

Agenda Item Details

Meeting	Dec 12, 2013 - ESUHSD ANNUAL ORGANIZATIONAL & REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	17. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR
Subject	17.02 Approve Minutes of October 17, 2013, Regular Board Meeting
Access	Public
Type	Action (Consent)
Recommended Action	It is recommended that the Board of Trustees approve the October 17, 2013, Regular Board Meeting minutes as presented.

Public Content**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 17.02**

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

SUBJECT: Approve Minutes of October 17, 2013, Regular Board Meeting

Attached are the minutes of the October 17, 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 October 17, 2013, Regular Board Meeting minutes as presented.

Executive Content

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED DECEMBER 12, 2013**



EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES
Meeting Held at Education Center
October 17, 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 4:07 p.m. by President Biehl. Vice President Herrera, Member Carrasco and Member Nguyen were present. Clerk Le arrived at 4:17 p.m.

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.

1.03 Recess to Closed Session in the Superintendent's Conference Room (Open Session will resume at the end of Closed Session at approximately 6:30 p.m.) See item 2 on agenda (Closed Session).

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

2. CLOSED SESSION

2.01 Expulsion(s): A-H

*Student A:
Motion by President Biehl, second by Clerk Le, to approve the suspended expulsion of Student A.*

Vote: 5/0

Student B:

Motion by Vice President Herrera, second by Clerk Le, to approve the expulsion of Student B per the recommendation

Vote: 5/0

Student C:

Motion by Clerk Le, second by Member Nguyen, to approve the expulsion of Student C.

Vote: 5/0

Student D:

Motion by Clerk Le, second by Member Carrasco, to approve the expulsion of Student D.

Vote: 5/0

Student E:

Motion by Member Nguyen, second by Vice President Herrera, to approve the suspended expulsion of Student E.

Vote: 5/0

Student F:

Motion by Member Nguyen, second by Clerk Le, to approve the suspended expulsion of Student F.

Vote: 5/0

Student G:

Motion by President Biehl, second by Member Carrasco, to approve the suspended expulsion of Student G.

Vote: 5/0

Student H:

Motion by President Biehl, second by Vice President Herrera, to approve the reinstatement to a comprehensive high school for Student H.

Vote: 5/0

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

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

- *Coordinator, Special Services (1)*

Motion by President Biehl, second by Member Nguyen to approve the appointment of Maureen Noland as Coordinator of Special Services.

- *Administrator of Charter School Oversight (1)*

Motion by President Biehl, second by Clerk Le, to approve the appointment of Lucretia Peebles as the Administrator of Charter School Oversight.

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

2.05 Conference with Labor Negotiators (Government Code Section 54957.6)

Agency Designated Representatives:

Chris D. Funk, Superintendent

Marcus Battle, Associate Superintendent of Business Services

Juan Cruz, Assistant Superintendent of Instructional Services

Cari Vaeth, Director of Human Resources

Vida Branner, Director of Compensation and Classified Employee Relations

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

Unrepresented Organizations:

Administrators

Managers

Confidentials

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

- *Claim for Damages of K. Sana; and,*

Motion by President Biehl, second by Vice President Herrera, to reject the claim for damages of K. Sana.

Vote: 5/0

- *One (1) Potential Case*

**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 6:30 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.

Items on the agenda will be heard in the following order:

8.02; 8.03; 13.01; 15.07; 15.08; and, 24

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

6.01 **Honoring 2013 Doctoral Degrees**

- **Katherine Everett – James Lick High School**
- **Nonie Pugh – Independent Study Program, Oak Grove High School**
- **Wendy Stegeman – Andrew Hill High School**

7. **Student Board Liaisons**

7.01 **Independence High School Dance Department - Kellye Dodd and Cristina McClelland**

7.02 **Oak Grove High School - Gillian Xu, ASB Vice President**

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

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

8.02 **IISME Research Collaborative (IRC) Presentation - Kristen Harrison, IISME Research Collaborative Leader, Ann Shioji, Teacher, Wm. C. Overfelt High School, and Brian Barrientez, Teacher, Wm. C. Overfelt High School**

Presentation item; not action taken

8.03 **Presentation and Discussion on the Annual Energy Savings and Performance Report – Marcus Battle, Associate Superintendent of Business Services, David Baldwin, and Emily Douglas from Chevron Energy Solutions**

Presentation item; not action taken

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

No items on calendar under this section

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

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

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:

- *Jesus Rodriguez for Christian Rodriguez – AHHS Basketball Coach/Teacher*
- *Joseph Foster - AHHS Basketball Coach*
- *Evante Ramos - AHHS Basketball Coach*
- *Emanuel Rodriguez - AHHS Basketball Coach*
- *Oliver Herning – AHHS Basketball Coach*
- *Vickie Roberts - AHHS Basketball Coach*
- *Yolanda Hayes - AHHS Basketball Coach*
- *Miri Miller - AHHS Basketball Coach*
- *Alex Moreno - AHHS Basketball Coach*
- *Mary Higareda - AHHS Basketball Coach*
- *Brian Uhler – Support for AHHS Basketball Coach*
- *William Sanders - AHHS Basketball Coach*
- *Nick Pelligrini - AHHS Basketball Coach*
- *Bryan Luna - AHHS Basketball Coach*
- *Rosalind Taylor – Concerned about mixed message from the District*

