Agenda Item Details

Meeting: Jun 18, 2015 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 - AMENDED

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

Subject: 16.02 Approve Minutes of April 16, 2015, Regular Board Meeting

Access: Public

Type: Action

Recommended Action: It is recommended that the Board of Trustees approve the April 16, 2015, Regular Board Meeting minutes as presented.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 16.02

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

SUBJECT: Approve Minutes of April 16, 2015, Regular Board Meeting

Attached are the minutes of the April 16, 2015, 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 16, 2015, Regular Board Meeting minutes as presented.

BA_2015_04_16_Reg_Minutes.pdf (312 KB)

Executive Content

EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED - June 18, 2015

[Signature]

1 of 2
1. CALL TO ORDER/ROLL CALL

1.01 Roll Call

The Regular Meeting of the Board of Trustees was called to order at 4:04 PM by President Van Le.

Present for roll call:
- President Van Le
- Clerk Frank Biehl
- Member J. Manuel Herrera
- Member Pattie Cortese

Vice President Lan Nguyen arrived at 4:20 PM.

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

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

There were no public speakers.

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

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

**2.01 Expulsion(s):** A

*Motion by Clerk Frank Biehl, second by Member J. Manuel Herrera, to approve the expulsion of Student A.*

*Yea: President Van Le, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese*

*Absent: Vice President Lan Nguyen*

*Vote: 4/0; Motion Carries*

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

- Superintendent

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

- Superintendent (1)

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

**2.05 Conference with Labor Negotiators (Government Code Section 54957.6)**

*Agency Designated Representatives:*

- Chris D. Funk, Superintendent
- Marcus Battle, Associate Superintendent of Business Services
- Juan Cruz, Assistant Superintendent of Educational Services
- Cari Vaeth, Associate Superintendent of Human Resources

*Employee Organizations:*

- American Federation of Teachers (AFT)
- California School Employees Association (CSEA)
- East Side Teachers Association (ESTA)
- Administrator Collaborative of East Side (ACES)

*Unrepresented Organizations:*

- Administrators
- Managers
- Confidential Employees

**2.06 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 State Farm Insurance as Subrogee of Y. Hoang;
- Claim for Damages of State Farm Insurance as Subrogee of L. Rutab;
- Claim for Damages of L. Bernardez, represented by: Roggeveen, Nguyen & Tran; and
- Two (2) Potential Cases
2.07 Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to subdivision (d)(4) of Government Code
Section 54956.9

   • Two (2) Potential Cases

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

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

5. ADOPTION OF AGENDA

5.01 For consideration by the Board of Trustees

   Item 25.01 will be heard after item 8.01.

6. BOARD SPECIAL RECOGNITION(S)

6.01 2015 National Center for Women & Information Technology Aspirations in Computing Educator Award: Carol Ng, Santa Teresa High School

6.02 Synopsys Championship Winners

   Andrew Hill High School
      • Kevin Dieu

   Evergreen Valley High School
      • Sampada Deglurkar
      • Justin Hao
      • Tanisha Joshi
      • Aratrika Ghatak
      • Labanya Mukhopadhyay
      • Anushka Prasad Jogalekar
      • Swetha Revanur

   Oak Grove High School
      • Claudia Toma
Piedmont Hills High School
   • Andrew Cyril Shacker

Silver Creek High School
   • Nora Abushaaban
   • Manjot Kaur
   • Erin Yurim Kim
   • Jennifer Yura Kim
   • Sophia Lau
   • Whitney J. Lau
   • Pratima Manga
   • Priya Padmanabanan
   • Christian Justo
   • Moses Rivera
   • Helen Hanh Thio

6.03 Winter Sports Recognitions

Mt. Pleasant High School
   • Boys’ Soccer, Mt. Hamilton Division, Blossom Valley Athletic League Champions and Central Coast Section Champions

Oak Grove High School
   • Girls' Basketball, West Valley Division, Blossom Valley Athletic League Champions
   • Wrestling, Jordan Auen, 126 lbs., Blossom Valley Athletic League Champion
   • Wrestling, Anthony Jimenez, 182 lbs., Blossom Valley Athletic League Champion

Piedmont Hills High School
   • Girls’ Basketball, Mt. Hamilton Division, Blossom Valley Athletic League Champions
   • Wrestling, West Valley Division, Blossom Valley Athletic League Champions

Santa Teresa High School
   • Wrestling, Ray Carroll, 113 lbs., Blossom Valley Athletic League Champion and Central Coast Section Champion
   • Wrestling, Jacob Thalin, 152 lbs., Blossom Valley Athletic League Champion and Central Coast Section Champion, Fourth in California

Silver Creek High School
   • Girls' Soccer, West Valley Division, Blossom Valley Athletic League Champions
   • Wrestling, Sebastian Marin, 132 lbs., Blossom Valley Athletic League Champion

Wm. C. Overfelt High School
   • Wrestling, Keven Alvarenga, 138 lbs., Blossom Valley Athletic League Champion
7. **STUDENT BOARD LIAISONS (5 MINUTES EACH)**

7.01 Luis Valdez Leadership Academy Student Ambassadors

7.02 Foothill High School
   - Luis Apreza, Student Representative
   - Jenny Thong, Student Representative

7.03 Oak Grove High School
   - Jennassa Dahlman, Student Representative / Safe School Ambassador
   - Omar Rivera, Student Representative / Safe School Ambassador

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

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

8.02 Presentation and/or Discussion regarding Teach for America (TFA)

   *Presentation item; no action taken*

8.03 Presentation, Discussion and/or Action regarding the Child Nutrition Services Program Review by Total School Solutions - Marcus Battle, Associate Superintendent of Business Services, Julie Kasberger, Director of Child Nutrition, and Jose Alvarado from Total School Solutions

   *Presentation item; no action taken*

8.04 Presentation, Discussion and/or Action regarding the Special Education Program - Juan Cruz, Associate Superintendent of Educational Services

   *Presentation item; no action taken*

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

No Items on Calendar Under this Section

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

Members of the public may address the Board on any subject not on tonight’s agenda; however, provisions of the Brown Act (Government Code Section 54954.2(a) and 54954.3) preclude any action. As an unagendized item, no response is required from the Board or District staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.
Anyone wishing to address the Board from either the teleconference location or the Board Room meeting location regarding Closed Session items may speak at this time. Persons present in the Board Room wishing to address the Board on Closed Session items or any subject not on the agenda must fill out a gold request form, which is located at the entrance of the Board Room. Persons wishing to address the Board from the teleconference location should state his/her name before speaking.

