

**Agenda Item Details**

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Meeting Sep 19, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

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

Subject 16.03 Approve Minutes of August 22, 2013, Regular Board Meeting

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the August 22, 2013, Regular Board Meeting minutes as presented.

**Public Content**

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**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 16.03**

**TO:** Board of Trustees

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

**SUBJECT:** Approve Minutes of August 22, 2013, Regular Board Meeting

Attached are the minutes of the August 22, 2013, 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 August 22, 2013, Regular Board Meeting minutes as presented.

**EAST SIDE UNION HIGH SCHOOL DISTRICT  
BOARD OF TRUSTEES  
APPROVED September 19, 2013**


**Executive Content**

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**EAST SIDE UNION HIGH SCHOOL DISTRICT  
REGULAR MEETING  
OF THE  
BOARD OF TRUSTEES  
Meeting Held at Education Center  
August 22, 2013  
4:00 p.m.**

**1. CALL TO ORDER/ROLL CALL**

**1.01 Roll Call**

*The Regular Meeting of the Board of Trustees was called to order at 4:00 p.m. by President Biehl. Vice President Herrera, Clerk Le, Member Carrasco and Member Nguyen were present.*

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

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

*Public speaker:*

- *Mrs. Gonzalez*

**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): *None***

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

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

- *Principal (1)*
- *Associate Principal (1)*

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

*Motion by Vice President Herrera, second by Clerk Le, to issue a 90-day notice of unsatisfactory performance to one certificated permanent teacher.*

*Vote: 5/0*

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

*Agency Designated Representatives:*

*Chris D. Funk, Superintendent*

*Marcus Battle, Associate Superintendent of Business Services*

*Juan Cruz, Assistant Superintendent of Instructional Services*

*Cari Vaeth, Director of Human Resources*

*Vida Branner, Director of Compensation and Classified Employee Relations*

*Employee Organizations:*

*American Federation of Teachers (AFT)*

*California School Employees Association (CSEA)*

*East Side Teachers Association (ESTA)*

*Unrepresented Organizations:*

*Administrators*

*Managers*

*Confidentials*

**2.06 Conference with Legal Counsel – Anticipated Litigation**

**Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code**

- *Claim for Damages of P. Cervantez*
- *Two (2) Potential Cases*

**2.07 Conference with Legal Counsel – Anticipated Litigation**

**Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9**

- *Two (2) Potential Cases*

**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.**

*The agenda was adopted as presented.*

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

**No item(s) on calendar under this section.**

**7. Student Board Liaisons**

**No item(s) on calendar under this section.**

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

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

**8.02 Discussion and/or Action of Consideration of Petition of Proposed B. Roberto Cruz Leadership Academy High School - Juan Cruz, Assistant Superintendent of Instructional Services and Kirsten King, Director of Instructional Services**

*Public speakers:*

- *Edward Alvarez*
- *Dolores Marquez*

*Motion by President Biehl, second by Vice President Herrera, to approve the proposed charter petition of B. Roberto Cruz Leadership Academy submitted by Petitioner NHU Foundation. The Board authorizes the charter conditionally based on the satisfactory submission and resolution of the conditions as stated by the dates indicated and adopts the analysis and factual findings in support of the conditional approval. The charter petition is authorized based on satisfaction of conditions 1 to 5 as described and that the petition be approved solely on that basis for a term of two years to end on June 30, 2015.*

*Vote: 5/0*

**8.03 Discussion and/or Action of Consideration of Petition of Proposed Latino College Preparatory Academy II High School - Juan Cruz, Assistant Superintendent of Instructional Services and Kirsten King, Director of Instructional Services**

*Public speaker:*

- *Edward Alvarez*

*Motion by Clerk Le, second by Member Carrasco, to approve the proposed charter petition of Latino College Preparatory Academy II submitted by Petitioner NHU Foundation. The Board authorizes the charter conditionally based on the satisfactory submission and resolution of the conditions as stated by the dates indicated and adopts the analysis and factual findings in support of the conditional approval. The charter petition is authorized based on satisfaction of conditions 1 to 5 as described and that the petition be approved solely on that basis for a term of two years to end on June 30, 2015.*

*Vote: 5/0*

**8.04 Presentation and Receive Measure G, Measure E and Measure I Citizens' Bond Oversight Committee Annual Report for 2011-2012 - Joshua Barousse, Chairperson and Cecil W. Lawson, former Chairperson of Measure G, Measure E and Measure I Citizens' Bond Oversight Committee**

*Public speaker:*

- *Susan Williams*

*Motion by President Biehl, second by Vice President Herrera, to accept/receive the Measure G, Measure E and Measure I Citizens' Bond Oversight Committee Annual Report for 2011-2012.*

*Vote: 5/0*

**8.05 Receive Proposed Amendments of Measure G, Measure E and Measure I Citizens' Bond Oversight Committee Bylaws - Joshua Barousse, Chairperson and Cecil W. Lawson, former Chairperson of Measure G, Measure E and Measure I Citizens' Bond Oversight Committee**

*Motion by Vice President Herrera, second by Clerk Le, to receive the proposed amendments to the Measure G, Measure E and Measure I Citizens' Bond Oversight Committee Bylaws.*

*Vote: 5/0*

**8.06 Presentation, Discussion and/or Action regarding Summary of Bond Sale-2013 General Obligation Refunding Bonds - Marcus Battle, Associate Superintendent of Business Services, Dale Scott, Financial Advisor, Dale Scott & Company, Scott Henry, Senior Vice President, and Katherine Perkins Vice President, De La Rosa & Company Investment Bankers**

*Presentation item; no action taken on this item*

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

**9.01 Hold Public Hearing at Approximately 6:05 p.m. - Discussion and/or Action to Receive and Sunshine the Initial Proposal for Successor Contract: From San Jose Federation of Teachers, Local 957, AFT, AFL-CIO to the East Side Union High School District - Cari Vaeth, Director, Human Resources**

*Public hearing held to receive, sunshine and take any public comment on the initial proposal of the San Jose Federation of Teachers, Local 957, AFT, AFL-CIO.*

*There were no public speakers on this item.*

**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:*

- Stephanie Navalta – Water Polo Program*
- Marisa Hanson, ESTA President – School Supplies*
- Fil Zamora – Reinstatement of Classified Positions*

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

**11.01 Discussion and/or Action to Adopt Resolution #2013/2014-01 Supporting a Road Map to Citizenship for Aspiring Citizens of the United States - Frank Biehl, Board President, and Magdalena Carrasco, Board Member**

*Motion by President Biehl, second by Clerk Le, to adopt Resolution #2013/2014-01 Supporting a Road Map to Citizenship for Aspiring Citizens of the United States.*

*Vote: 4/0, Member Carrasco out of room*

***Board Member Carrasco excused from remainder of the Board Meeting.***

**11.02 Discussion and/or Action to Adopt Resolution #2013/2014-02 Close the Commercial Property Loophole - Frank Biehl, Board President**

*Motion by Clerk Le, second by Member Nguyen, to adopt Resolution #2013/2014-02 Close the Commercial Property Loophole.*

*Vote: 4/0, Member Carrasco absent*

**11.03 Discussion and/or Action to Approve East Side Alliance Memorandum of Understanding - Chris D. Funk, Superintendent**

*Motion by Member Nguyen, second by Clerk Le, to approve the East Side Alliance Memorandum of Understanding.*

*Vote: 4/0, Member Carrasco absent*

**11.04 Discussion and/or Action regarding California School Boards Association (CSBA) Candidate Nominations for Directors-at-Large: American Indian and Black – Frank Biehl, Board President**

*No action taken on this item*

**11.05 Discussion and/or Action to Adopt Resolution #2013/2014-03 Authorizing the Issuance of General Obligation Bonds, 2012 Election, Series A in the Principal Amount of Not to Exceed \$20,000,000, and Authorizing the Institution of Judicial Validation Proceedings regarding Expenditure of Bond Proceeds on Proposed Educare of Silicon Valley Project - Marcus Battle, Associate Superintendent of Business Services, and Rogelio Ruiz, Legal Counsel**

*Motion by Vice President Herrera, second by Member Nguyen, to adopt Resolution #2013/2014-03 Authorizing the Issuance of General Obligation Bonds, 2012 Election, Series A in the Principal Amount of Not to Exceed \$20,000,000, and to authorize Counsel to file a validation proceeding in the California Superior Court to obtain a judgment validating the use of Measure I funds in connection with the proposed Educare Project.*

*Vote: 4/0, Member Carrasco absent*

**11.06 Discussion, Consideration and/or Action to Amend 2013 Board Meeting Calendar – Chris D. Funk, Superintendent**

*Motion by President Biehl, second by Vice President Herrera, to amend the 2013 Board Meeting Calendar, specifically to reschedule the October 5, 2013, Board Workshop/Study Session to October 29, 2013.*