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

11.01 **Presentation regarding College Connection Academy (CCA) - Tom Huynh, Principal, Yerba Buena School**

Carried to November Board meeting

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

12.01 **Presentation and/or Discussion on the Avid Program - Juan Cruz, Assistant Superintendent of Instructional Services**

Presentation item; no action taken on this item

12.02 Presentation and/or Discussion regarding Assembly Bill 9 (or Seth's Law) Anti-Bullying Service Delivery Model - Juan Cruz, Assistant Superintendent of Instructional Services

Presentation item; no action taken on this item

12.03 Presentation and/or Discussion regarding the Student Achievement Report - Juan Cruz, Assistant Superintendent of Instructional Services, and Kirsten King, Director of Instructional Services

Presentation item; no action taken on this item

12.04 Presentation and/or Discussion regarding the Plan to Utilize Common Core State Funds – Juan Cruz, Assistant Superintendent of Instructional Services and Kirsten King, Director of Instructional Services

No action required on this item.

12.05 Discussion and/or Action to Receive Third Valenzuela/CAHSEE and Williams Settlement Uniform Complaint Quarterly Report for Period Covering July 1, 2013 through September 30, 2013 as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727) – Juan Cruz, Assistant Superintendent of Instructional Services and Tim Nguyen, Coordinator of English Language Learners Supplementary Education

Motion by President Biehl, second by Clerk Le, to receive the Third Valenzuela/CAHSEE and Williams Settlement Uniform Complaint Quarterly Report for period covering July 1, 2013 through September 30, 2013 as required by Education Code 35186 (Williams Settlement Legislation SB550 and AB2727).

Vote: 5/0

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

13.01 Presentation, Discussion and/or Action Regarding Capital Program Reorganization - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, Cari Vaeth, Director of Human Resources, and Karen Poon, Director of Finance; Reviewed by Kelly Kwong, Senior Manager of Internal Controls

Marcus Battle, Associate Superintendent of Business Services

Good evening. I would like to give an overview of what we are going to cover in our presentation and why we are bringing this item forward. As a result of the recent performance bond audit of the district's Bond Program by Total School Solutions, the District is bringing about a reorganization of the Capital Program. The reorganization will provide clarity of roles and responsibilities, which have historically resulted in program inefficiencies. In addition, the enhanced implementation of technology will automate activities that have historically been performed manually resulting in labor savings, time efficiencies, and especially mitigating information disparities. While providing overall improvement in quality, this reorganization will also realize a \$1.3 million annual savings in comparison to what the District current pays to have these services performed by the Program Manager. Another

side issue, which we will cover as part of the presentation is around the cap on Measure E Program management fees. We will discuss that also as part of the presentation.

In the recent audit, there were certain items that the auditor had indicated were strengths of the District's Bond Program and those included bond revenue management, diligence in taxpayer obligation to debt restructuring activities, leveraging bond funds through aggressive pursuance of State grant funds under the facilities program, response to issues raised in the 2010 FCMAT extraordinary audit, development of bond project scope budgets and schedules, and faithful execution of the Citizens' Bond Oversight Committee's duties and responsibilities. Some of the weaknesses that were cited were in the area of excess staffing attributable to some duplication of work effort, financial management discrepancies, and the District's approach to change orders.

In relation to program management fees, the current contract with our Program Manager is not to exceed 5% of the program management fee, which the District is presenting at \$12.2 million. Actual fees through September 2013 are \$11.3 million with a remaining budget of \$900,000. The Program is estimated to complete Measure E by May 2015, which would provide an outlay of \$4.5 million on a contract that only has \$900,000 available.

Frank Biehl, Board President

Is that on a current burn rate or is that on a rate after you do the reorganization?

Marcus Battle, Associate Superintendent of Business Services

This is based on the current burn rate.

Frank Biehl, Board President

Okay. You are proposing not to do that tonight, right?

Marcus Battle, Associate Superintendent of Business Services

Yes.

Frank Biehl, Board President

Okay. So that isn't really valid then.

Marcus Battle, Associate Superintendent of Business Services

Now, we will get into what some of these different functions are and what part of that reorganization would look like. So, as part of the accounting function, which is a very important part of the Bond Program and was a very important part of the auditor's recommendation, the District would hire a new Assistant Director of Capital Accounting, a new Capital Budget Manager, and an Accounting Technician. We currently have a .5 Administrative Secretary that supports Capital Purchasing. That would be a full 1.0 FTE, which would support Capital Accounting and Capital Purchasing. The savings just from those activities being brought completely in house would be \$394,000 a year in annual savings. The second piece of that would be Capital Purchasing. Currently, there is a Contract Specialist in the Capital Purchasing Department, but that position is basically an augmentation from the Program Manager. We are proposing to convert that into a District position and to add a Buyer to that unit, which, once again, would transfer some of the responsibilities from the Bond Program to the District. With that change, it would produce a savings of \$252,000 annually. This chart basically outlines the current facilities organization that currently exists today. The green box would signify the SGI Program Management function and all of related support FTEs that provide support to the District.

Under a proposed facilities reorganization, as a result of those transfer of services now, if you look at the green column, those boxes have been reduced to four FTEs and that is estimated and with indication that there would be some back office support depending on the type of work that is occurring at that time. It is basically showing a smaller support from the program management side; transference of activities to the District and still leaving allowance for some back office support for the Program Manager. It would also provide for adding a Programmer Analyst position because, as part of the bringing systems in house, like our accounting system, our capital accounting system Primavera, it is part of bringing those systems in house. We will need to have programming support to keep those systems functional and running.