Public speakers:
• Rosalind Taylor
• Tricia Bolster
• Jennifer Black
• Danielle Nouriazad
• Marcus Mosqueda
• Gavin Lam

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

11.01 Discussion and/or Action to Adopt Resolution #2014/2015-20 Recognizing May 2015 as Asian/Pacific American Heritage Month - Van Le, Board President

Motion by Vice President Lan Nguyen, second by Member Pattie Cortese, to recognize May 2015 as Asian/Pacific American Heritage Month.

Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese

Vote: 5/0; Motion Carries

11.02 Discussion and/or Action to Approve 5% Base Salary Increase to Superintendent Chris D. Funk, Associate Superintendents Marcus Battle, Juan Cruz and Cari Vaeth, and Senior Manager of Internal Controls Kelly Kwong Consistent with Bargaining Unit Salary Considerations Granted - Van T. Le, Board President

Motion by Member J Manuel Herrera, second by Vice President Lan Nguyen, to approve the 5% increase in base salary to each of the Superintendent Chris D. Funk, Associate Superintendent Marcus Battle, Associate Superintendent Juan Cruz, Associate Superintendent Cari Vaeth, and Senior Manager of Internal Controls Kelly Kwong, plus any equivalent 2014-2015 increase given to the Certificated Management, effective July 1, 2014.

Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese

Vote: 5/0; Motion Carries
11.03 Discussion and/or Action regarding Superintendent’s Employment Contract - Van T. Le, Board President

Rogelio Ruiz, Legal Counsel
The draft contract that has been presented to the Board for consideration is for a three-year term. It would commence on July 1, 2015, through June 30, 2018 (paragraph 1). The base salary is in paragraph 2 of the contract (page 2), $262,562 annually for 217 service days. The contract is based on a positive work year -- as is the Associate Superintendents. I will explain a little more about that later.

This contract differs from prior contracts in that this also includes, as do the Associate Superintendents contracts, a proposed salary schedule, which is attached as Schedule A to the draft contract, the very last page. As written, as presented, the Superintendent would be entitled to movement from step 1 on the proposed salary schedule to step 2 only upon an overall satisfactory annual evaluation by the Board in 2016 next year in accordance with the contract. After that, any further movement to the next step on the salary schedule would be conditioned upon two consecutive annual satisfactory evaluations with the first eligibility for the next step increase not occurring until 2018, assuming that the Board, by that time, has decided to extend the contract into that full calendar year. That is paragraph 2.

In paragraph 2e, which is on page 3, it provides that the Superintendent is waiving all entitlements to reimbursement for mileage and automobile expenses incurred in the performance of his duties in connection with District business within a 50-mile radius of the District Education Center. That also is a difference from the current contract, which provides for an annual $5,000 mileage and automobile stipend to the Superintendent.

Paragraph 3 relates to the Superintendent’s fringe benefits package, which is mostly consistent with his current contract, except that it includes a clause that states that the fringe benefits shall not constitute creditable service or creditable compensation for retirement service purposes for STRS. Under the STRS regulations, these changes have been made to comply with the new recent changes to the STRS regulations.

Paragraph 5, as I mentioned earlier, there are a minimum of 217 paid annual service days required by this contract. Non-duty days will have to be entered by the Superintendent in the Smartfind at the beginning of each instructional year and no later than July 15 and then reported to the Board, in writing, no later than August 15 of each year. The Superintendent will also report to the Board, in writing on a monthly basis, his use of sick leave and non-duty days and modifications to his non-duty days scheduled. This is also different from the existing contract. The Superintendent is not to schedule more than two consecutive non-duty days during the instructional year or more than two non-duty days in a calendar month during the instructional year, except in case of an emergency or with the prior written approval of the Board President.

The description of the Superintendent’s duties are in paragraph 6 of the contract, which start on page 6 of the agreement. They are consistent with what is in the current contract and also include that the Superintendent is responsible for the development and implementation of the Local Control and Accountability Plan that is approved by the Board.

It also provides that he is delegated with the responsibility for personnel matters, except as to the Senior Manager of Internal Controls and any District Internal Auditors should the Board ever desire to fill that position.
Paragraph 6f on page 8 provides that the Superintendent is required to notify, in writing, each member of the Board if he applies for employment or accepts an invitation for an interview for full-time employment elsewhere. That is also a difference from the current contract.

Paragraph 9 of the agreement covers evaluation and that is improvised that he will be evaluated at least twice annually, with the annual evaluation, which will be tied to the step increase that are proposed in this agreement. The annual evaluation will occur in or around August of each instructional year. The mid year evaluation will occur in or around March of each year. The evaluations, as I mentioned, any movement on the salary schedule would require, after 2016, two consecutive annual satisfactory evaluations.

For transparency purposes, at end of paragraph 9, it provides that if the Board’s annual evaluation of the Superintendent is satisfactory, then the Board shall report that result in open session at the Board meeting of which that determination is made by the Board.

The rest of the contract is consistent with all of the provisions in the current existing contract. Those are the highlighted differences between this draft proposed contract and the existing contract.

Motion by Member J. Manuel Herrera, second by Clerk Frank Biehl, to approve the Superintendent’s proposed employment contract; a three-year term, July 1, 2015, through June 30, 2018; an annual salary of $262,562; 217 service days; and as explained by Legal Counsel Rogelio Ruiz (see Legal Counsel’s comment above).

Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese

Vote:  5/0; Motion Carries

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

12.01 Presentation, Discussion and/or Action regarding Summer School Three (3) Year Trend - Juan Cruz, Associate Superintendent of Educational Services

Motion by Member J. Manuel Herrera, second by Vice President Lan Nguyen, to accept the First Quarterly Valenzuela/CAHSEE and Williams Settlement Uniform Complaint report for the period covering January 1, 2015, through March 31, 2015, as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727).

Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese

Vote:  5/0; 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, and André Bell, Assistant Director of Capital Accounting and Purchasing

Motion by Vice President Lan Nguyen, second by Member J Manuel Herrera, to approve the contract(s) for professional services over $25,000 as recommended 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: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese

Vote: 5/0; Motion Carries

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

14.01 Ratify/Approve the Adult Education Calendar for the 2015-2016 School Year - Cari Vaeth, Associate Superintendent of Human Resources and Richard Uribe, Director of Adult Education and Career Services

Motion by Clerk Frank Biehl, second by Member J Manuel Herrera, to approve the adult education calendar for the 2015-2016 school year.

Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese

Vote: 5/0; Motion Carries

14.02 Discussion and/or Action to Approve the Service Increment Schedule for Classified Management - Cari Vaeth, Associate Superintendent of Human Resources

Motion by Vice President Lan Nguyen, second by Member J Manuel Herrera, to approve the longevity service increment schedule up to 32 years for Classified Management.

Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese

Vote: 5/0; Motion Carries
14.03 Discussion and/or Action to Approve Classified Management Job Description and Salary Range for Custodial Operations Supervisor

Motion by Clerk Frank Biehl, second by Member J Manuel Herrera, to approve the classified management job description and salary range for Custodial Operations Supervisor.

Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese

Vote: 5/0; Motion Carries

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

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

Motion by Member J. Manuel Herrera, second by Clerk 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: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese

Vote: 5/0; Motion Carries

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

Motion by Clerk Frank Biehl, second by Vice President Lan Nguyen, to ratify the CUPCCAA informal project(s) as presented.

Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese

Vote: 5/0; Motion Carries
15.03 Discussion and/or Action to Determine the Design Build Delivery for the Fire Alarm Upgrade Project will Reduce Project Costs, Expedite the Project's Completion or Provide Features Not Achievable Through the Design Bid Build Process - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities

Motion by Clerk Frank Biehl, second by Clerk J. Manuel Herrera, after having reviewed the guidelines developed pursuant to Education Code §17250.40, to approve the determination that the design-build delivery for the Districtwide Fire Alarm Modernization Project will reduce project costs, expedite the project’s completion, or provide features not achievable through the design-bid-build process.

Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese

Vote: 5/0; Motion Carries

15.04 Adopt Resolution #2014/2015-21 Approving Use of Design Build Delivery for the Fire Alarm Upgrade Project - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities

Motion by Member J. Manuel Herrera, second by Vice President Lan Nguyen, to adopt Resolution #2014/2015-21 approving the Use of Design-Build Delivery Method for the Districtwide Fire Alarm Modernization Project.

Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese

Vote: 5/0; Motion Carries
All items listed under the Consent/Action Calendar are considered by the Board to be routine and will be enacted in one motion. There will be no discussion of these items prior to the time the Board considers the motion, unless members of the Board or the Superintendent request specific items to be discussed and/or removed from the Consent/Action Calendar.

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

*Motion by Member J. Manuel Herrera, second by Vice President Lan Nguyen, to approve the consent/action calendar, except for item 16.03, which was pulled for discussion by the Board of Trustees.*

*Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese*

*Vote: 5/0 Motion Carries*

16. **Board of Trustees / Superintendent - Consent / Action Calendar**
   
   16.01 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/Workshops/Meetings
   
   16.02 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/Workshops/Meetings
   
   16.04 Approve Minutes of March 19, 2015, Regular Board Meeting

17. **Educational Services / Student Services - Consent / Action Calendar**

   17.01 Accept Safety Plan Goals Assessment for 2014-2015
   
   17.02 Ratify/Approve School Field Trips

18. **Business Services - Consent / Action Calendar**

   18.01 Ratification of Contract(s) for Professional Services At or Below $25,000
   
   18.02 Approve Purchase Orders
   
   18.03 Approve Change Orders to Purchase Orders
   
   
   18.05 Approve Memorandum of Understanding
18.06 Approve Budget Transfers

18.07 Accept Warrant Register for the Month of April, 2015

18.08 Approve Award of Bids and Request for Proposals

18.09 Adopt Resolution #2014/2015-24 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546

19. Human Resources - Consent / Action Calendar

19.01 Ratify/Approve Classified Personnel Actions Presented May 14, 2015

19.02 Ratify/Approve Certificated Personnel Actions Presented May 14, 2015

19.03 Ratify/Approve Student Aide Personnel Actions Presented May 14, 2015

20. Facilities - Consent / Action Calendar

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

20.02 Approve Award of Bids and Request for Proposals for Bond/Capital Projects

20.03 Approve Amended Final Change Order #2 for the Yerba Buena High School Title IX Modernization Project, E-060-003 (D.L. Falk Construction, Inc.)

20.04 Approve Amended Final Change Order #1 for the James Lick High School New Two Story Classroom Building 500 Project, E-030-001 (D.L. Falk Construction, Inc.)

20.05 Approve Amended Final Change Order #1 for the James Lick High School Fire Science Academy Project, G-030-026 (BRCO Constructors, Inc.)

20.06 Approve Final Change Order #1 for Andrew Hill New Classroom Building Project, E-025-003 (Duran & Venables, Inc.)

20.07 Approve Final Change Order #1 for Andrew Hill New Classroom Building Project, E-025-003 (Robert A. Bothman, Inc.)

20.08 Approve Final Change Order #1 for Andrew Hill New Classroom Building Project, E-025-003 (Beals Martin & Associates, Inc.)

20.09 Approve Final Change Order #1 for Andrew Hill New Classroom Building Project, E-025-003 (King’s Roofing)

20.10 Approve Final Change Order #1 for Andrew Hill New Classroom Building Project, E-025-003 (George E. Masker Inc.)

20.11 Approve Final Change Order #1 for Andrew Hill New Classroom Building Project, E-025-003 (Environmental Systems, Inc.)
20.12 Approve Final Change Order #1 for Andrew Hill New Classroom Building Project, E-025-003 (Val's Plumbing & Heating, Inc.)

20.13 Approve Final Change Order #1 for Andrew Hill New Classroom Building Project, E-025-003 (Del Monte Electric Co, Inc.)