*Vote: 4/0, Member Carrasco absent*

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

**12.01 Presentation of ESTA 2012-2013 Safety Survey Results - Juan Cruz, Assistant Superintendent of Instructional Services and Marisa Hanson, ESTA President**

*Presentation item; no action taken on this item*

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

**13.01 Discussion and/or Action to Approve Provisional Permit Requests for Certificated Employees - Cari Vaeth, Director, Human Resources**

*Motion by Clerk Le, second by Vice President Herrera, to approve the provisional permit requests for certificated employees as presented.*

*Vote: 4/0, Member Carrasco absent*

**13.02 Discussion and/or Action Regarding the Approval of the Reinstatement and Proposed Reclassification of the Classified Management Job Description and Salary Range for Accounting Manager - Cari Vaeth, Director, Human Resources**

*Public speaker:*

- *Angie Nunn, CSEA President*

*Motion by Vice President Herrera, second by Member Nguyen, to approve the reinstatement and proposed reclassification of the classified management job description and salary range for Accounting Manager.*

*Vote: 4/0, Member Carrasco absent*

**13.03 Discussion and/or Action Regarding the Approval of the Proposed Reclassification of the Classified Management Job Description and Salary Range for Budget Specialist to Fiscal and Budget Manager - Cari Vaeth, Director, Human Resources**

*Motion by Vice President Herrera, second by Member Nguyen, to approve the reinstatement and proposed reclassification of the classified management job description and salary range for Budget Specialist to Fiscal and Budget Manager.*

*Vote: 4/0, Member Carrasco absent*

**13.04 Discussion and/or Action Regarding the Approval of the Proposed Administrative Job Description and Salary Range for Administrator of Charter School Oversight - Cari Vaeth, Director, Human Resources**

*Motion by President Biehl, second by Vice President Herrera, to approve the proposed administrative job description and salary range for Administrator of Charter School Oversight.*

*Vote: 4/0, Member Carrasco absent*



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

**14.01 Presentation, Discussion and/or Action regarding Security Cameras - Marcus Battle, Associate Superintendent of Business Services, and Randy Phelps, Director of Information Technology**

*Motion by President Biehl, second by Member Nguyen, to approve the budget for security cameras totaling \$1 million and the associated timeline and actions for implementation.*

*Vote: 4/0, Member Carrasco absent*

**14.02 Discussion and/or Action of 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 Vice President Herrera, second by Member Nguyen, to approve the contracts for professional services over \$50,000 as presented (copy attached).*

*Vote: 4/0, Member Carrasco absent*

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

**15.01 Discussion and/or Action of Bond/Capital Projects Contracts Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by President Biehl, second by Member Nguyen, to approve the Bond/Capitol Projects Contracts over \$50,000 as presented (copy attached).*

*Vote: 4/0, Member Carrasco absent*

**15.02 Discussion and/or Action to Ratify CUPCCAA Informal Bond Projects - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by President Biehl, second by Clerk Le, to ratify the CUPCCAA informal Bond projects.*

*Vote: 4/0, Member Carrasco absent*

**15.03 Discussion and/or Action to Ratify Summer Projects for Calero High School Voice and Data System, and Professional Services Contract for Cleaning Services - Marcus Battle, Associate Superintendent of Business Services, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Vice President Herrera, second by Clerk Le, to ratify the summer projects list as presented.*

*Vote: 4/0, Member Carrasco absent*

**Consent / Action Calendar  
Sections 16-20**

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

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

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

*Vote: 4/0, Member Carrasco absent*

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

**16.01 Approve Board Members' Attendance to the 9th Annual NALEO National Summit and the 2013 Unity Conference**

**16.02 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/ Workshops/Meetings**

**16.03 Approve Minutes of June 27, 2013, Regular Board Meeting**

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

**17.01 Approve Expulsion Hearing Committee Personnel for 2013-2014**

**17.02 Discussion and/or Action of Consolidated Program Application (Con App) Part I for 2013-2014**

**17.03 Discussion and/or Action to Receive the Second Valenzuela/CAHSEE and Williams Settlement Uniform Complaints Quarterly Report for Period Covering April 1, 2013 through June 30, 2013 as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727)**

**18. Human Resources - Consent / Action Calendar**

- 18.01 Ratify/Approve Classified Personnel Actions Presented August 22, 2013**
- 18.02 Ratify/Approve Certificated Personnel Actions Presented August 22, 2013**
- 18.03 Ratify/Approve Student Aide Personnel Actions Presented August 22, 2013**
- 18.04 Ratify/Approve the Adult Education Calendar for 2013-2014 School Year**

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

- 19.01 Approve Award of Bids**
- 19.02 Approve Contracts for Professional Services Under \$50,000**
- 19.03 Approve Memoranda of Understanding**
- 19.04 Approve Budget Transfers**
- 19.05 Approve Purchase Orders**
- 19.06 Approve Change Orders to Purchase Orders for Year-End Reconciliation**
- 19.07 Accept Report of Credit Card Expenses for Statement Dated June 22, 2013**
- 19.08 Accept Warrant Register for the Months of June 2013 and July 2013**

**20. Facilities - Consent / Action Calendar**

- 20.01 Approve Award of Bids for Bond/Capital Projects**
- 20.02 Approve Bond/Capital Projects Contracts for Professional Services At or Below \$50,000**
- 20.03 Approve Final Change Order #2 for the Mt. Pleasant High School Increment 2 Gym Modernization Project, E-035-002 (Zolman Construction & Development, Inc.)**
- 20.04 Approve Final Change Order #2 for the Mt. Pleasant High School Classroom Modernization Project, E-035-002 (Zolman Construction & Development, Inc.)**
- 20.05 Approve Final Change Order #2 for the Yerba Buena High School Title IX Modernization Project, E-060-003 (D. L. Falk Construction, Inc.)**
- 20.06 Approve Final Change Order #2 for the Andrew Hill High School Title IX Interior Modernization Project, E-025-001 (Cal-Pacific Construction, Inc.)**
- 20.07 Approve Final Change Order #1 for the Silver Creek High School Multipurpose Classroom Building Project, E-055-001 (Dilbeck & Sons, Inc.)**

- 20.08 Approve Final Change Order #1 for the James Lick High School New Two-Story Building 500 Project, E-030-001 (D. L. Falk Construction, Inc.)
- 20.09 Approve Notice of Completion for Piedmont Hills and Oak Grove High Schools Gym Floor Replacement Project, G-045-213 and G-050-213 (H.Y. Floor & Gameline Painting)
- 20.10 Approve Notice of Completion for Piedmont Hills and Silver Creek High Schools Bleacher Replacement Project, G-045-204 and G-055-204 (Swenson & Associates)
- 20.11 Approve Notice of Completion for the Independence High School Pool Renovation Project, G-065-203 (Gonsalves & Stronck Construction Co. Inc.)
- 20.12 Approve Notice of Completion for the Andrew Hill High School Temporary Portable Utility Project, E-025-003 (Calstate Construction, Inc.)
- 20.13 Approve Notice of Completion for the Santa Teresa High School Modernization of 100, 200, 400, 700, 1300 & 1400 Buildings Project, E-070-003 (United Compliance Corporation)

**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.

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

*Item received*

- 21.02 Receive Self-Insured Schools of California (SISC) GASB 45 Quarterly Report ending June 30, 2013

*Item received*

**22. FUTURE AGENDA ITEMS**

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

*There were no items requested by the Board.*

- 22.02 Future Items:

**Board Clerk Van Le**

Item	Date (tentative)	Type
AVID Program	September 19, 2013	Presentation/Discussion
Bond Program Construction Projects Report	October 17, 2013	Presentation/Discussion

**Board Member Magdalena Carrasco**

Item	Date (tentative)	Type
Assembly Bill 9 / Anti-Bullying Service Delivery Model	September 19, 2013	Presentation/Discussion

**Board Member Lan Nguyen**

Item	Date (tentative)	Type
Vietnamese Language Program	September 19, 2013	Presentation/Discussion

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

**23.01 Board of Trustees**

**Van Le, Board Clerk**

*I saw the format of the Consent Calendar and it is really better. It is in a different category and easy to look up. I commend staff or Mr. President for thinking about this and making it easier for me to follow.*

*School started August 12. I would like to stop by the schools and visit during Back to School Night.*

**Lan Nguyen, Board Member**

*We had a great Board work session a few weeks ago. It was put together very well. The agenda was well developed. I got a lot out of it and felt that all the Board Members contributed a lot into what we see as next steps and the direction of the District. I am looking forward to the next one in October.*

*I heard that Calero started, which is exciting!*

**Frank Biehl, Board President**

*Welcome back to school! Thank you for getting everything operating and running again. I am looking forward to a great year.*