In terms of position comparison, the current PM positions, and this is just a portion of those positions that were transferred to the District, we are showing at 7.6 FTEs, which would net to 6.5 positions being added to the District; 4.5 of those positions would be CSEA positions and two would be classified management positions.

Frank Biehl, Board President

How do you get the 7.6? Is that talking about a percentage of positions?

Marcus Battle, Associate Superintendent of Business Services

Yes. That would be percentage of positions that perform those particular roles.

Frank Biehl, Board President

Okay and are you considering the percentage of supervisory work that will have to occur for the new district employee positions? If you have a new Capital Accounting Department, that's going to be under the direction of what? Your Budget Manager. Your Budget Director? A certain percentage of her time is now going to have to be spent on managing those two new employees, correct?

Marcus Battle, Associate Superintendent of Business Services

Yes, and I will go back to that slide. What this show here is that total function would be under the Director of Finance, however, there would be an Assistant Director for Capitol Accounting who would basically manage that function.

Frank Biehl, Board President

So you don't believe that anybody else above will have any responsibility for it?

Marcus Battle, Associate Superintendent of Business Services

Yes, we do, but it would be sort of the same level of involvement that we currently have.

Frank Biehl, Board President

All that I am saying is you are taking it away on the one side of the equation, but you are not counting it on the other side of the equation. It is not a very accurate comparison.

Marcus Battle, Associate Superintendent of Business Services

From a supervisory standpoint, there would be some increase in supervision.

Frank Biehl, Board President

I would be satisfied with it if you took it off the other side; if you just accepted there was supervision in the part that was... because of the nature of the way it's charged, they have

to charge against the hour, but the reality is that even you will spend under a certain percentage the time on these projects and will know that by percentage of your salary and Karen Poon's salary, that is charged against the Bond versus a charge against the general revenue.

Marcus Battle, Associate Superintendent of Business Services

That's true.

Frank Biehl, Board President

Okay. I am just trying to make sure we have an accurate comparison between the two. Although, I think in general you are in the ballpark and it think it just makes it a little more finite.

Marcus Battle, Associate Superintendent of Business Services

This chart basically shows the current costs that the District is paying for those functions and what the proposed would be by the reduced FTE and bringing those functions in house, which is once again showing an annual savings of \$1.3 million, which would be able to go back into our Bond Program to support the Bond projects.

Frank Biehl, Board President

Could you go back to your organizational chart for a minute? Let's go back to the current facilities chart. On the current facilities chart, there are three positions that have been added in the last year. Could you point out which those are?

Marcus Battle, Associate Superintendent of Business Services

I will bring Linda daSilva up to give some detail.

Linda daSilva, Director of Facilities, Construction and Operations

The three positions added in approximately in the last 19 months have been the District Architect, Senior Project Manager, and the Project Manager.

Frank Biehl, Board President

Okay what about the Assistant Project Manager?

Linda daSilva, Director of Facilities, Construction and Operations

Yes, actually that one as well.

Frank Biehl, Board President

There are four positions.

Marcus Battle, Associate Superintendent of Business Services

No.

Frank Biehl, Board President

That was there before?

Marcus Battle, Associate Superintendent of Business Services

That was there before.

Frank Biehl, Board President

Okay, fine, I'll accept that. So, three positions. Okay. So, what I think would be useful for me and I will have to find out if the rest of the Board finds this of use or not is, because essentially what you are proposing over a series of about four Board meetings now and this is probably the fourth meeting, right, because this is the fourth time we are making a personnel change, which is a significant change from having the program management team do the work to having in house staff do the work and your justification for that primarily is you believe there will be a cost savings. So, what I would like to see, as a Board Member, is how much it was costing when we didn't have the three other positions on that side versus the reorganization that you are proposing.

J. Manuel Herrera, Board Vice President

Mr. President, the question you are posing does not capture a dimension of this of what is more important to me than whether we are within a comparable cost or not and the dimension that is more important to me is that responsibility for fiscal management and oversight would be shifting from an external party contract to the District to the District itself bringing it in house to manage it and that has value in it of itself.

Frank Biehl, Board President

I don't have a problem with that. I just need a measuring point as we go forward to make sure that the projected cost savings are realized. That's all that I am trying to establish. I am not opposed to making the changes. I just want to make sure that we have an accurate understanding of what the differences between the two organizational structures.

J. Manuel Herrera, Board Vice President

If they were reasonably comparable, that would be sufficient for me. I could even be persuaded that if it was slightly more costly to bring it in house, I could still be persuaded because I put a lot of value into the District taking the stewardship and bringing it inside for the fiscal management. I am not quite coming at this the way I hear you kind of giving a lot of emphasis to the precision of comparable cost.

Frank Biehl, Board President

I am just looking for accurate information. My experience is that as a management analyst, these are the questions that you would ask. Perhaps it's more detailed that what is necessary for the way you like to look at things. I think that, essentially, as I step back at the 30,000 foot level, we are making a very major change, but we've been doing it in a piece meal basis rather than looking at the whole change. I don't have a problem with that other than when we look at changes in instruction, we try to pull everything together in a strategic plan so that we look at all the elements at once and the way we have been approaching this. I am as guilty as anyone else because I have voted in favor of those additional positions. We haven't really had a chance to step back and look at the whole of what we are putting together and that's all I am asking for and then making sure that we have an accurate understanding of what the total cost savings will be with the total reorganization as we move forward.