Item Pulled from the Consent Calendar for Discussion by the Board of Trustees

16.03 Approve Minutes of March 5, 2015, Regular Board Meeting

Item pulled and will be brought back at the May meeting to include an additional sentence on the March 5, 2015, minutes, specifically agenda item 8.04 Presentation, Discussion and/or Action to Review and Accept the Fleet Management Study:

The Board requested that a presentation regarding the conversion to an all electric bus fleet be brought back at a future meeting for discussion by the Board.

21. Written Reports/Recommendation

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

21.01 Receive Independence Study Report - Juan Cruz, Associate Superintendent of Educational Services

Report received

It was requested that this item be placed on the May Board meeting agenda as a presentation item.
22. **FUTURE AGENDA ITEMS**

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

**Board President Van Le**

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<th>Type</th>
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<tbody>
<tr>
<td>Camera Project Update</td>
<td>June, 2015</td>
<td>Presentation/Discussion</td>
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<tr>
<td>Construction Projects Update</td>
<td>October 15, 2015</td>
<td>Presentation/Discussion</td>
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**Board Vice President Lan Nguyen**

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<td>Anti-Bulling Efforts</td>
<td>June, 2015</td>
<td>Presentation/Discussion</td>
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**Board Clerk Frank Biehl**

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<tr>
<td>Water Conservation Efforts</td>
<td>August 20, 2015</td>
<td>Presentation/Discussion</td>
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**Board Member J. Manuel Herrera**

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<td>Convert to All Electric Bus Fleet</td>
<td>August 20, 2015</td>
<td>Presentation/Discussion</td>
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**Board Member Pattie Cortese**

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<tr>
<td>Restorative Justice</td>
<td>September 24, 2015</td>
<td>Presentation/Discussion</td>
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### Future Items

#### Board President Van Le

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<th>Item</th>
<th>Date (tentative)</th>
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<tbody>
<tr>
<td>Failed Courses</td>
<td>Quarterly</td>
<td>Report</td>
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#### Board Vice President Lan Nguyen

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<tbody>
<tr>
<td>International Baccalaureate (IB) Program</td>
<td>April 23, 2015</td>
<td>Presentation/Discussion</td>
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#### Board Clerk Frank Biehl

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<tr>
<th>Item</th>
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<tr>
<td>Special Education Program Update (County &amp; District Wide)</td>
<td>May 14, 2015</td>
<td>Presentation/Discussion</td>
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<tr>
<td>Summer School Plan</td>
<td>May 14, 2015</td>
<td>Presentation/Discussion</td>
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# Annual Governance Calendar

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<th>July</th>
<th>January</th>
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<tr>
<td>Summer School Program (concludes session)</td>
<td>Audit Report</td>
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<tr>
<td>Summer School Graduation</td>
<td>Board Audit Committee Selections/Appointments</td>
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<tr>
<th>August</th>
<th>February</th>
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<tr>
<td>Board Retreat</td>
<td>African American Students Achievement Awards</td>
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<tr>
<td>Expulsion Hearing Panel Committee</td>
<td>Audit Committee Charter Amendment(s)</td>
</tr>
<tr>
<td>First Day of School</td>
<td>CSBA Delegate Assembly Election</td>
</tr>
<tr>
<td>Williams Quarterly Report</td>
<td>Non-Re-Elects</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>September</th>
<th>March</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board Study Session/Workshop</td>
<td>Cesar Chavez Writing, Art &amp; Multi-Media Awards Luncheon</td>
</tr>
<tr>
<td>College Night</td>
<td>Latino Student Awards Recognition Ceremony</td>
</tr>
<tr>
<td>Conflict of Interest/Board Policy (updates)</td>
<td>March 15 Notices</td>
</tr>
<tr>
<td>Public Hearing and Adoption: Gann Spending Limit</td>
<td>NSBA Annual Conference</td>
</tr>
<tr>
<td>Public Hearing: Sufficiency or Insufficiency of Textbooks</td>
<td>Second Interim Report</td>
</tr>
<tr>
<td>Unaudited Actuals</td>
<td>Vietnamese Students Achievement Awards</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>October</th>
<th>April</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bond Program Presentation</td>
<td>Board Study Session/Workshop</td>
</tr>
<tr>
<td>Solar Energy Presentation</td>
<td>Form 700 – Statement of Economic Interests Due to Santa Clara County (filing)</td>
</tr>
<tr>
<td>Student Achievement Presentation</td>
<td>Honor Nights</td>
</tr>
<tr>
<td>Superintendent’s Annual Evaluation</td>
<td>Migrant Education Awards Night</td>
</tr>
<tr>
<td>Williams Quarterly Report</td>
<td>Williams Quarterly Report</td>
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<thead>
<tr>
<th>November</th>
<th>May</th>
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</thead>
<tbody>
<tr>
<td>Board Study Session/Workshop</td>
<td>Board Self-Evaluation</td>
</tr>
<tr>
<td>Election Orientation for New Board Members</td>
<td>Budget (Preliminary/Draft) Presentation</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>December</th>
<th>June</th>
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</thead>
<tbody>
<tr>
<td>Annual Organizational Board Meeting</td>
<td>Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting)</td>
</tr>
<tr>
<td>CSBA Annual Conference</td>
<td>Budget Adoption (second June Board Meeting)</td>
</tr>
<tr>
<td>Election Orientation for New Board Members</td>
<td>Budget Advisory Committee: Nominate and Appoint Board Representatives (2) and Alternative Board Representative (1) (2 year term, fiscal year)</td>
</tr>
<tr>
<td>End of First Semester</td>
<td>Employee Retirement Celebration</td>
</tr>
<tr>
<td>First Interim Report</td>
<td>ESTA Safety Survey</td>
</tr>
<tr>
<td>Superintendent’s Mid-Year Evaluation</td>
<td>Master Contracts for Capital Projects</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>June</th>
<th>July</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting)</td>
<td>Summer School Program (session begins)</td>
</tr>
<tr>
<td>Budget Adoption (second June Board Meeting)</td>
<td>Superintendent’s Annual Evaluation</td>
</tr>
<tr>
<td>Budget Advisory Committee: Nominate and Appoint Board Representatives (2) and Alternative Board Representative (1) (2 year term, fiscal year)</td>
<td>Williams Quarterly Report</td>
</tr>
</tbody>
</table>
23. **BOARDS OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS**

23.01 Board of Trustees

**Board Member J. Manuel Herrera** *(no comments made)*

**Board Vice President Lan Nguyen**
I want to compliment you, Madame Board President, for putting on the agenda the resolution recognizing the month of May as Asian American/Pacific Islander Heritage Month. Our District is so diverse and this is the first time that such a resolution has been submitted to the Board for approval. It has been a long time coming.