**23.02 Chris D. Funk, Superintendent**

*I want to thank all of our staff, particularly our Principals and their teams, as well as the support staff here at the Central Office, for getting our schools up and running. I want to do a special thanks to Calero. I want to introduce Calero's new Principal, Robert Ibarra. I want to do a special thanks to Robert for his team and Mr. Phelp's team and the construction team here and maintenance crew to really get that school up and running. If you have not had a chance to visit Calero, it truly is a remarkable school. It was long-time planning and to merge the new high school with post senior. You will be impressed with the work that was done by the construction crew, by everyone here to move them in; much appreciation for that.*

*Let us introduce the new Principal of Foothill, Mr. George Sanchez. Congratulations! George went home on a Friday for the weekend and came back and had a new job. Thank you so much for taking on this challenge. You are doing a great job!*

**24. 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.*

**25. ADJOURNMENT**

**President adjourns the meeting.**

*The meeting was adjourned at 8:44 p.m.*

*Respectfully submitted,*



Board Clerk

**Agenda Item Details**

Meeting Aug 22, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

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

Subject 14.02 Discussion and/or Action of Contracts for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Access Public

Type Action, Discussion

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

**Public Content**

## EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 14.02

**TO:** Board of Trustees

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

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

**SUBJECT:** Discussion and/or Action of 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.

[Contracts Over \\$50k 8-22.13.Amended.pdf \(78 KB\)](#)

[Contracts Over \\$50k 8-22.13.Original.pdf \(74 KB\)](#)

**Executive Content**

Last Modified by Betty Banderas on August 21, 2013

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

**APPROVED**

**August 22, 2013**



*M. Battle*

**EAST SIDE UNION HIGH SCHOOL DISTRICT  
Contracts for Professional Services over \$50,000  
Board Meeting of August 22, 2013**

**1. AchieveKids (RATIFICATION)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2013 – June 30, 2014	\$400,000.00 (estimated annual expenditure)  Special Services-Tuition	Special Services  Toby Hopstone, Director

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees ratify the “Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services” with AchieveKids for the provision of non-public school (NPS) services for special education students. Educational services shall be consistent with the specified services per the students Individual Education Program (IEP); and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding.

Due to the specialized educational services required to appropriately serve students who present severe, unique emotional and/or developmental disabilities including mental retardation, autistic spectrum disorder, mood, disruptive behavior, anxiety and psychotic disorders residing in the ESUHSD, AchieveKids is an NPS offering such services that meet the widely, varying needs of this unique group of students.

**Selection Process**

There was no competitive solicitation done for this type of service. There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students’ educational needs. Recommendations are then presented at the students’ IEP meeting. Referrals to AchieveKids were made at the students’ IEP meeting by the District’s Program Specialist after consultation with the District’s Special Services Coordinator.

AchieveKids is an NPS that offers specialized educational services for this unique group of ESUHSD students. The vendor pool for these specialized services is very small especially locally.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the “Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services” with AchieveKids for the provision of non-public school (NPS) services for special education students. The contract term shall be July 1, 2013 through and including June 30, 2014 in an estimated annual amount of \$400,000.00, and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding.

**2. The Bay School (RATIFICATION)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2013 – June 30, 2014	\$400,000.00 (estimated annual expenditure)  Special Services-Tuition	Special Services  Toby Hopstone, Director

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees ratify the “Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services” with The Bay School for the provision of non-public school (NPS) services for special education students. Educational services shall be consistent with the specified services per the students Individual Education Program (IEP); and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding.



Evergreen School District has served these students in this setting since their elementary school years at this school located in Santa Cruz, which specializes in the instruction of extremely involved Autistic students.

**Selection Process**

There was no competitive solicitation done for this service. The Bay School was selected by Evergreen School District to meet the students' needs in elementary school. It is an NPS that offers specialized educational services for autistic students.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the "Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services" with The Bay School for the provision of non-public school (NPS) services for special education students. The contract term shall be July 1, 2013 through and including June 30, 2014 in an estimated annual amount of \$400,000.00, and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding

**3. Beacon School (RATIFICATION)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2013 – June 30, 2014	\$730,000.00 (estimated annual expenditure)  Special Services-Tuition  \$193,000.00 - Transportation	Special Services  Toby Hopstone, Director

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees ratify the "Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services" with The Bay School for the provision of non-public school (NPS) services for special education students. Educational services shall be consistent with the specified services per the students Individual Education Program (IEP); and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding.

ESUHSD's relationship with Beacon an NPS goes back many years. In ESUHSD's attempts to offer services to a growing population of Emotionally Disturbed (ED) classified students, Beacon worked with the ESUHSD on first establishing the transitional ED classroom and then therapeutic classrooms on our comprehensive sites starting at Oak Grove High School and eventually expanding to Independence, Mt. Pleasant and Andrew Hill High Schools. Having this established relationship facilitates giving ED students the appropriate continuum of services both in the comprehensive setting and in the more restrictive off campus setting of an NPS.

Beacon is extremely proactive in returning students to the comprehensive campus when appropriate.

**Selection Process**

ESUHSD has single sourced this vendor based on the complexity of building a long term relationship that benefits both ESUHSD and the students.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the "Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services" with Beacon School for the provision of non-public school (NPS) services for special education students. The contract term shall be July 1, 2013 through and including June 30, 2014 in an estimated annual amount of \$923,000.00, and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding.

**4. Goodwill Industries – RATIFICATION**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Donna Bertrand Juan Cruz Adolfo Laguna Martha Brazil Grettel Castro- Stanley	July 1, 2013 – June 30, 2018	\$250,000.00 per year/per school  \$3,750,000.00/ 5-year  (REVENUE)  \$37,000.00 In-Kind services per year/per school	Silver Creek High School, Adolfo Laguna  Oak Grove High School, Martha Brazil  Independence High School, Grettel Castro- Stanley

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees ratify the five-year Agreement with the Goodwill Industries to accept the California Department of Education’s 21st Century Learning Grant (aka ASSETs, After School Safety and Enrichment for Teens) and define the relationship between the parties. This grant will provide ESUHSD with an estimated \$240,000.00 per year per high for an estimated total amount of \$3,600,000.00 over the term of the grant. Only three Santa Clara County high schools received the 21<sup>st</sup> Century Learning Grant and all three were in East Side Union High School District: Silver Creek, Oak Grove, and Independence High Schools.

At the January 19, 2012 board meeting the Board approved ESUHSD to enter into a Memorandum of Understanding (MOU) with Goodwill Industries for Goodwill to submit a collaborated granted application for the California Department of Education’s 21st Century Learning Grant (aka ASSETs, After School Safety and Enrichment for Teens). In Spring 2013 Goodwill was notified that we were awarded the grant for all three ESUHSD school sites applied for in the application. Now that funding has been secured, Goodwill and ESUHSD will enter into a five-year agreement.

ESUHSD’s in-kind services and estimated values are: operational support, \$16,000; data support, \$5,000; administrative support \$8,000; participation in the ASSETs collaboration \$4,000; communication support \$2,000; and permission to bring volunteers into the school \$2,000. The total annual ESUHSD in-kind contribution amounts to \$37,000 per year per school site

These above Schools will be able to offer similar programs that Goodwill is currently operating at Mt. Pleasant High School. Among the offerings, both after school and during summer are: credit recovery classes in Algebra, Geometry, Algebra II, World History US History, Economics; Ballet Folklorico; Weight Training and Conditioning; French Cooking; Journalism; Driver Education and Driver Training; ROTC; Girls Spotz ( leadership class for Opportunity girls); Gang Diversion; tutoring in all subject areas; open library 5 days per week; summer field trips; CAHSEE prep sessions; staff recognition events; parent education.

**Selection Process**

None

**RECOMMENDATION**

It is recommended that the Board of Trustees a five-year Agreement with Goodwill Industries to accept the grant funding from the for California Department of Education’s 21st Century Learning Grant (aka ASSETs, After School Safety and Enrichment for Teens) for Silver Creek, Oak Grove, and Independence High Schools in an amount of \$240,000 per school/per year. Total amount of grant over the five-year term is expected to be \$3,600,000.00.

**5. Goodwill Industries – Grant Application**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Donna Bertrand Chris D. Funk Juan Cruz Bettina Lopez Lauren Kelly Traci Williams Greg Louie	July 1, 2014 – June 30, 2019	\$240,000.00 per year/per school  \$4,800,000.00/ 5-years  (REVENUE)  \$37,000.00 In-Kind services per year/per school	Andrew Hill High School, Bettina Lopez  Evergreen Valley High School, Lauren Kelly  Piedmont High School, Traci Williams  Santa Teresa High School, Greg Louie

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into an Agreement (Memorandum of Understanding) with the Goodwill Industries to submit grant proposals for the California Department of Education’s 21st Century Learning Grant (aka ASSETs, After School Safety and Enrichment for Teens) for Andrew Hill, Evergreen Valley, Piedmont, and Santa Teresa High Schools. Goodwill’s strategy is to focus only on the larger *core grant* of \$250,000.00 per year/per school for five years. Total amount of grant to be received by ESUHSD over the five-year term is expected to be \$4,800,000.00.