Magdalena Carrasco, Board Member

One of the questions I would ask and maybe our Superintendent could answer this is, "In the reorg, aside from the cost savings, we have the capacity, aside from the new positions we would need, do we have the capacity to go ahead and move forward with the reorganization and the new supervisory roles that our folks will take on?"

Chris D. Funk, Superintendent

When you ask, "Do we have the capacity? Do we already have all the people to fill the positions?"

Magdalena Carrasco, Board Member

Do we have the systems in place, the knowledge base and the expertise of those that would be not in the vacant positions currently, but overseeing the new people that are coming in?

Chris D. Funk, Superintendent

We would have to post the positions and interview all candidates. So, do we have some potential internal candidates? Yes. I am sure we will have to hire some external candidates also.

Frank Biehl, Board President

You are also talking at the management level of people that already exist within our departments?

Magdalena Carrasco, Board Member

Yes, that would take on the new responsibilities.

Frank Biehl, Board President

Do they have the expertise to manage this work is the question.

Chris D. Funk, Superintendent

I would say, "Yes, considering that even though we had \$50 million cuts in our overall budget, we manage a \$200 million budget." So, yes, I have complete confidence on that.

Frank Biehl, Board President

Mr. Battle, I have another question, the reorganization page. I noted in one of the boxes there on the proposed organization of the Program Manager, you have listed a box that is Public Relations. How are you intending to fund that position because it can't be funded through the Bond.

Marcus Battle, Associate Superintendent of Business Services

That's on the program side and when these were listed, they were sort of just listed as just activities that the Program Manager does to support the District. This is dealing with CBOC, dealing with marketing, marketing our Bond Program and to the public and those types of activities. It is not actually a.. it was just really done as a function more than a position.

Frank Biehl, Board President

Has the administration prepared a series of job descriptions for the four remaining positions that you are proposing on the program management side?

Marcus Battle, Associate Superintendent of Business Services

We are currently working on a RFP/RFQ, which we were proposing to develop over the next month that we would plan to bring to the November meeting that was basically going to provide the scope of services under this new reorganization.

Frank Biehl, Board President

I understand you will do an RFP, but are you going to actually have job descriptions for those four or are you asking for the contractors to provide their proposals as to how they might organize and how much they would charge for it? Is that what you are looking at?

Marcus Battle, Associate Superintendent of Business Services

Yes.

Frank Biehl, Board President

And you are going to bring the RFP to the Board for approval in November?

Marcus Battle, Associate Superintendent of Business Services

I believe that is the plan. I will defer to Chris. I believe that is the plan.

Chris D. Funk, Superintendent

If we have it in time; if we have it put together.

Frank Biehl, Board President

If you do, that is fine. I don't have a problem if it's December either. I am just a little concerned about transition. I am not opposed to the transition. I am not opposed to making the change, but I am always concerned about how that is done and transitions are difficult. There's hiring. There's training. There are new communication lines and you are also talking about a couple of databases that you want to merge together. All of that has its pitfalls included in that. It just seems to me that with all that change, we may be better off in our starting date for a potential new Program Manager I think might be more effective with a June 30 date and give us plenty of time to pull all of this stuff together and not be working against some sort of an artificial deadline that was created from past actions that we took. I'm just asking that we kind of step back, be careful, have a good transition plan, and make sure that we have a good cooperation from the current contractor, SGI, in this transition because we are going to need their help in terms of training and information, etc. and I am sure they would be willing to provide that. I am just concerned about this. Those are issues that, as a Board Member, I am concerned.

Chris D. Funk, Superintendent

To help alleviate those issues, agenda items 15.07 and 15.08 are to extend the current contract for SGI. At this point, not to exceed February 28. So, that's an extra month added from the previous Board meeting and at that point, if there still needs to be time for transition in terms of particular training and transition from Primavera to QSS, we can always extend the contract at that point, but right now the extension is not to exceed four months.

J. Manuel Herrera, Board Vice President

I am glad to hear we are moving in that direction because that is a concern that I have also been having that somehow we have been taking some mighty big pieces and moving too quickly to mesh and match and construct and so on. My instincts without really having my hands on it, week-to-week, month-to-month, my instincts have always been that if we kind of move towards the spring, I heard the Board President say June, I always thought instinctively the spring was a better timeline to be putting all those pieces together in a new way. I am happy to hear that we are going from January to the end of February with a potential for extending beyond that because that remains a concern of mine.

Lan Nguyen, Board Member

I understand the concern raised by both the Board President, as well as the Board Vice President. I also believe that there is an ability to extend and if there needs to be on 15.07 and 15.08, but just on this particular proposal, first of all, it is good that we are able to see the cost savings with this reorganization. I also share a little bit of a concern with the Board

President's mention about the transition process and so on. I am feeling confident that the transition process won't be as difficult as we think it might be given the flexibility of extending the contract with SGI even though on a month-to-month basis, but also see how the transition process will go. I am comfortable with that. I feel good about this in spirit or in concept. I think in the long-term, this is in the District's best interest. At the same time sharing, again, the sentiment and concerns of the issues raised by the Board President and Board Vice President.