**Board Member Pattie Cortese**
I was so moved by the successes of our kids this evening. I was especially moved to see all the young ladies winning and doing so well in the Science Fair. That really wants to bring tears to my eyes to see the girls from the East Side… I am speechless. It is just so awesome that they are having those kinds of successes and representing us out in the world. If any of you have contact with those teachers, convey our deep appreciation and congratulations for those amazing efforts.

**Board Clerk Frank Biehl** *(no comments made)*

**Board President Van Le**
I attended the San Jose work group meeting with Mayor Liccardo and Supervisor Cindy Chavez. They each put in a $1 million to support summer jobs for persons ages 14 and up. I feel so fortunate to be part of the committee and to provide support to the program.

I would like to invite everyone to attend the April 30th Coming to America event. We will be awarding the winners of the essay, art, and multimedia contest. I would like to thank Superintendent Funk, Associate Superintendent Cruz and the rest of the administration for putting this event together.

Also, KQED will play the documentary movie Last Days in Vietnam on April 28 at 9 PM on Channel 9. Thank you Board Member Pattie Cortese for being involved in this project. The documentary will also be shown at the East Side Union High School District. I would like to thank Associate Superintendent Juan Cruz for being a strong support. On April 20, there will be a live interview with the Director of the movie, which will then lead into a discussion with the Director.

23.02 **Chris D. Funk, Superintendent** *(no comments made)*

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

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

See section 2.0 for reporting out of Closed Session items.
25. **ADJOURNMENT**

President adjourns the meeting.

*President Van Le adjourned the meeting at 9:34 PM.*

Respectfully submitted,

[Signature]

Board Clerk
Agenda Item Details

Meeting: Apr 16, 2015 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 - Amended Agenda

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, and André Bell, Assistant Director of Capital Accounting and Purchasing

Type: Action

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

Item: 13.01

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, and André Bell, Assistant Director of Capital Accounting and Purchasing

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.

4-16-2015 Contracts over $25k.pdf (100 KB)
Motion & Voting

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.

Motion by Vice President Lan Nguyen, second by Member J Manuel Herrera.
Final Resolution: Motion Carries
Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Patty Cortese
1. Rebekah Children’s Services (Change Order No. 1)

<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>Juan Cruz</td>
<td>October 20, 2014 – June 30, 2015 (no change)</td>
<td>$76,000.00 (increased amount)</td>
<td>Special Services</td>
</tr>
<tr>
<td>Toby Hopstone</td>
<td></td>
<td>Tuition</td>
<td>Toby Hopstone, Director of Special Services</td>
</tr>
<tr>
<td>André Bell</td>
<td></td>
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</tr>
</tbody>
</table>

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve Change Order No. 1 to the Agreement with Rebekah Children’s Services for the provision of Non-Public School (NPS) services for ESUHSD special education students for the 2014 – 15 school year.

Change Order No. 1 is issued due to the increase in the number of ESUHSD special education students requiring placement at this facility. Rebekah Children’s Services provides specialized educational services to students who present severe emotional disturbance. These students may be challenged with auditory or visual hallucinations, psychotic breaks with reality, assaultive or self-harming behavior, and/or multiple psychiatric hospitalizations.

Rebekah Children’s Services is a licensed NPS offering such services that meet the wide varying needs of this unique group of students. All educational services are consistent with each students Individual Education Program (IEP).

There are no changes to the services or other terms and conditions being requested at this time.

Original contract amount (Board approved 11/20/14) $25,000 + Change Order No. 1 for $76,000 = new contract total of $101,000.

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

**RECOMMENDATION**
It is recommended that the Board of Trustees approve Change Order No. 1 to the Agreement with Rebekah Children’s Services for the provision of Non-Public School (NPS) services for special education students for the increased amount of $76,000 and authorize Administration to execute change orders in accordance with Board Policy 3312.1. All other contractual terms and conditions remain unchanged at this time.

2. Children’s Health Council– Esther B. Clark School (Change Order No. 1)

<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>Juan Cruz</td>
<td>October 20, 2014 – June 30, 2015 (no change)</td>
<td>$15,000.00-Transportation (increased amount)</td>
<td>Special Services</td>
</tr>
<tr>
<td>Toby Hopstone</td>
<td></td>
<td>$75,000.00-Tuition (increased amount)</td>
<td>Toby Hopstone, Director of Special Services</td>
</tr>
<tr>
<td>André Bell</td>
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</tbody>
</table>

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve Change Order No. 1 to the Agreement with Children’s Health Council- Esther B. Clark School for the provision of Non-Public School (NPS) services for ESUHSD special education students for the 2014 – 15 school year.
Change Order No. 1 is issued due to the increase in the number of ESUHSD special education students requiring placement at this facility. Children's Health Council-Esther B. Clark School provides specialized educational services to students who present severe emotional disturbance. These students may be challenged with auditory or visual hallucinations, psychotic breaks with reality, assaultive or self-harming behavior, and/or multiple psychiatric hospitalizations.

Children's Health Council-Esther B. Clark School is a licensed NPS offering such services that meet the wide varying needs of this unique group of students. All educational services are consistent with each students Individual Education Program (IEP).

There are no changes to the services or other terms and conditions being requested at this time.

Original contract amount (Board approved 11/20/14) $25,000 + Change Order No. 1 for $100,000 = new contract total of $125,000.

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

**RECOMMENDATION**
It is recommended that the Board of Trustees approve Change Order No. 1 to the Agreement with Children's Health Council-Esther B. Clark School for the provision of Non-Public School (NPS) services for special education students for the increased amount of $100,000 and authorize Administration to execute change orders in accordance with Board Policy 3312.1. All other contractual terms and conditions remain unchanged at this time.

<table>
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<tr>
<th>3. County of Santa Clara, CalWORKs</th>
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<tbody>
<tr>
<td>Reviewed by:</td>
</tr>
<tr>
<td>Richard Uribe Juan Cruz André Bell</td>
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</tbody>
</table>

East Side Union High School District (ESUHSD) Administration is asked to ratify the revenue Contract with the County of Santa Clara Social Services Agency.