The Memorandum of Understanding (MOU) is a requirement of the grant proposal. The MOU will express our support of the proposed Goodwill ASSETs program at our school site by agreeing to provide a small amount of in-kind services to support the program. In-kind services are: operational support, \$16,000; data support, \$5,000; administrative support \$8,000; participation in the ASSETs collaboration \$4,000; communication support \$2,000; and permission to bring volunteers into the school \$2,000. The total annual ESUHSD in-kind contribution amounts to \$37,000 per year per school site.

The proposed program in the grant will be similar to those that are currently being offered at Mt. Pleasant High School under this same grant awarded in July 2009. Among the offerings, both after school and during summer are: credit recovery classes in Algebra, Geometry, Algebra II, World History US History, Economics; Ballet Folklorico; Weight Training and Conditioning; French Cooking; Journalism; Driver Education and Driver Training; ROTC; Girls Spotz ( leadership class for Opportunity girls); Gang Diversion; tutoring in all subject areas; open library 5 days per week; summer field trips; CAHSEE prep sessions; staff recognition events; parent education.

**Selection Process**

None

**RECOMMENDATION**

It is recommended that the Board of Trustees authorized Administration to enter into an Agreement (Memorandum of Understanding) with Goodwill Industries to submit grant proposals for the California Department of Education’s 21st Century Learning Grant (aka ASSETs, After School Safety and Enrichment for Teens) for Andrew Hill, Evergreen Valley, Piedmont Hills, and Santa Teresa High Schools in an amount of \$240,000 per school/per year for a period of five years. Total amount of grant over the five-year term is expected to be \$4,800,000.00.

**6. Goodwill Industries – Grant Application**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Donna Bertrand Chris D. Funk Juan Cruz Teresa Marquez Donna Bertrand	July 1, 2014 – June 30, 2019	\$240,000.00 per year  \$1,200,000.00/5-years  (REVENUE)  \$37,000.00/per year In-Kind	Mt. Pleasant High School, Teresa Marquez

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into an Agreement (Memorandum of Understanding) with the Goodwill Industries to submit a grant proposal to renew the California Department of Education’s 21st Century Learning Grant (aka ASSETs, After School Safety and Enrichment for Teens) for Mt. Pleasant High Schools. Goodwill’s strategy will be the same as before which will be to focus only on the larger *core grant* of \$250,000.00 per year for another five years. Total amount of grant over the five-year term is expected to be \$1,200,000.00.

Currently the *ASSETs (After School Safety and Enrichment for Teens)* has been at Mt Pleasant High School since July 1, 2009. The programs are funded by 21<sup>st</sup> Century Learning Grants from the California Department of Education (\$242,000 per year/five-year grant). Mr. Diego works closely with Principal Marquez to offer programs needed and requested by the students. Among the offerings both after school and during summer are: credit recovery classes in Algebra, Geometry, Algebra II, World History US History, Economics; Ballet Folklorico; Weight Training and Conditioning; French Cooking; Journalism; Driver Education and Driver Training; ROTC; Girls Spotz ( leadership class for Opportunity girls); Gang Diversion; tutoring in all subject areas; open library 5 days per week; summer field trips; CAHSEE prep sessions; staff recognition events; parent education.

The Memorandum of Understanding (MOU) is a requirement of the grant proposal. The MOU will express our support of the proposed Goodwill ASSETs program at Mt. Pleasant High School by agreeing to provide a small amount of in-kind services to support the program. In-kind services are: operational support, \$16,000; data support, \$5,000; administrative support \$8,000; participation in the ASSETs collaboration \$4,000; communication support \$2,000; and permission to bring volunteers into the school \$2,000. The total annual ESUHSD in-kind contribution amounts to \$37,000 per year per school site.

**Selection Process**

None

**RECOMMENDATION**

It is recommended that the Board of Trustees authorized Administration to enter into an Agreement (Memorandum of Understanding) with Goodwill Industries to submit a grant proposal for California Department of Education’s 21st Century Learning Grant (aka ASSETs, After School Safety and Enrichment for Teens) for Mt. Pleasant High School in an amount of \$240,000 per year for a period of five years. Total amount of grant over the five-year term is expected to be \$1,200,000.00.

**7. Pacific Autism Center (PACE) (RATIFICATION)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2013 – June 30, 2014	\$320,000.00 (estimated annual expenditure)  Special Services-Tuition	Special Services  Toby Hopstone, Director

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees ratify the “Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services” with Pacific Autism Center for the provision of non-public school (NPS) services for special education students. Educational services shall be consistent with the specified services per the students Individual Education Program (IEP); and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding.

Due to the specialized educational services required to appropriately serve the severely involved Autism Spectrum students residing in the ESUHSD, PACE is a NPS offering such services that meet the widely, varying needs of this unique group of students.

**Selection Process**

There was no competitive solicitation done for this type of services.

There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students' educational needs. Recommendations are then presented at the students' IEP meeting. Referrals to PACE were made at the students' IEP meeting by the District's Program Specialist after consultation with the District's Special Services Coordinator.

PACE is an NPS that offers specialized educational services for this unique group of ESUHSD students. PACE is one of two local non-public schools that offer these unique services and ESUHSD contract with both vendors.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the “Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services” with Pacific Autism Center for the provision of non-public school (NPS) services for special education students. The contract term shall be July 1, 2013 through and including June 30, 2014 in an estimated annual amount of \$320,000.00, and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding.

**8. Safe Trans Transportation**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Marcus Battle Julie Kasberger Donna Bertrand	October 1, 2012 – September 30, 2013 (no change)	\$486,000.00 (Increase Amount)  Transportation	Julie Kasberger, Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to issued Change Order #1 to Purchase Order #301840 with Safe Trans Transportation for the provision of Transportation Services for ESUHSD's Special Education Students.

Due to a large increase in the number of routes and a lack of ESUHSD qualified drivers the Transportation Department has had to utilize its contracted transportation company, Safe Trans, more than anticipated.

The Original Purchase Order amount \$1,000,000.00 + Change Order #1 \$486,000.00 = a new Purchase Order total amount of \$1,486,000.00.

**Selection Process**

Not applicable

**RECOMMENDATION**

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order #301840 with Safe Trans Transportation for the provision of Transportation Services for ESUHSD's Special Education Students in an increased amount of \$486,000.00.

**9. Safe Trans Transportation (Contract Renewal)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Marcus Battle Julie Kasberger Donna Bertrand	October 1, 2013 – September 30, 2014	\$1,600,000.00 (renewal)  Transportation	Julie Kasberger, Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to authorize Administration to issue the second year extension to the Safe Tran contract. The second extension will extend the contract in accordance with the contract terms for the last and final year through September 30, 2014 at which time ESUHSD Administration will have conducted a formal Request for Proposal (RFP) process.

ESUHSD Transportation continuously monitors Safe Trans on their performance and has been very satisfied with their performance over the past two years and recommends that their contract be renewed for the third and final year.

**Selection Process**

Administration conducted a formal Request for Proposal (RFP) (RFP-20-10-11) process in August/September 2011 to provide supplemental Transportation Services ESUHSD Special Education students. The recommendation for award was taken to the Board for award and approval of the one-year contract with two one-year extensions at the September 15, 2011 board meeting.

**RECOMMENDATION**

It is recommended that the Board of Trustees authorized Administration to extend Safe Tran's contract through September 30, 2014 and to issue a Purchase Order in an amount not to exceed \$1,600,000.00.

**10. State of California, California Department of Education**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Deborah Barnes Richard Uribe Juan Cruz Donna Bertrand	July 1, 2013 – June 30 2014	\$689,512.00 – 3536 California State Preschool Program (CSPP)  \$611,602.00 – 3279 General Child Care and Development Program (CCTR)  (REVENUE)	Andrew Hill High School Evergreen Valley High School Foothill High School James Lick High School Santa Teresa High School Yerba Buena High School  Deborah Barnes, Program Manager

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees ratify the Revenue Contracts with the California Department of Education for the funding of six child care centers within ESUHSD. The first contract is for the California State Preschool Program (Contract #CSPP-3536) and the second is the General Child Care & Development Programs (Contract #CCTR-3276). Both are for the term of July 1, 2013 through and including June 30, 2014.