Van Le, Board Clerk

I am very concerned about the remaining budget for October 2013. It is \$900,267. I think that if we take a look at this number, that we are probably going to run over the budget that we estimated in 2015. I was wondering, if we save \$1,309,000, how does that number tie in with the budget remaining in 2013. Are those numbers going to tie in together because I was wondering if we don't have enough money, we have planned for \$900,000, and here we are saving \$1.3 million and where this money is coming from? From the \$900,000 or another source?

Marcus Battle, Associate Superintendent of Business Services

The \$900,000 would be part of what we would contractually have to pay to through the contract.

Van Le, Board Clerk

Okay.

Frank Biehl, Board President

It's a cap.

Marcus Battle, Associate Superintendent of Business Services

Yes, it is a cap.

Frank Biehl, Board President

And it's the administration's current position. That's not necessarily SGI's current position on what constitutes the cap. It's a reasonable position at this point to look at.

Marcus Battle, Associate Superintendent of Business Services

Yes. So, basically what would happen once we run out of this \$900,000, we would have to basically come back to the Board to get a new authorization if we were to continue the contract because we would technically be out of the money on the contract. The \$1.3 million would be a savings. There's a difference as to what we are paying now, which is on average about \$260,000 a month. The savings would be paying half of that or less per month going forward. That's were the savings would come in with the \$1.3 million.

Van Le, Board Clerk

I think it is a good factor if we can save the District money and provide some positions for CSEA and some classified management, but I want to see keeping within the budget and also the estimate of the management fee for a year and a half would be \$4.5 million. I was wondering where do we get this money to really subsidize for this funding. I think we have to be careful in taking a look at all of the projects and minimize the costs and expenses so that when we reach our budget, we are not going to be overfunded or are we going to come back and review and ask for...

Frank Biehl, Board President

Van Le, I must say that the \$4.5 million is basically an imaginary figure here now because if we implement these changes, that amount will not materialize. Okay. It will not materialize. The \$900,000 would essentially have a much longer life if we implement these changes because there would be reduced expensed by the Program Manager. After that and before that actually, we are going to go through an RFP process, which essentially is going to involve either a new contract back with the current manager or a new contract with another manager. Does that make sense to you?

Van Le, Board Clerk

Yes, and those positions will be ended when the bond measure is complete. Am I correct? Because those positions that you requested to add on to the District, are they going to be permanent or are they going to be only a contract?

Marcus Battle, Associate Superintendent of Business Services

What we are proposing?

Van Le, Board Clerk

Yes.

Marcus Battle, Associate Superintendent of Business Services

The positions that are being proposed these would be permanent positions as long as there is a Bond Program in the District. These are Bond funded positions.

Van Le, Board Clerk

I see. Okay, All right. That's all of my questions.

Frank Biehl, Board President

I am sorry, we did interrupt you in the middle, but sometimes that is the most productive way. So, please continue with whatever else you need to show us.

Marcus Battle, Associate Superintendent of Business Services

Just to summarize the benefits, we would reduce the number of current program management staff necessary to run the Program from currently 13.1 FTEs to and estimated 4 FTE, plus temporary or part-time FTEs on an as needed basis; would provide greater clarity of roles and responsibilities; would minimize duplication of efforts and redundancies; would minimize the Bond funding dedicated to Bond Program and project management; and, once again, we are projecting a \$1.3 million annual savings. We are recommending that the Board of Trustees approve the Capital Program reorganization.

Frank Biehl, Board President

I am wondering if you would be able to come back at our next meeting with that analysis that I was asking for about what it was costing us before we added the three additional positions versus what is going to cost us with the new reorganization, which includes the three additional positions, plus the 6.5 positions for November?

J. Manuel Herrera, Board Vice President

Mr. President, are you suggesting that would be...

Frank Biehl, Board President

No, I am just asking; that would be information. I am not going to ask as a method of stopping whatever needs to happen tonight.

J. Manuel Herrera, Board Vice President

Okay, thank you. So, I would like to move the recommendation.

Van Le, Board Clerk

Second.

J. Manuel Herrera, Board Vice President

To approve the Capital Program reorganization.

Frank Biehl, Board President

And I would just ask that within the motion it is understood the administration will come back to us with that analysis.

Marcus Battle, Associate Superintendent of Business Services

We will.

Frank Biehl, Board President

At the next meeting. I just think that it is important that we understand all that we are doing and before we move forward, I do have one speaker here that I need to give the opportunity to speak as well. Is there anything else that you wanted to present?

Marcus Battle, Associate Superintendent of Business Services

No, we are finished.

Frank Biehl, Board President

Okay. Jon Reinke, you wish to speak. You were the former CBOC Chair. We will set the clock for three minutes.

