc.</td>
<td>K. Lanford</td>
<td>April 20, 2012 – June 30, 2012</td>
<td>$11,200.00 (Not to exceed)</td>
<td>Traci Williams, Greg Louie, Adolfo Laguna, Tom Huynh, Principals</td>
<td>To perform environmental screening studies of the on-site soils located at the Campus Lighting Project at Piedmont Hills, Santa Teresa, Silver Creek and Yerba Buena High Schools, Project Nos. E-045-005, E-070-004, E-055-007 and E-060-007.</td>
</tr>
<tr>
<td>No.</td>
<td>Contractor</td>
<td>Contact Persons</td>
<td>Contract Period</td>
<td>Amount (Not to exceed)</td>
<td>Measure</td>
</tr>
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</tr>
<tr>
<td>3</td>
<td>Cleary Consultants, Inc.</td>
<td>K. Lanford M. Battle D. Bertrand J. Unger</td>
<td>April 20, 2012 – February 28, 2013</td>
<td>$17,550.00 (Not to exceed)</td>
<td>Measure E</td>
</tr>
<tr>
<td>4</td>
<td>Michael Henley &amp; Co.</td>
<td>K. Lanford M. Battle D. Bertrand J. Unger</td>
<td>April 20, 2012 – December 31, 2012</td>
<td>$16,800.00 (Not to exceed)</td>
<td>Measure E</td>
</tr>
<tr>
<td>Page 5 of 5</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Contracts Under 50k</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bd. Mtg. 4-19-12</td>
<td></td>
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<td></td>
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<td></td>
</tr>
</tbody>
</table>

| 5 | Sandis Civil Engineers Surveyors Planners | K. Lanford M. Battle D. Bertrand J. Unger | February 17, 2012 – June 30, 2012 (No change) | $3,965.00 (Not to exceed) Measure E | Andrew Hill High School/Facilities Bettina Lopez, Principal Kathy Lanford, Assistant Director |

Change Order #1 to Purchase Order # 202178, Amendment #1 for additional Topographic Survey and Mechanical locating services needed for the design team to develop civil drawings for the Andrew Hill High School Campus Addition/New Science Building Project, (Project No.: E-025-003).

The architect now requires current survey and locating services of an area on the opposite side of campus from where the new building will be installed in order to place a group of portable classrooms and attain DSA approval. This was not fully realized when the original agreement was presented to the Board on February 16, 2012.

Original Purchase Order Amount $7,500.00 + Change Order #1 $3,965.00 = a new Purchase Order Total $ 11,465.00.

| 6 | ScanTech Utility Locating Services | K. Lanford M. Battle D. Bertrand J. Unger | April 4, 2012 – June 30, 2012 | $ 3,900.00 (Not to exceed) Measure E | Piedmont Hills, Santa Teresa, Silver Creek and Yerba Buena High Schools /Facilities Traci Williams, Greg Louie, Adolfo Laguna, Tom Huynh, Principals Kathy Lanford, Assistant Director |

REQUEST FOR RATIFICATION

Vendor to locate and identify underground utilities along the proposed new lighting trench locations for the Campus Lighting Project at Piedmont Hills, Santa Teresa, Silver Creek and Yerba Buena High Schools, Project Nos. E-045-005, E-070-004, E-055-007 and E-060-007.

This information is needed to be incorporated into the bid package which is bidding April, 2012.
EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 14.05

TO: Board of Trustees
FROM: Dan Moser, Superintendent
PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator
SUBJECT: Approve Contracts for Professional Services Over $50,000

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

FISCAL IMPACT:
As indicated in the attachment

FUNDING SOURCE:
As indicated in the attachment

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

14.05 Contracts Over $50k.pdf (61 KB)

Executive Content
1. Cody Anderson Wasney Architects (Ratification)

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

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

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

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

Selection Process
N/A

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

2. Kitchell CEM (Ratification)

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

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

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

Page 1 of 6
4-19-12 Bd. Mtg.
Contracts Over 50k
Based on the above information and after careful consideration of all facts, Administration decided that it would be best to award the contract to the #2 Company that was selected by the original Evaluation Committee.

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

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

3. Michael Henley & Company

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

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

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

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

4. Santa Clara County Office of Education

<table>
<thead>
<tr>
<th>Reviewed by:</th>
<th>Contract Period</th>
<th>Fiscal Impact/ Funding Source</th>
<th>School/Department/ Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>J. Cruz</td>
<td>May 1, 2012 – April 30, 2015</td>
<td>$146,844.00 (REVENUE)</td>
<td>Child Development Program Deborah Barnes, Program Coordinator</td>
</tr>
<tr>
<td>D. Moser</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Barnes</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Bertrand</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve the Standard Contracts Agreement with Santa Clara County Office of Education, Children's Services Department – Head Start Program for the contract term May 1, 2012 through and terminates on April 30, 2015 and to delegate authority to the Superintendent or designee to amend said contract, including funding, as needed.