The ESUHSD Child Development Program will operate six child care centers in 2013-14 to service infants, toddlers and preschoolers at Andrew Hill, Evergreen Valley, Foothill (Family Learning Center), James Lick, Santa Teresa, and Yerba Buena High Schools

**Selection Process**

Not Applicable.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the two Contracts with the State of California, Department of Education to receive funding for Child Care Services to be provided by ESUHSD in the amounts of \$689,512.00 for the California State Preschool Program (Contract #CSPP-3536) and \$611,602.00 for the General Child Care & Development Programs (Contract #CCTR-3279). The term of each contract shall be July 1, 2013 through and including June 30, 2014 and to delegate authority to the Superintendent or designee to execute amendments to said contracts on an as needed basis, including funding.

**11. Victor Treatment Centers d.b.a. North Valley School (RATIFICATION)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Juan Cruz Toby Hopstone Donna Bertrand	September 1, 2013 – August 31, 2014	\$160,000.00 (estimated expenditure) Tuition – Special Education  \$3,000.00 (estimated expenditure) -Transportation	Special Services  Toby Hopstone, Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to ratify an Agreement with Victor Treatment Centers d.b.a. North Valley School for the provision of Non-Public School (NPS), residential, day treatment, and mental health services. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP) plan.

Victor Treatment Centers Stockton is located in East Stockton among the farms and vineyards of the San Joaquin Valley. This rural setting provides care for 42 children in need of specialized mental health treatment. The youths reside in seven attractive, family-style homes in quiet neighborhoods. The program serves children and adolescents between 8 and 18 years of age who are identified as Severely Emotionally Disturbed Youth and are in need of 24/7 supervision and intensive treatment services in multiple life domains. Victor Treatment Centers Stockton provides highly individualized services and maintains a 1 to 3 staff to client ratio within the treatment environment. A high staff to youth ratio in a home-like atmosphere provides a safe, consistent and predictable structure allowing each individual youth to grow at their own pace and according to their personal abilities.

**Selection Process**

There was no competitive solicitation done for this type of service. This is a very specialized service for a very unique case. Other programs were researched and this facility was determined by ESUHSD staff as the best facility to meet the needs of this particular ESUHSD student.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify an Agreement with Victor Treatment Centers d.b.a. North Valley School for the provision of Non-Public School (NPS), residential, day treatment, and mental health services Spectrum Center for the contract term September 1, 2013 through and including August 31, 2014 in an estimated amount of \$163,000.00, and to delegate authority to the Superintendent or designee to execute amendments to said agreement on an as needed basis, including funding.

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**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Contracts for Professional Services over \$50,000**  
**Board Meeting of August 22, 2013**

**1. AchieveKids (RATIFICATION)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2013 – June 30, 2014	\$400,000.00 (estimated annual expenditure)  Special Services-Tuition	Special Services  Toby Hopstone, Director

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees ratify the “Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services” with AchieveKids for the provision of non-public school (NPS) services for special education students. Educational services shall be consistent with the specified services per the students Individual Education Program (IEP); and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding.

Due to the specialized educational services required to appropriately serve students who present severe, unique emotional and/or developmental disabilities including mental retardation, autistic spectrum disorder, mood, disruptive behavior, anxiety and psychotic disorders residing in the ESUHSD, AchieveKids is an NPS offering such services that meet the widely, varying needs of this unique group of students.

**Selection Process**

There was no competitive solicitation done for this type of service. There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students’ educational needs. Recommendations are then presented at the students’ IEP meeting. Referrals to AchieveKids were made at the students’ IEP meeting by the District’s Program Specialist after consultation with the District’s Special Services Coordinator.

AchieveKids is an NPS that offers specialized educational services for this unique group of ESUHSD students. The vendor pool for these specialized services is very small especially locally.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the “Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services” with AchieveKids for the provision of non-public school (NPS) services for special education students. The contract term shall be July 1, 2013 through and including June 30, 2014 in an estimated annual amount of \$400,000.00, and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding.

**2. The Bay School (RATIFICATION)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2013 – June 30, 2014	\$400,000.00 (estimated annual expenditure)  Special Services-Tuition	Special Services  Toby Hopstone, Director

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees ratify the “Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services” with The Bay School for the provision of non-public school (NPS) services for special education students. Educational services shall be consistent with the specified services per the students Individual Education Program (IEP); and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding.

Evergreen School District has served these students in this setting since their elementary school years at this school located in Santa Cruz, which specializes in the instruction of extremely involved Autistic students.

**Selection Process**

There was no competitive solicitation done for this service. The Bay School was selected by Evergreen School District to meet the students' needs in elementary school. It is an NPS that offers specialized educational services for autistic students.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the “Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services” with The Bay School for the provision of non-public school (NPS) services for special education students. The contract term shall be July 1, 2013 through and including June 30, 2014 in an estimated annual amount of \$400,000.00, and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding

**3. Beacon School (RATIFICATION)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2013 – June 30, 2014	\$730,000.00 (estimated annual expenditure)  Special Services-Tuition  \$193,000.00 - Transportation	Special Services  Toby Hopstone, Director

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees ratify the “Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services” with The Bay School for the provision of non-public school (NPS) services for special education students. Educational services shall be consistent with the specified services per the students Individual Education Program (IEP); and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding.

ESUHSD’s relationship with Beacon an NPS goes back many years. In ESUHSD’s attempts to offer services to a growing population of Emotionally Disturbed (ED) classified students, Beacon worked with the ESUHSD on first establishing the transitional ED classroom and then therapeutic classrooms on our comprehensive sites starting at Oak Grove High School and eventually expanding to Independence, Mt. Pleasant and Andrew Hill High Schools. Having this established relationship facilitates giving ED students the appropriate continuum of services both in the comprehensive setting and in the more restrictive off campus setting of an NPS.

Beacon is extremely proactive in returning students to the comprehensive campus when appropriate.

**Selection Process**

ESUHSD has single sourced this vendor based on the complexity of building a long term relationship that benefits both ESUHSD and the students.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the “Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services” with Beacon School for the provision of non-public school (NPS) services for special education students. The contract term shall be July 1, 2013 through and including June 30, 2014 in an estimated annual amount of \$923,000.00, and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding.

**4. Goodwill Industries – RATIFICATION**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Donna Bertrand Juan Cruz Adolfo Laguna Martha Brazil Grettel Castro- Stanley	July 1, 2013 – June 30, 2018	\$250,000.00 per year/per school  \$3,750,000.00/ 5-year  (REVENUE)  \$37,000.00 In-Kind services per year/per school	Silver Creek High School, Adolfo Laguna  Oak Grove High School, Martha Brazil  Independence High School, Grettel Castro- Stanley

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees ratify the five-year Agreement with the Goodwill Industries to accept the California Department of Education’s 21st Century Learning Grant (aka ASSETs, After School Safety and Enrichment for Teens) and define the relationship between the parties. This grant will provide ESUHSD with an estimated \$240,000.00 per year per high for an estimated total amount of \$3,600,000.00 over the term of the grant. Only three Santa Clara County high schools received the 21<sup>st</sup> Century Learning Grant and all three were in East Side Union High School District: Silver Creek, Oak Grove, and Independence High Schools.

At the January 19, 2012 board meeting the Board approved ESUHSD to enter into a Memorandum of Understanding (MOU) with Goodwill Industries for Goodwill to submit a collaborated granted application for the California Department of Education’s 21st Century Learning Grant (aka ASSETs, After School Safety and Enrichment for Teens). In Spring 2013 Goodwill was notified that we were awarded the grant for all three ESUHSD school sites applied for in the application. Now that funding has been secured, Goodwill and ESUHSD will enter into a five-year agreement.

ESUHSD’s in-kind services and estimated values are: operational support, \$16,000; data support, \$5,000; administrative support \$8,000; participation in the ASSETs collaboration \$4,000; communication support \$2,000; and permission to bring volunteers into the school \$2,000. The total annual ESUHSD in-kind contribution amounts to \$37,000 per year per school site

These above Schools will be able to offer similar programs that Goodwill is currently operating at Mt. Pleasant High School. Among the offerings, both after school and during summer are: credit recovery classes in Algebra, Geometry, Algebra II, World History US History, Economics; Ballet Folklorico; Weight Training and Conditioning; French Cooking; Journalism; Driver Education and Driver Training; ROTC; Girls Spotz ( leadership class for Opportunity girls); Gang Diversion; tutoring in all subject areas; open library 5 days per week; summer field trips; CAHSEE prep sessions; staff recognition events; parent education.

**Selection Process**

None

**RECOMMENDATION**

It is recommended that the Board of Trustees a five-year Agreement with Goodwill Industries to accept the grant funding from the for California Department of Education’s 21st Century Learning Grant (aka ASSETs, After School Safety and Enrichment for Teens) for Silver Creek, Oak Grove, and Independence High Schools in an amount of \$240,000 per school/per year. Total amount of grant over the five-year term is expected to be \$3,600,000.00.