Public speaker:

- Jon Reinke

Frank Biehl, Board President

I want to thank you, Mr. Reinke, for your comments. We did not confer. I don't like the way, I don't believe the analysis the way it was put together because it is not accurate. I think the analysis that I am asking for will tell you exactly what the difference is between the previous organization and proposed organization when you take all of the additional positions that have been authorized by the Board and plus what is being proposed here tonight. That will give you a better baseline. As for the qualitative element here, there have been issues with the compatibility of the accounting systems. I am not really going to fault the current contractor or the District for that. The District is pretty much stuck with software that they have had and the only other software that was available was the one recommended by the contractor and approved by the District. In terms of personnel issues, I would like to point out that we went for one year with a Director in this position while he was on paid medical leave for a full year and we were unable to fill the Director's position because of that. However, whenever we had an issue with personnel from a contractor for a PM and someone in our District or the Director in the District is not happy with someone in their

performance, there were changes made within two weeks. We will be giving up that level of flexibility that existed before. I would feel more with this proposal if we were a little more thorough with a transition plan with a better analysis that shows us exactly what the whole thing is when you put it together. I would feel much more comfortable with this and I am concerned about this artificial deadline that now has been moved by one month. I think it would be much more prudent to allow the time necessary to put together the appropriate transition program and to move everything forward in a more systematic way and a little bit less of this step-jerk, step-jerk, step-jerk sort of approach that we have been taking. I take responsibility for that. I approved the previous position changes not realizing that it was actually moving toward a major change in the way we've done things. I want to say we've done a good job over the last couple of years. We do not have plans to spend as much money in the future as we have in the past. So, there will be some savings just from the fact that we are not going to manage as many contracts as we have been organizing, but I do have the sense that the Board wishes to vote on this item and I don't want to be an obstructionist, but I would just ask the Board to bear with me as other issues come up and that I take a more cautious position as we move forward and that I ask that we have some additional planning and time flexibility as we make the transition.

J. Manuel Herrera, Board Vice President

I agree with the note being sounded of precaution and care and deliberation and clarity and so one because there is complexity involved in what we are doing here. I am holding all of that in the framework of a strategic and policy position that we should no longer contract out the fiscal oversight/fiscal management that we actually should bring it in house, not only for cost savings, but really because the stewardship really should be anchored in our own organization and we are not talking about the program management construction oriented functions, which are still going to be contracted out to a program manager. That holds value for me; that proposition of our own stewardship of the finances of a complex bond program. I'd rather from that position solve everything in terms of timing, transition, care, whatever else needs to be solved, just keep solving problems in order to have a well functioning in house financial oversight capability for the District.

Frank Biehl, Board President

With that, I do want to support the motion, but I would like to ask you because I appreciate the way you framed that... I think the concern that I have, I think that if I was assured that in the transition, which we are going to be dealing with in 15.07 and 15.08, I think it would be better if the Board made the decision to say that we are going to continue with SGI through June 30, that we continue with an RFP process and everything else that needs to be done, that can still be done, but we know we is going to be responsible for this accounting transition who is going to be in a position to deal with the accounting transition and we are not going to be changing horses in the middle of that transition. I just think that would be prudent and if I had the assurances that Board Members would be willing to make that commitment on those next two items, then I would feel very comfortable with supporting this general direction that we are heading now because I believe that will give us enough time to do it right.

Lan Nguyen, Board Member

I share the concern raised by Board President Biehl as well and as well as Vice President Herrera. My original thought when I read 15.07 and 15.08, was that it gives us the flexibility in extending contracts if the District sees that it is necessary. The only exception is that it has to come back to the Board for approval in extending that contract. I still do share your concern in about making sure that the transition go as smoothly as possible and not letting,

not making the current contract feel as if they could be eliminated at any given four or five weeks. I would ask administration about, given the current situation and circumstances, how comfortable are you in suggesting or even providing the Board additional information in modifying language in 15.07 and 15.08?

Chris D. Funk, Superintendent

It makes it hard for me to jump to two agenda items that are in the future when we are discussing a current agenda item. The fact of the matter is that seems to be that there is already a... We are going to have a new PM in three to four months. We may currently have the same PM after we are done with the process and, therefore, we would not have to extend to June. We would have to come back and provide a new contract anyways. At the same time, I think we present a comprehensive plan and we are not asking SGI to reduce their employees beginning November 1. They will start gearing down as we start to gear up. Therefore, the transition is not going to happen overnight one day. If we are lucky enough after posting and interviewing in two weeks to fill all of the positions, then naturally SGI will start to gear down from the finance accounting piece of it, but if it takes us two months to hire those positions, then SGI will maintain their current FTEs to support us in the accounting process. Whether it's February and we need to extend it because we haven't hired a new PM or extended SGI's PM contract for Measure I and G through the new RFQ process or we actually come to the Board with a contract to name SGI for the PM for Measure I and E, we will do that when the time is right. I don't see the benefit of extending this to June when either they are going to be the new PM or we can extend it month-to-month as we need to.

Frank Biehl, Board President

Or they are not going to be the new PM neither. So, I think we need to preserve the flexibility of this Board not to be in a position where we have to continue... where we don't know what the timing is going to be. I would rather have certainty about where we are heading forward and I haven't heard as justifiable reason as to why we have to... I mean we just go this report from TSS in September and now it's October and we are moving forward with these recommendations. We haven't dealt with the change issue yet. We just have a lot of work to do in the transition. I would feel much more comfortable if we kept the current contractor on through June. That doesn't stop the RFQ process or RFP process at all. You can continue that. You just tell the new... whoever the contractor is, SGI or whoever else bids on that contract, that the date for starting is going to be July 1, the next fiscal year. That's all; the only thing that's different. I just think that makes more sense.

J. Manuel Herrera, Board Vice President

We are talking in circles a little bit and right now I am going to join the circle and just reiterate that I have a concern as others are expressing as well. That this be done carefully, planfully, effectively, and, if we are not ready for it at the end of February, we are going to extend, we are going to keep players in place and we are going to, I think the Board is going to be very alert to the reports coming to us regarding the restructuring, the new staffing, the transition, and so on because there is a sense of needing to be very careful in managing a complex bond program here and doing it right rather than doing it fast. I am not persuaded on June, but I am persuaded that we need to be careful. I want to be doing a check-in in January and February and see what is true at that point.