The contract is a revenue contract whereby ESUHSD will provide an array of services for CalWORKs clients for the County of Santa Clara. The term shall be July 1, 2015, through and including June 30, 2016. Funding is contingent upon approval of the County and State budgets. Registration fees and expenses for books are paid for through another payment system within the County of Santa Clara.

ESUHSD has been providing this service for at least the last 12 years successfully.

**Selection Process**
Not applicable

**RECOMMENDATION**
It is recommended that the Board of Trustees ratify the Contract #MC.ESAE.ESt.16 with the County of Santa Clara Social Services Agency for ESUHSD to provide education, training, and job placement services to CalWORKs clients and receive $315,260 in compensation and to execute change orders in accordance with Board Policy 3312.1.
4. AVID Center

<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>Tim Nguyen</td>
<td>July 1, 2015 – June 30, 2016</td>
<td>$36,756.00</td>
<td>Accel Program; Lauren Kelly, Principal</td>
</tr>
<tr>
<td>Juan Cruz</td>
<td></td>
<td>EIA</td>
<td>Calero High School; Robert Ibarra, Principal</td>
</tr>
<tr>
<td>André Bell</td>
<td></td>
<td></td>
<td>Evergreen Valley High School; Lauren Kelly, Principal</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>Independence High School; Grettel Castro-Stanley, Principal</td>
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<td>Mt. Pleasant High School; Teresa Marquez, Principal</td>
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<td>W.C. Overfelt High School; Vito Chiala, Principal</td>
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<td>Piedmont Hills High School; Traci Williams, Principal</td>
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<td></td>
<td>Silver Creek High School; Adolfo Laguna, Principal</td>
</tr>
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<td></td>
<td>Yerba Buena High School; Tom Huynh, Principal</td>
</tr>
</tbody>
</table>

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the membership and training Agreements with AVID Center for the 2015-16 school year.

The AVID College Readiness System Services and Products Agreement is to renew ESUHSD’s membership/license fees, materials, and training agreement in order for the school sites listed to be able to utilize the Avid College Readiness System.

**Selection Process**
No selection process took place for this service.

**RECOMMENDATION**
It is recommended that the Board of Trustees approve the Agreements with AVID Center for the membership and training of the AVID College Readiness System Program for the contract term of July 1, 2015, through and including June 30, 2016, for the amount of $36,756 and to execute change orders in accordance with Board Policy 3312.1.
5. Sunbelt Staffing, LLC

<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>Juan Cruz</td>
<td>April 14, 2015 – June 30, 2015</td>
<td>$28,000</td>
<td>Special Services</td>
</tr>
<tr>
<td>Toby Hopstone</td>
<td></td>
<td>Special Day Class</td>
<td>Toby Hopstone, Director of Special Services</td>
</tr>
<tr>
<td>André Bell</td>
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</tbody>
</table>

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the Contract Services Agreement with Sunbelt Staffing, LLC for the provision of psychological services to provide psycho-educational assessments in public or non-public school settings for ESUHSD special education students.

The services to be provided by the Credentialed School Psychologist staffed by Sunbelt Staffing will include but not be limited to the following: cognition, executive functioning, social/emotional, visual/motor, adaptive, and alternate assessments. All services are in accordance with the student's Individual Educational Plans (IEP) and doctor's order.

**Selection Process**

No solicitation took place for this service.

**RECOMMENDATION**

It is recommended that the Board of Trustees approve the Contract Services Agreement with Sunbelt Staffing, LLC for the provision of psychological services at public and non-public school settings for ESUHSD special education students for the amount of $28,000 and authorize Administration to execute change orders in accordance with Board Policy 3312.1.
**Agenda Item Details**

**Meeting:** Apr 16, 2015 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 - Amended Agenda

**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, Linda da Silva, Director of Construction, Maintenance and Facilities, Andre Bell, Assistant Director of Capital Accounting and Purchasing, and Janice Unger, Capital Projects Purchasing Manager

**Type:** Action

**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**

**Item: 15.01**

**TO:** Board of Trustees

**FROM:** Chris D. Funk, Superintendent

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

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

The attachment for the bond/capital projects contract(s) over $50,000 is being presented for Board review and approval.

**Fiscal Impact:**
As indicated in the attachment

**Funding Source:**
As indicated in the attachment

**Recommendation:**
It is recommended that the Board of Trustees approve the bond/capital projects contract(s) as presented; 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 & 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 Member J Manuel Herrera, second by Clerk Frank Biehl.
Final Resolution: Motion Carries
Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese
EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contract(s) for Services over $50,000
Board Meeting of April 16, 2015 - Item 15.01

1. Duran & Venables, Inc.

<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>Linda da Silva Janice Unger André Bell Marcus Battle</td>
<td>July 7, 2014 – August 15, 2014 (no change)</td>
<td>$6,032.00 (not to exceed increased amount)</td>
<td>Yerba Buena &amp; Santa Teresa High Schools/Facilities</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Measure G</td>
<td>Tom Huynh, Principal Greg Louie, Principal</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Linda da Silva, Director of Construction, Maintenance &amp; Facilities</td>
</tr>
</tbody>
</table>

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify Change Order No. 02 to Purchase Order #500005 for the District Wide Asphalt Paving Project (Project No.: G-XXX-802).

On June 19, 2014, the Board of Trustees awarded a construction contract with Duran & Venables, Inc. in an amount of $729,200 (Attachment A).

On October 14, 2014, the staff approved Change Order No. 01 for a credit due to calculation error in the original contract in an amount of $89,000 (Attachment B).

This Final Change Order No. 02 for Purchase Order #500005 is for PCO #2, #3 and #4. (Attachment C). This project is completed.