**5. Goodwill Industries – Grant Application**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Donna Bertrand Chris D. Funk Juan Cruz Bettina Lopez Lauren Kelly Traci Williams Greg Louie	July 1, 2014 – June 30, 2019	\$240,000.00 per year/per school  \$4,800,000.00/ 5-years  (REVENUE)  \$37,000.00 In-Kind services per year/per school	Andrew Hill High School, Bettina Lopez  Evergreen Valley High School, Lauren Kelly  Piedmont High School, Traci Williams  Santa Teresa High School, Greg Louie

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into an Agreement (Memorandum of Understanding) with the Goodwill Industries to submit grant proposals for the California Department of Education’s 21st Century Learning Grant (aka ASSETs, After School Safety and Enrichment for Teens) for Andrew Hill, Evergreen Valley, Piedmont, and Santa Teresa High Schools. Goodwill’s strategy is to focus only on the larger *core grant* of \$250,000.00 per year/per school for five years. Total amount of grant to be received by ESUHSD over the five-year term is expected to be \$4,800,000.00.

The Memorandum of Understanding (MOU) is a requirement of the grant proposal. The MOU will express our support of the proposed Goodwill ASSETs program at our school site by agreeing to provide a small amount of in-kind services to support the program. In-kind services are: operational support, \$16,000; data support, \$5,000; administrative support \$8,000; participation in the ASSETs collaboration \$4,000; communication support \$2,000; and permission to bring volunteers into the school \$2,000. The total annual ESUHSD in-kind contribution amounts to \$37,000 per year per school site.

The proposed program in the grant will be similar to those that are currently being offered at Mt. Pleasant High School under this same grant awarded in July 2009. Among the offerings, both after school and during summer are: credit recovery classes in Algebra, Geometry, Algebra II, World History US History, Economics; Ballet Folklorico; Weight Training and Conditioning; French Cooking; Journalism; Driver Education and Driver Training; ROTC; Girls Spotz ( leadership class for Opportunity girls); Gang Diversion; tutoring in all subject areas; open library 5 days per week; summer field trips; CAHSEE prep sessions; staff recognition events; parent education.

**Selection Process**

None

**RECOMMENDATION**

It is recommended that the Board of Trustees authorized Administration to enter into an Agreement (Memorandum of Understanding) with Goodwill Industries to submit grant proposals for the California Department of Education’s 21st Century Learning Grant (aka ASSETs, After School Safety and Enrichment for Teens) for Andrew Hill, Evergreen Valley, Piedmont Hills, and Santa Teresa High Schools in an amount of \$240,000 per school/per year for a period of five years. Total amount of grant over the five-year term is expected to be \$4,800,000.00.

**6. Goodwill Industries – Grant Application**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Donna Bertrand Chris D. Funk Juan Cruz Teresa Marquez Donna Bertrand	July 1, 2014 – June 30, 2019	\$240,000.00 per year  \$1,200,000.00/5-years  (REVENUE)  \$37,000.00/per year In-Kind	Mt. Pleasant High School, Teresa Marquez

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into an Agreement (Memorandum of Understanding) with the Goodwill Industries to submit a grant proposal to renew the California Department of Education’s 21st Century Learning Grant (aka ASSETs, After School Safety and Enrichment for Teens) for Mt. Pleasant High Schools. Goodwill’s strategy will be the same as before which will be to focus only on the larger *core grant* of \$250,000.00 per year for another five years. Total amount of grant over the five-year term is expected to be \$1,200,000.00.

Currently the *ASSETs (After School Safety and Enrichment for Teens)* has been at Mt Pleasant High School since July 1, 2009. The programs are funded by 21<sup>st</sup> Century Learning Grants from the California Department of Education (\$242,000 per year/five-year grant). Mr. Diego works closely with Principal Marquez to offer programs needed and requested by the students. Among the offerings both after school and during summer are: credit recovery classes in Algebra, Geometry, Algebra II, World History US History, Economics; Ballet Folklorico; Weight Training and Conditioning; French Cooking; Journalism; Driver Education and Driver Training; ROTC; Girls Spotz ( leadership class for Opportunity girls); Gang Diversion; tutoring in all subject areas; open library 5 days per week; summer field trips; CAHSEE prep sessions; staff recognition events; parent education.

The Memorandum of Understanding (MOU) is a requirement of the grant proposal. The MOU will express our support of the proposed Goodwill ASSETs program at Mt. Pleasant High School by agreeing to provide a small amount of in-kind services to support the program. In-kind services are: operational support, \$16,000; data support, \$5,000; administrative support \$8,000; participation in the ASSETs collaboration \$4,000; communication support \$2,000; and permission to bring volunteers into the school \$2,000. The total annual ESUHSD in-kind contribution amounts to \$37,000 per year per school site.

**Selection Process**

None

**RECOMMENDATION**

It is recommended that the Board of Trustees authorized Administration to enter into an Agreement (Memorandum of Understanding) with Goodwill Industries to submit a grant proposal for California Department of Education’s 21st Century Learning Grant (aka ASSETs, After School Safety and Enrichment for Teens) for Mt. Pleasant High School in an amount of \$240,000 per year for a period of five years. Total amount of grant over the five-year term is expected to be \$1,200,000.00.

**7. Pacific Autism Center (PACE) (RATIFICATION)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2013 – June 30, 2014	\$320,000.00 (estimated annual expenditure)  Special Services-Tuition	Special Services  Toby Hopstone, Director

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees ratify the “Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services” with Pacific Autism Center for the provision of non-public school (NPS) services for special education students. Educational services shall be consistent with the specified services per the students Individual Education Program (IEP); and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding.

Due to the specialized educational services required to appropriately serve the severely involved Autism Spectrum students residing in the ESUHSD, PACE is a NPS offering such services that meet the widely, varying needs of this unique group of students.

**Selection Process**

There was no competitive solicitation done for this type of services.

There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students' educational needs. Recommendations are then presented at the students' IEP meeting. Referrals to PACE were made at the students' IEP meeting by the District’s Program Specialist after consultation with the District's Special Services Coordinator.

PACE is an NPS that offers specialized educational services for this unique group of ESUHSD students. PACE is one of two local non-public schools that offer these unique services and ESUHSD contract with both vendors.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the “Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services” with Pacific Autism Center for the provision of non-public school (NPS) services for special education students. The contract term shall be July 1, 2013 through and including June 30, 2014 in an estimated annual amount of \$320,000.00, and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding.

**8. Safe Trans Transportation**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Marcus Battle Julie Kasberger Donna Bertrand	October 1, 2012 – September 30, 2013 (no change)	\$486,000.00 (Increase Amount)  Transportation	Julie Kasberger, Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to issued Change Order #1 to Purchase Order #301840 with Safe Trans Transportation for the provision of Transportation Services for ESUHSD’s Special Education Students.

Due to a large increase in the number of routes and a lack of ESUHSD qualified drivers the Transportation Department has had to utilize its contracted transportation company, Safe Trans, more than anticipated.

The Original Purchase Order amount \$1,000,000.00 + Change Order #1 \$486,000.00 = a new Purchase Order total amount of \$1,486,000.00.

**Selection Process**

Not applicable

**RECOMMENDATION**

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order #301840 with Safe Trans Transportation for the provision of Transportation Services for ESUHSD’s Special Education Students in an increased amount of \$486,000.00.

**9. Safe Trans Transportation (Contract Renewal)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Marcus Battle Julie Kasberger Donna Bertrand	October 1, 2013 – September 30, 2014	\$1,600,000.00 (renewal)  Transportation	Julie Kasberger, Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to authorize Administration to issue the second year extension to the Safe Tran contract. The second extension will extend the contract in accordance with the contract terms for the last and final year through September 30, 2014 at which time ESUHSD Administration will have conducted a formal Request for Proposal (RFP) process.

ESUHSD Transportation continuously monitors Safe Trans on their performance and has been very satisfied with their performance over the past two years and recommends that their contract be renewed for the third and final year.

**Selection Process**

Administration conducted a formal Request for Proposal (RFP) (RFP-20-10-11) process in August/September 2011 to provide supplemental Transportation Services ESUHSD Special Education students. The recommendation for award was taken to the Board for award and approval of the one-year contract with two one-year extensions at the September 15, 2011 board meeting.

**RECOMMENDATION**

It is recommended that the Board of Trustees authorized Administration to extend Safe Tran’s contract through September 30, 2014 and to issue a Purchase Order in an amount not to exceed \$1,600,000.00.