Frank Biehl, Board President

Would you be more persuaded if we were dealing with a spring date rather than a winter date? An April date or something like that?

J. Manuel Herrera, Board Vice President

I think it is going to get there anyway, but I don't want to tie the administration's hands if we are, in fact, going to wrap up well, clearly, effectively, and do it sooner than the spring. My instinct is that we are going to get to spring anyway.

Frank Biehl, Board President

Mine is too, but we are going to have to go back to the Board again and, if they wish to do that, I guess we can.

Lan Nguyen, Board Member

I think Board Member Carrasco wants to have a...

Magdalena Carrasco, Board Member

First of all, I want to thank Mr. Reinke for your comments because I think that we were all feeling those concerns. So, having you voice them, allowed us to process that a little bit more and I think we all share the concern. That was my question earlier about the capacity; that we have internal currently to handle the transition, but in terms of the date, I think... I do think that we need to proceed with caution and make sure that all of the concerns that Mr. Reinke just so eloquently expressed are looked at, analyzed, and studied so that we don't have such a difficult time in the transition. Again, I think if we move the date to June or July 1 for the new contractor, it really corners us and doesn't give us the flexibility I think that administration needs and it keeps the flexibility in our hands. They can come back, we can look at it again, and we can continue extending it and have the discussion and dialogue that we are currently having, which I think is a healthy dialogue.

Frank Biehl, Board President

Do you feel like you have enough information to make a decision conceptually on this change tonight or would you rather have more information...

Magdalena Carrasco, Board Member

I would rather have more information.

Frank Biehl, Board President

...than deal with it in November.

Magdalena Carrasco, Board Member

Yes.

Frank Biehl, Board President

I am going to suggest that too. I am going to vote against the motion and ask that this be brought back in November. In fact, I am going to offer a substitute motion at this point; a motion to table to November the discussion on this item. That has a precedence, am I correct?

Magdalena Carrasco, Board Member

Vice President Herrera made a motion.

Frank Biehl, Board President

Yes, I know we have a motion and a second on the floor. One motion at a time, but does the motion to table go ahead of that or not?

Rogelio Ruiz, Legal Counsel

It would have to be a vote on his motion.

Frank Biehl, Board President

Okay. We have his motion. I am going to vote against the motion, because I would prefer to have more study done, the analysis done. I would like to see a written transition plan. I would like to see this come back at the November meeting. That's what I would prefer to have happen. I am going to vote against the current motion for that – just to bring it back in November.

J. Manuel Herrera, Board Vice President

I am not able to imagine that any new information, which is more precise and more integrated than what have you, would shift any of the fundamentals of this decision and what it would do is delay the timeline for beginning to implement this transition. In all of my comments, I've been welcoming the additional information and what have you, but as I said earlier, the framework that we are operating from is a clear support for bringing in house the stewardship of the finances of the bond program. I am quite ready to vote on it tonight, give the go ahead and do the further analysis, the further clarification, the further clarity problem solving and so on within that framework. For me, nothing is going to change from here to November, except we will have some more information that, for me, is not decisive if it's just helpful, more information.

Frank Biehl, Board President

What I would like to do then, correct me if I am wrong here, would be to move an amendment to the motion and then we can vote on the amendment to the motion and then we vote on the full motion. Is that correct?

Lan Nguyen, Board Member

He has to amend his motion first.

Frank Biehl, Board President

No, he doesn't have to amend. I can offer an amendment. It doesn't have to be a friendly amendment and it's an unfriendly amendment. I am going to move that we amend it so that we bring this back up in November, the November meeting.

Rogelio Ruiz, Legal Counsel

But his motion already has a second to it and so with the second there has to be a vote on his motion.

Frank Biehl, Board President

Okay.

Magdalena Carrasco, Board Member

What are we voting on?

J. Manuel Herrera, Board Vice President

We are voting on the recommendation that the Board of Trustees approve the Capital Program reorganization, which would authorize the administration to proceed with the plan outline.

Van Le, Board Clerk

I think we can wrap up. We do have 15.07 and 15.08 that we can vote again and for a discussion beyond 13.01. If President Biehl wants to have additional information, it can be brought back in November, but I think we should move forward because we still have 15.07 and 15.08 to discuss.

Frank Biehl, Board President

Okay, so everybody understands the motion. The motion on the floor is to basically adopt the reorganization plan that has been presented by the administration, correct?

Van Le, Board Clerk

Right.

Frank Biehl, Board President

Okay, so we are going to vote on that.

Motion:

Motion by Vice President Herrera, second by Clerk Le, to approve the Capital Program reorganization as presented, which will authorize administration to proceed with the plan outline.

Vote: 3/2, President Biehl and Member Carrasco voting No

An analysis of the reorganization, including a detailed transition plan and an RFP, will be brought back at the November Board meeting for presentation and discussion.

13.02 Discussion and/or Action to Adopt Resolution #2013/2014-10 Adopting Policies with Respect to the Issuance of Capital Appreciation Bonds - Marcus Battle, Associate Superintendent of Business Services, Dale Scott, Financial Advisor, Dale Scott & Company, and Charles F. Adams, Bond Counsel, Jones Hall

Motion by President Biehl, second by Vice President Herrera, to adopt Resolution #2013/2014-10 Adopting Policies with Respect to the Issuance of Capital Appreciation Bonds.