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<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Original Contract Amount</td>
<td>$729,200.00</td>
</tr>
<tr>
<td>Previous Change Order Amounts</td>
<td>$89,000.00</td>
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<tr>
<td>Contract Amount Prior to This Change Order</td>
<td>$640,200.00</td>
</tr>
<tr>
<td>Change Order No. 02</td>
<td>$6,032.00</td>
</tr>
<tr>
<td>Revised Contract Amount</td>
<td>$646,232.00</td>
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</tbody>
</table>

RECOMMENDATION
It is recommended that the Board of Trustees ratify Change Order No. 02 to Purchase Order #500005 with Duran & Venables, Inc., increased amount of $6032.00 for the District Wide Asphalt Paving Project (Project No.: G-XXX-802).
2. Facilities Management Planning and Operations (FMPO)

<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>Linda da Silva</td>
<td>September 12, 2011 through project completion</td>
<td>$7,405.00 (not to exceed increased amount)</td>
<td>William C. Overfelt High School/ Facilities</td>
</tr>
<tr>
<td>Janice Unger</td>
<td>(no change)</td>
<td>Measure E</td>
<td>Vito Chiala, Principal</td>
</tr>
<tr>
<td>André Bell</td>
<td></td>
<td></td>
<td>Linda da Silva, Director of Construction, Maintenance &amp; Facilities</td>
</tr>
<tr>
<td>Marcus Battle</td>
<td></td>
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</tbody>
</table>

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees approve Change Order No. 01 to Purchase Order #201428 and Amendment #01 to Work Authorization #02 to increase the architectural agreement for the Modernization of Building J/Art and Special Education at William C. Overfelt High School Project (E-040-004).

On May 31, 2011, the Board of Trustees approved an architectural/engineering agreement for the Modernization of Building J/Art and Special Education at William C. Overfelt High School Project with Facilities Management Planning and Operations, (FMPO). (Attachment D)

This Change Order No. 01 for Purchase Order #201428 is for additional service request due to California Building Code changes require revisions to the mechanical and electrical engineering design.

<table>
<thead>
<tr>
<th>Original Contract Amount</th>
<th>$178,425.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous Change Order Amount</td>
<td>0.00</td>
</tr>
<tr>
<td>Contract Amount Prior to This Change Order</td>
<td>$178,425.00</td>
</tr>
<tr>
<td>Change Order No. 01 (Amendment No. 01)</td>
<td>$7,405.00</td>
</tr>
<tr>
<td>Revised Contract Amount</td>
<td>$185,830.00</td>
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</tbody>
</table>

RECOMMENDATION

It is recommended that the Board of Trustees approve Amendment #01 and Change Order No. 01 to Purchase Order #201428 with Facilities Management Planning and Operations (FMPO) increase amount of $7,405.00 for the additional mechanical and electrical engineering design services for the Modernization of Building J/Art and Special Education at William C. Overfelt High School Project (Project No. E-040-004).
3. R C Benson & Sons, Inc.

<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>Linda da Silva</td>
<td>April 18, 2014 through project completion (no change)</td>
<td>$9,658.42 (not to exceed increased amount)</td>
<td>Evergreen Valley High Schools/Facilities</td>
</tr>
<tr>
<td>Janice Unger</td>
<td></td>
<td>Measure E</td>
<td>Lauren Kelly, Principal</td>
</tr>
<tr>
<td>André Bell</td>
<td></td>
<td></td>
<td>Linda da Silva, Director of Construction, Maintenance &amp; Facilities</td>
</tr>
<tr>
<td>Marcus Battle</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify Change Order No. 01 to Purchase Order #403371 for the Evergreen Valley High School Misc. Building Improvements Project (Project No.: E-075-004).

On April 17, 2014, the Board of Trustees awarded a construction contract with R C Benson & Sons, Inc., in an amount of $560,160.00 (Attachment E).

This Final Change Order No. 01 for Purchase Order #403371 is for PCO #21, #2, #3, #4, #5, #6, #7, #8, #9 and #10 (Attachment F). This project is completed.

<table>
<thead>
<tr>
<th>Original Contract Amount</th>
<th>$560,160.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous Change Order Amounts</td>
<td>0.00</td>
</tr>
<tr>
<td>Contract Amount Prior to This Change Order</td>
<td>$560,160.00</td>
</tr>
<tr>
<td>Change Order No. 01</td>
<td>$9,658.42</td>
</tr>
<tr>
<td>Revised Contract Amount</td>
<td>$569,818.42</td>
</tr>
</tbody>
</table>

RECOMMENDATION
It is recommended that the Board of Trustees ratify Change Order No. 01 to Purchase Order #403371 with R C Benson & Sons, Inc., increased amount of $9,658.42 for the Evergreen Valley High School Misc. Building Improvements Project (Project No.: E-075-004).
4. The Consulting Group

<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>Randy Phelps</td>
<td>January 17, 2014 through project completion (no change)</td>
<td>$138,000.00 (increase amount) Measure I</td>
<td>District Wide/ Information Technology Services Randy Phelps, Director of IT Linda da Silva, Director of Construction, Maintenance &amp; Facilities</td>
</tr>
</tbody>
</table>

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees approve Change Order No. 01 to Purchase Order #402886 and Amendment #1 to increase the contract service agreement for the Comprehensive District Wide Enterprise Level, and IP-Based Camera Solution Project (I-XXX-703).

On January 16, 2014, the Board of Trustees approved a contract service agreement for the Comprehensive District Wide Enterprise Level, and IP-Based Camera Solution Project with The Consulting Group (Attachment G).

This Change Order No. 01 for Purchase Order #402886 is for additional services to cover additional work and guidance to the District.

<table>
<thead>
<tr>
<th>Original Contract Amount</th>
<th>$260,000.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous Change Order Amounts</td>
<td>15,000.00</td>
</tr>
<tr>
<td>Contract Amount Prior to This Change Order</td>
<td>$275,000.00</td>
</tr>
<tr>
<td>Change Order No. 01 Change</td>
<td>$138,000.00</td>
</tr>
<tr>
<td>Revised Contract Amount</td>
<td>$413,000.00</td>
</tr>
</tbody>
</table>

RECOMMENDATION
It is recommended that the Board of Trustees approve Change Order No. 01 to Purchase Order #402886 with The Consulting Group, for the increase amount of $153,000.00 for the Comprehensive District Wide Enterprise Level, and IP-Based Camera Solution Project (I-XXX-703).
Agenda Item Details

Meeting: Apr 16, 2015 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 - Amended Agenda

Category: 18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

Subject: 18.04 Ratification of 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

Item: 18.04

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, and André Bell, Assistant Director of Capital Accounting and Purchasing

SUBJECT: Ratification of 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.