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

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

All other requirements are outlined in the full Agreement.

**Selection Process**
Not Applicable

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

5. **Santa Clara County Office of Education**

<table>
<thead>
<tr>
<th>Reviewed by</th>
<th>Contract Period</th>
<th>Fiscal Impact/ Funding Source</th>
<th>School/Department/ Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>J. Cruz</td>
<td>July 1, 2012 –</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Moser</td>
<td>June 30, 2013</td>
<td>$334,000.00</td>
<td>Education Center, Student</td>
</tr>
<tr>
<td>G. Sanchez</td>
<td></td>
<td>General Fund</td>
<td>Services</td>
</tr>
<tr>
<td>D. Bertrand</td>
<td></td>
<td></td>
<td>George Sanchez, Coordinator</td>
</tr>
</tbody>
</table>

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

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

**Selection Process**
There was no competitive solicitation done for this service.

The SCCOE operates community schools which provide services for students of school districts throughout Santa Clara County.
RECOMMENDATION
It is recommended that the Board of Trustees enter into and approve an Agreement with Santa Clara County Office of Education for the contract term July 1, 2012 through and terminates on June 30, 2013 and delegate authority to the Superintendent or designee to amend said contract, including funding, as needed.

6. Smith-Emery San Francisco

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

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

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

<table>
<thead>
<tr>
<th></th>
<th>MatriScope</th>
<th>Smith-Emery</th>
<th>Bagg Engineers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated Total</td>
<td>$104,332.60</td>
<td>$74,350.00</td>
<td>$63,470.00</td>
</tr>
</tbody>
</table>

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

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

7. United Compliance Corporation (Ratification)

<table>
<thead>
<tr>
<th>Reviewed by:</th>
<th>Contract Period</th>
<th>Fiscal Impact/ Funding Source</th>
<th>School/Department/ Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>K. Lanford</td>
<td>April 9, 2012 – July 31, 2013</td>
<td>$44,100.00 Measure E</td>
<td>Yerba Buena High School/ Facilities</td>
</tr>
<tr>
<td>D. Moser</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M. Battle</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Bertrand</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>J. Unger</td>
<td></td>
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</tr>
</tbody>
</table>

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

Page 4 of 6
4-19-12 Bd. Mtg. Contracts Over 50k
This project was originally presented to the Board of Trustees at the October 20, 2011 as part of the **Award of Bids** memo for the Construction Management Services for Measure “E” Bond Projects – Phase II. The projects were recommended and approved to be awarded to TBI Construction & Construction Management Company. On March 12, 2012, ESUHSD received written confirmation from TBI that they were closing down their business.

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

**Selection Process**

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

**RECOMMENDATION**

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

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### 8. Van Pelt Construction Services (Ratification)

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

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

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

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

**Selection Process**

A formal Request for Qualification (RFQ) (RFQ-03-11-12) process was conducted by ESUHSD Administration to expand the approved Construction Management Pool and was approved at the September 15, 2011 Board Meeting. Proposals were received from all nine (9) of the solicited approved Construction Management Firms. Not all nine (9) firms submitted proposals on all seventeen (17) projects and some submitted alternate proposals to provide the ESUHSD with alternate cost saving proposals. All proposals were considered in the evaluation process. The results of this solicitation process were approved at the October 20, 2011 Board Meeting.
RECOMMENDATION
It is recommended that the Board of Trustees ratify a Contract with Van Pelt Construction Services (VPCS) for the Yerba Buena High School Modernize / Add to Theater Building 500 (E-060-004) in the amount of $240,000.00 for the contract term of April 8, 2012 through and including July 31, 2014.

9. World Wide Workshop, the creators of Globaloria

<table>
<thead>
<tr>
<th>Reviewed by:</th>
<th>Contract Period</th>
<th>Fiscal Impact/ Funding Source</th>
<th>School/Department/ Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>J. Cruz</td>
<td>March 15, 2012 – June 30, 2014</td>
<td>$182,887.00 (WCO) $ 45,659.77 (OGHS) $ 69,554.00 (STHS) (REVENUE)</td>
<td>W. C. Overfelt High School Oak Grove High School Santa Teresa High School Vito Chiala, Principal Martha Brazil, Principal Greg Louie, Principal</td>
</tr>
</tbody>
</table>

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

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

<table>
<thead>
<tr>
<th>High School</th>
<th>Implementation Grant</th>
<th>Technology Sub Grant</th>
<th>Total Amount of Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>William C. Overfelt</td>
<td>$80,000.00</td>
<td>$102,887.00</td>
<td>$182,887.00</td>
</tr>
<tr>
<td>Oak Grove</td>
<td>$45,000.00</td>
<td>$ 659.77</td>
<td>$ 45,659.77</td>
</tr>
<tr>
<td>Santa Teresa</td>
<td>$45,000.00</td>
<td>$ 24,554.00</td>
<td>$ 69,554.00</td>
</tr>
</tbody>
</table>

Selection Process
N/A

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