**10. State of California, California Department of Education**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Deborah Barnes Richard Uribe Juan Cruz Donna Bertrand	July 1, 2013 – June 30 2014	\$689,512.00 – 3536 California State Preschool Program (CSPP)  \$611,602.00 – 3279 General Child Care and Development Program (CCTR)  (REVENUE)	Andrew Hill High School Evergreen Valley High School Foothill High School James Lick High School Santa Teresa High School Yerba Buena High School  Deborah Barnes, Program Manager

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees ratify the Revenue Contracts with the California Department of Education for the funding of six child care centers within ESUHSD. The first contract is for the California State Preschool Program (Contract #CSPP-3536) and the second is the General Child Care & Development Programs (Contract #CCTR-3276). Both are for the term of July 1, 2013 through and including June 30, 2014.

The ESUHSD Child Development Program will operate six child care centers in 2013-14 to service infants, toddlers and preschoolers at Andrew Hill, Evergreen Valley, Foothill (Family Learning Center), James Lick, Santa Teresa, and Yerba Buena High Schools

**Selection Process**

Not Applicable.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the two Contracts with the State of California, Department of Education to receive funding for Child Care Services to be provided by ESUHSD in the amounts of \$689,512.00 for the California State Preschool Program (Contract #CSPP-3536) and \$611,602.00 for the General Child Care & Development Programs (Contract #CCTR-3279). The term of each contract shall be July 1, 2013 through and including June 30, 2014 and to delegate authority to the Superintendent or designee to execute amendments to said contracts on an as needed basis, including funding.

**11. Victor Treatment Centers d.b.a. North Valley School (RATIFICATION)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Juan Cruz Toby Hopstone Donna Bertrand	September 1, 2013 – August 31, 2014	\$160,000.00 (estimated expenditure) Tuition – Special Education  \$3,000.00 (estimated expenditure) -Transportation	Special Services  Toby Hopstone, Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to ratify an Agreement with Victor Treatment Centers d.b.a. North Valley School for the provision of Non-Public School (NPS), residential, day treatment, and mental health services. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP) plan.

Victor Treatment Centers Stockton is located in East Stockton among the farms and vineyards of the San Joaquin Valley. This rural setting provides care for 42 children in need of specialized mental health treatment. The youths reside in seven attractive, family-style homes in quiet neighborhoods. The program serves children and adolescents between 8 and 18 years of age who are identified as Severely Emotionally Disturbed Youth and are in need of 24/7 supervision and intensive treatment services in multiple life domains. Victor Treatment Centers Stockton provides highly individualized services and maintains a 1 to 3 staff to client ratio within the treatment environment. A high staff to youth ratio in a home-like atmosphere provides a safe, consistent and predictable structure allowing each individual youth to grow at their own pace and according to their personal abilities.

**Selection Process**

There was no competitive solicitation done for this type of service. This is a very specialized service for a very unique case. Other programs were researched and this facility was determined by ESUHSD staff as the best facility to meet the needs of this particular ESUHSD student.



**RECOMMENDATION**

It is recommended that the Board of Trustees ratify an Agreement with Victor Treatment Centers d.b.a. North Valley School for the provision of Non-Public School (NPS), residential, day treatment, and mental health services Spectrum Center for the contract term September 1, 2013 through and including August 31, 2014 in an estimated amount of \$163,000.00, and to delegate authority to the Superintendent or designee to execute amendments to said agreement on an as needed basis, including funding.

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**Agenda Item Details**

Meeting Aug 22, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

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

Subject 15.01 Discussion and/or Action of Bond/Capital Projects Contracts Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager

Access Public

Type Action, Discussion

Recommended Action It is recommended that the Board of Trustees approve the Bond/Capital Projects contract as recommended in the attachment.

**Public Content**

**EAST SIDE UNION HIGH SCHOOL DISTRICT**

**Item: 15.01**

**TO:** Board of Trustees

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

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

**SUBJECT:** Discussion and/or Action of Bond/Capital Projects Contract Over \$50,000

The attachment for the Bond/Capital Projects Contract 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 as recommended in the attachment.



[Bond Capital Projects Contract Over \\$50k.pdf \(23 KB\)](#)

**Executive Content**

Last Modified by Vangie Avila on August 5, 2013

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

**APPROVED** August 22, 2013

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Bond/Capital Projects Contract for Services over \$50,000**  
**Board Meeting of August 22, 2013**

**1. Irwin Telescopic Seating Company - Ratification**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Linda da Silva Janice Unger Marcus Battle	June 1, 2011 – July 31, 2012 (no change)	\$1,092.00 (increased amount)  Measure E	Silver Creek High School/Facilities  Adolfo Laguna, Principal  Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #2 for the purchase of retractable theater seating for the Silver Creek High School New Multi-Purpose/Classroom Modernization Project No.: E-055-001.

Administration analyzed the merits of this additional service request and recommends for the following reasons:

- Furnish and install blank-offs for gap between edge of telescopic seating system and door 17C per ASI 76.

Original Contract Amount	\$246,950.51
Change Order #1 (9/15/11)	\$40,489.27
Contract Amount Prior to This Change Order	\$287,439.79
Change Order #2 (Additional service fees)	\$1,092.00
Revised Contract Amount	\$288,531.79

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify Change Order #2 to Purchase Order with **Irwin Telescopic Seating Company** for the Silver Creek High School New Multi-Purpose/Classroom Modernization, (E-055-001) in the increased amount not to exceed \$1,092.00.

**Agenda Item Details**

Meeting Aug 22, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 19. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

Subject 19.02 Approve Contracts for Professional Services Under \$50,000

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the Contracts for Professional Services under \$50,000 as presented.

**Public Content**

## EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 19.02

**TO:** Board of Trustees

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

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

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

The attachment for the Contracts for Professional Services under \$50,000 is being presented for Board review and approval.

**FISCAL IMPACT:**

As indicated

**FUNDING SOURCE:**

As indicated

**RECOMMENDATION:**

It is recommended that the Board of Trustees approve the Contracts for Professional Services under \$50,000 as presented.

[Contract Under \\$50k\\_8-22-13.pdf \(46 KB\)](#)

**Executive Content**

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

Last Modified by Betty Banderas on August 12, 2013

**EAST SIDE UNION HIGH SCHOOL DISTRICT  
BOARD OF TRUSTEES  
APPROVED  
August 22, 2013**



**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**PROFESSIONAL CONTRACT SERVICES At or Below \$50,000**  
 Board Meeting of August 22, 2013

Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1. AMS Services	Toby Hopstone Juan Cruz Donna Bertrand	September 1, 2013 – June 30, 2014	\$15,000.00  Special Services	Special Services  Toby Hopstone, Director	To provide Spanish Translation and Interpretation Services for IEPs.
2. Breakthrough Silicon Valley (BSV)	Chris D. Funk Donna Bertrand	June 1, 2013 – August 12, 2013	\$2,560.00 (REVENUE)	Evergreen Valley High School  Chris D. Funk, Superintendent	<p><b>REQUEST FOR RATIFICATION</b>                      ESUHSD agrees to provide facilities and in-kind support as deemed necessary to provide summer programming; high level support for the Partnership, including a designated liaison with the authority to represent ESUHSD; visibility and marketing of the Partnership to active and prospective funders, the media and the broader community as necessary.</p> <p>BSV agrees to provide sufficient programming and personnel to serve approximately 95 students and 22 student teachers; program development and long-term sustainability; overarching, high-level support for the Partnership, including a designated liaison with the authority to represent BSV to ESUHSD; visibility and marketing of the Partnership to active and prospective funders, the media and the broader community as necessary.</p> <p>BSV will pay ESUHSD for custodial costs.</p> <p>ESUHSD will be entering into a Memorandum of Understanding.</p>

3.	David J. Garley	Vito Chiala Juan Cruz Donna Bertrand	July 1, 2013 – June 30, 2014	\$1,000.00 (not-to-exceed) General Fund	W. C. Overfelt High School Vito Chiala, Principal	<b>REQUEST FOR RATIFICATION</b> To provide maintenance and repair service to the high school's ice machine.
4.	Dora Dome Law Offices	George Sanchez Juan Cruz Donna Bertrand	August 28, 2013 – August 29, 2013	\$2,480.00 General Fund	Student Services George Sanchez, Coordinator	To provide 3.5 hours of professional development sessions for administrators on student discipline and anti-bullying.
5.	Google	Randy Phelps Marcus Battle Donna Bertrand	July 9, 2013 – July 8, 2014	\$21,000.00 General Fund	Information Technology Randy Phelps, Director	<b>REQUEST FOR RATIFICATION</b> To continue to provide all facilities to store and process ESUHSD Email Data - GMAIL.  At the June 7, 2012 Board Meeting, the Board approved Google as a sole source provider of this service as they are the owners of GMAIL.
6.	Karla Trujillo	Toby Hopstone Juan Cruz Donna Bertrand	August 13, 2013 – May 22, 2014	\$45,000.00 Special Services	Special Services Toby Hopstone, Director	To provide continued R.N. services for a special education student who needs diabetic management services. All services shall be those specified in the Contract Services Agreement and in accordance with the student's IEP.  Three vendors were solicited and three proposals were received. All proposals were reviewed first based on qualifications and experience then on pricing. Ms. Trujillo was selected as the most qualified with competitive pricing.
7.	Laurie Boswell	Mark Delgado Vito Chiala Juan Cruz Donna Bertrand	June 1, 2013 – June 15, 2013	\$1,979.00 Professional Development- City of San Jose Grant	W. C. Overfelt High School Vito Chiala, Principal	<b>REQUEST FOR RATIFICATION</b> To provide lifeguard classes with certification for 7 lifeguards and swim instructors for the W. C. Overfelt/City of San Jose Summer Swim Program.