4-16-15 Prof Serv Contract under $25K.pdf (83 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 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.

Motion by Member J Manuel Herrera, second by Vice President Lan Nguyen.
Final Resolution: Motion Carries
Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese
<table>
<thead>
<tr>
<th>Consultant</th>
<th>Contract Period</th>
<th>Contract Amount</th>
<th>Contract Number</th>
<th>Location of Services</th>
<th>Description of Services</th>
<th>Date Contract Assigned</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buck Institute for Education</td>
<td>June 2, 2015 - June 4, 2015</td>
<td>$10,000.00</td>
<td>502663</td>
<td>Andrew Hill High School</td>
<td>Provide a three day Project Based Learning (PBL) 101 workshop for students.</td>
<td>March 20, 2015</td>
</tr>
<tr>
<td>Event Center at San Jose State University</td>
<td>May 28, 2015</td>
<td>$16,560.00</td>
<td>N/A</td>
<td>Evergreen Valley High School</td>
<td>To enter into a Facility Use Agreement with San Jose State University for the rental of the Event Center for Evergreen Valley's 2015 Graduation Ceremony.</td>
<td>March 26, 2015</td>
</tr>
<tr>
<td>Event Center at San Jose State University</td>
<td>May 27, 2015</td>
<td>$16,560.00</td>
<td>N/A</td>
<td>Yerba Buena High School</td>
<td>To enter into a Facility Use Agreement with San Jose State University for the rental of the Event Center for Yerba Buena's 2015 Graduation Ceremony.</td>
<td>March 26, 2015</td>
</tr>
<tr>
<td>NEAT / Cheryl Ambler</td>
<td>December 12, 2015 - June 30, 2015 (extended)</td>
<td>$5,000.00 (No change)</td>
<td>501850</td>
<td>Education Center</td>
<td>Provide a complete psychological assessment for one special education student per IEP requirements. Amendment #1 is being requested to extend the term of the Agreement to allow more time for the assessment of the special education student. The original term is set to expire on March 31, 2015 (Board Ratified on January 15, 2015).</td>
<td>December 4, 2014</td>
</tr>
<tr>
<td>Team San Jose</td>
<td>May 27, 2015</td>
<td>$9,163.00</td>
<td>N/A</td>
<td>Mt. Pleasant High School</td>
<td>To enter into a Facility Use Agreement with Team San Jose for the rental of the Center for the Performing Arts for Mt. Pleasant's 2015 Graduation Ceremony.</td>
<td>March 26, 2015</td>
</tr>
</tbody>
</table>
# EAST SIDE UNION HIGH SCHOOL DISTRICT

**Contract(s) for Professional Services Under $25,000**

Board Meeting of April 16, 2015 - Item 18.04

<table>
<thead>
<tr>
<th>Consultant</th>
<th>Contract Period</th>
<th>Contract Amount</th>
<th>Contract Number</th>
<th>Location of Services</th>
<th>Description of Services</th>
<th>Date Contract Assigned</th>
</tr>
</thead>
<tbody>
<tr>
<td>Team San Jose</td>
<td>May 28, 2015</td>
<td>$23,312.00</td>
<td>N/A</td>
<td>Santa Teresa High School</td>
<td>To enter into a Facility Use Agreement with Team San Jose for the rental of space within the San Jose Convention Center for Santa Teresa’s 2015 Graduation Ceremony.</td>
<td>March 26, 2015</td>
</tr>
<tr>
<td>United Site Services of California Inc.</td>
<td>July 1, 2015 - June 30, 2016</td>
<td>$8,000.00</td>
<td>502597</td>
<td>Piedmont Hills High School</td>
<td>Provide portable restrooms for various events held during the school year.</td>
<td>March 11, 2015</td>
</tr>
</tbody>
</table>
Agenda Item Details

Meeting: Apr 16, 2015 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 - Amended Agenda

Category: 20. FACILITIES/BOND - CONSENT/ACTION CALENDAR

Subject: 20.01 Ratification of Bond/Capital Projects Contract(s) for Professional Services At or Below $50,000

Type: Action

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

Item: 20.01

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

SUBJECT: Ratification of 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.

Prof Serv Contract under $50K -Ratified-eg.pdf (95 KB)
Motion & Voting

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.

Motion by Member J Manuel Herrera, second by Vice President Lan Nguyen.
Final Resolution: Motion Carries
Yea: President Van Le, Vice President Lan Nguyen, Clerk Frank Biehl, Member J Manuel Herrera, Member Pattie Cortese
<table>
<thead>
<tr>
<th>Project Number &amp; Name</th>
<th>Project Description</th>
<th>Contract Number</th>
<th>Contract Period</th>
<th>Consultant</th>
<th>Contract Amount</th>
<th>Date Purchase Order Assigned</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-040-009 / WC Overfelt HS Bldg N Child Care Shade Canopy</td>
<td>Provide architectural services for the shade canopy at WCO Bldg N, Child Care Center</td>
<td>502530</td>
<td>March 6, 2015 to completion</td>
<td>Artik Art &amp; Architecture</td>
<td>$2,500.00</td>
<td>3/6/2015</td>
</tr>
<tr>
<td>I-030-001 / James Lick Bldg 200, 300</td>
<td>Provide site observation and structural engineering services for the interior remodel work on Bldg 200, 300</td>
<td>502533</td>
<td>March 6, 2015 to completion</td>
<td>Duquette Engineering</td>
<td>$1,100.00</td>
<td>3/6/2015</td>
</tr>
<tr>
<td>E-04-002 / Piedmont Hills Auxiliary Gym</td>
<td>Provide site observation and structural engineering services for the justification of an existing speaker installation for the sports announcer</td>
<td>502532</td>
<td>March 6, 2015 to completion</td>
<td>Duquette Engineering</td>
<td>$400.00</td>
<td>3/6/2015</td>
</tr>
<tr>
<td>E-025-005 / AH Site Infrastructure Improvements</td>
<td>Survey of Andrew Hill softball field and adjacent areas. Survey will inform design of drainage solutions at areas that flood during rain</td>
<td>502662</td>
<td>March, 2015 to Completion</td>
<td>Brio Engineering</td>
<td>$5,850.00</td>
<td>3/24/2015</td>
</tr>
</tbody>
</table>