8.	MAXIM Healthcare Services	Toby Hopstone Juan Cruz Donna Bertrand	July 1, 2013 – August 31, 2014	\$20,000.00  Special Services	Special Services  Toby Hopstone, Director	<b>REQUEST FOR RATIFICATION</b> To provide substitute services for 1:1 IEP Para-educators in the event of their absence.  No solicitation took place for this service.
9.	MCARTHUR & LEVIN, LLP	Toby Hopstone Juan Cruz Donna Bertrand	July 1, 2013 – June 30, 2014	\$170.00/hr for Partners; \$150/hr for associated attorneys; \$95/hr for paralegals  Special Services	Special Services  Toby Hopstone, Director	<b>REQUEST FOR RATIFICATION</b> To provide continued legal services to represent ESUHSD in special education matters under state and federal law
10.	Off-Site Records Management, LLC	Margaret Velasquez Marcus Battle Donna Bertrand	July 1, 2013 – June 30, 2014	\$5,000.00  General Fund	District Wide  Donna Bertrand, Coordinator	<b>REQUEST FOR RATIFICATION</b> To provide on-site shredding services of confidential documents at all ESUHSD sites.  Five vendors were solicited and five proposals were received. All proposals were reviewed first based on qualifications and experience then on pricing. It was determined that the first two lowest cost proposals were not fully compliant with our specifications (the first vendor would not enter into contract; the second vendor would not shred on-site). Off-Site Records was selected as a qualified vendor with the most responsive proposal having competitive pricing.
11.	Prestige Portraits by Lifetouch	George Sanchez Juan Cruz Donna Bertrand	August 1, 2013 – June 30, 2014	\$3,842.00  General Fund	Foothill High School  George Sanchez, Principal	<b>REQUEST FOR RATIFICATION</b> To provide student/staff photography services for student/staff ID badges, yearbook, and other projects as needed.

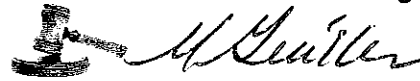
12.	Quintessential School Systems (QSS)	Randy Phelps Macus Battle Donna Bertrand	September 1, 2013 – June 30, 2014	\$10,000.00 (not-to-exceed) General Fund	Information Technology Randy Phelps, Director	To provide on-site professional development sessions on QSS/QCC on various modules to be determined by Information Technologies.
13.	Shelley Davis	Toby Hopstone Juan Cruz Donna Bertrand	July 1, 2013 – June 30, 2014	\$6,800.00 Special Services	Special Services Toby Hopstone, Director	<b>REQUEST FOR RATIFICATION</b> To provide social skills training for special education student(s) per the student's IEP.
14.	School Innovations & Achievement (SI&A)	Karen Poon Marcus Battle Donna Bertrand	July 1, 2013 – June 30, 2016	\$46,600.00	District Wide Marcus Battle, Associate Superintendent	To provide consulting services to assist ESUHSD in the preparation and filing of reimbursement claims for the costs of the Mandated Reimbursement Process Program, legislatively mandated by the State of California.  SI&A will also provide a variety of training to various ESUHSD staff district wide.  Three vendors were solicited and three proposals were received. All proposals were reviewed first based on qualifications and experience then on pricing. SI&A was selected as the most qualified with competitive pricing.
15.	Stars School Solution	Toby Hopstone Juan Cruz Donna Bertrand	September 1, 2013 – August 31, 2014	\$50,000.00 Special Services	Special Services Toby Hopstone, Director	To provide mental health services on an as needed basis to special education students. Services to include but not limited to individual counseling, assessments, collateral services, psychological testing, group counseling, family counseling, case management, and crisis intervention.  The SELPA did a Request for Application process where many of the Mental Health Providers in the East Side were asked to provide proposals detailing their services and rates. SELPA reviewed the proposals and those providers they determined were qualified to



						provide mental health services to schools were put onto a 2012-2013 Reviewed Agency Provider List. Stars, also known as Starlight, is a mental health provider on this list and has been providing mental health services to ESUHSD for over nine year. Star's rates are in line with other mental health providers.
16.	Visual Sports	Chris D. Funk Juan Cruz Vito Chiala Tom Huynh Glenn VanderZee Donna Bertrand	August 1, 2013 – August 31, 2013	\$6,000.00 General Fund	James Lick High School, Glenn VanderZee W. C. Overfelt High School, Vito Chiala Yerba Buena High School, Tom Huynh	<b>REQUEST FOR RATIFICATION</b> To provide photography services to the schools listed. Vendor will take pictures of students and staff for school ID cards. To also take pictures of the Principals.
17.	VT Safety Services	Toby Hopstone Juan Cruz Donna Bertrand	August 13, 2013 – June 30, 2014	\$30,000.00 Special Services	Special Services Toby Hopstone, Director	To provide annual CPR and First Aid trainings per State requirements.
18.	Western Interpreting Net	Greg Louie Juan Cruz Donna Bertrand	July 1, 2012 – June 30, 2013	\$3,000.00 General Fund	Santa Teresa High School Greg Louie, Principal	<b>REQUEST FOR RATIFICATION</b> To provide deaf interpreting services for a teacher during staff meetings.

APPROVED

August 22, 2013

**Agenda Item Details**

Meeting Aug 22, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 20. FACILITIES - CONSENT/ACTION CALENDAR

Subject 20.02 Approve Bond/Capital Projects 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 Bond/Capital Projects 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: 20.02

**TO:** Board of Trustees

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

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

**SUBJECT:** Approve Bond/Capital Projects Contracts for Professional Services At or Below \$50,000

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

**FISCAL IMPACT:**

As indicated in the attachment

**FUNDING SOURCE:**

As indicated in the attachment

**RECOMMENDATION:**

It is recommended that the Board of Trustees approve the Bond/Capital Projects 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.

[Bond Capital Projects Contracts At or Below \\$50k.pdf \(20 KB\)](#)

**Executive Content**

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

Last Modified by Vangie Avila on August 12, 2013

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**BOND/CAPITAL PROJECTS PROFESSIONAL CONTRACT SERVICES At or Below \$50,000**  
 Board Meeting of August 22, 2013

**A. BOND / FACILITIES**

	<b>Contractor Name</b>	<b>Reviewed By</b>	<b>Contract Period</b>	<b>Cost/Funding</b>	<b>School/Dept. Manager</b>	<b>Purpose</b>
1.	C2G/Civil Consultants Group, Inc.	L. da Silva M. Battle J. Unger	August 23, 2013 until project is completed	\$2,700.00 (not to exceed) Measure E	Yerba Buena, Silver Creek High Schools/Tom Huynh, Adolfo Laguna, Principals  Linda da Silva, Director of Construction, Maintenance & Facilities	Provide topographic/land surveying services for the property lines at Yerba Buena and Silver Creek High Schools for the Yerba Buena and Silver Creek High Schools Site Improvement Project (E-060-006/E-055-006).  One proposal was request from the pool of qualified topographic/boundary consultant.
2.	Hawkeye Photography	L. da Silva M. Battle J. Unger	August 23, 2013 until project is completed	\$4,550.00 (not to exceed) Measure E	Linda da Silva, Director of Construction, Maintenance & Facilities	Provide aerial photography of 13 ESUHSD school sites. Included in services are RAW files.  One proposal was requested from a qualified professional.
3.	Kaz & Associates Environmental Services	L. da Silva M. Battle J. Unger	August 23, 2013 until project is completed	\$9,850.00 (not to exceed) Measure E	Andrew Hill High School/Bettina Lopez, Principal  Linda da Silva, Director of Construction, Maintenance & Facilities	Provide QSD/P oversight and SWPPP (Storm Water Pollution Prevention Services) for compliance with the State Construction General Permit (Order #2009-0009-DWQ) for the Andrew Hill High School New Classroom Building 100 Project (E-025-003).  Eight (8) consultants were solicited; three (3) proposals were received. All proposals were evaluated and Kaz & Associates submitted the lowest and responsive / responsible proposal for this project.