Vote: 5/0

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

Motion by Vice President Herrera, second by Member Nguyen, to approve the contract(s) for professional services over \$50,000 (attached).

Vote: 5/0

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

14.01 Discussion and/or Action regarding the Approval of the Proposed Classified Job Description Senior Contract Specialist - Cari Vaeth, Director, Human Resources

Motion by Member Nguyen, second by Vice President Herrera, to approve the proposed classified job description for Senior Contract Specialist.

Vote: 5/0

14.02 Discussion and/or Action regarding the Approval of the Proposed Classified Management Job Description and Salary Range for Assistant Director, Capital Accounting - Cari Vaeth, Director, Human Resources

Motion by President Biehl, second by Vice President Herrera, to approve the proposed classified management job description and salary range for Assistant Director, Capital Accounting.

Vote: 5/0

14.03 Discussion and/or Action regarding the Approval of the Classified Management Job Description and Salary Range for Capital Budget Manager - Cari Vaeth, Director, Human Resources

Motion by Vice President Herrera, second by Member Nguyen, to approve the classified management job description and salary range for Capital Budget Manager.

Vote: 5/0

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

15.01 Presentation and Discussion on the Lease Leaseback Delivery Method for Modernization Projects at Independence High School - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, Kenneth Kerch, AIA, SGI Bond Program Manager, and Mike Van Pelt, Van Pelt Construction Services

Presentation/discussion item only; no action taken

15.02 Presentation, Discussion and/or Action on the Update of the Bond Program - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Kenneth Kerch, AIA, SGI Bond Program Manager

Item postponed to November 14, 2013, Board Meeting

15.03 Adopt Resolution #2013/2014-08 To Certify Housing and Community Relocatable Buildings at Overfelt Adult Education Center Are No Longer Being Used as School Buildings - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities

Motion by Vice President Herrera, second by Member Carrasco, to adopt Resolution #2013/2014-08 To Certify Housing and Community Relocatable Buildings at Overfelt Adult Education Center are No Longer Being Used as School Buildings.

Vote: 5/0

15.04 Discussion and/or Action of Bond/Capital Projects Contract(s) 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 Vice President Herrera, second by Member Nguyen, to approve the bond/capital projects contract(s) over \$50,000 (attached).

Vote: 5/0

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

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

Vote: 5/0

15.06 Discussion and/or Action of Proposed Cost Sharing of White Road Street Lighting Upgrade Project - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities

Motion by President Biehl, second by Member Nguyen, to approve participation in the City of San Jose's White Road street lighting upgrade initiative and authorize the Associate Superintendent to enter into an agreement with the City of San Jose, at a not to exceed cost of \$112,000.

Vote: 5/0

15.07 Discussion and/or Action to Extend Measure G Program Management Agreement with Seville Group Inc. - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager

Marcus Battle, Associate Superintendent of Business Services

This is an extension of the current Measure G Bond Program. It is recommended that the Board of Trustees authorize, give the District authority, to continue on a month-to-month basis through February 28, 2014.

Frank Biehl, Board President

Month-to-month is different language than what was previously in the contract. Could you explain that?

Rogelio Ruiz, Legal Counsel

That is correct. In the current existing contract, the language states that the District/Board would extend the contract or may extend the contract on a yearly basis, a year-to-year basis. This would modify that provision so that it's being extended on a month-to-month basis with 30-day notice termination rights.

J. Manuel Herrera, Board Vice President

As I am reading the recommendation that the Board authorize an amendment to the Measure G Program Management Agreement with SGI, to extend the Agreement on a month-to-month basis, but not to extend beyond February 28 without further Board approval, it seems to place the entire decision with the administration as long as it does not go beyond February 28. Theoretically, under that wording, the administration could decide on December 31 to give a 30-day notice or on December 1 to give a 30-day notice because it doesn't extend beyond February 28. In the spirit of what I hear tonight, is that we need to go a little more deliberately and not so fast. I want the language to assure that we are going to be working with our current contractor, SGI, at least through February 28, which is a little bit different than what this language is. That would be, if I were to be supporting this, it would be a motion to extend the contract not to extend beyond February 28 without Board approval.

Frank Biehl, Board President

I would also not like to have the contract ended without Board consultation.

J. Manuel Herrera, Board Vice President

If we authorize through February 28, it has to come back to the Board at that point.

Frank Biehl, Board President

So, it is not going to be on a month-to-month until February? We are going to extend to February 28?

J. Manuel Herrera, Board Vice President

Yes.

Frank Biehl, Board President

And utilize the current Bond language. Are there any pitfalls in that Counsel?

Rogelio Ruiz, Legal Counsel

The only other issue is that the draft of the amendment that is presented for Board approval has a provision that would negate what's called a termination fee and a demobilization fee in the Measure G Agreement. The Measure G Agreement provides that if the District were to exercise what's called termination for convenience, then the District is obligated to pay a termination fee and then a demobilization fee to the Program Manager roughly equivalent to the last two months of the program management fees. Mindful that, of course, the Measure G Program Management Agreement was entered into many years ago, a decade ago, I forget what the original date was, but there was a lot of investment by SGI in mobilizing in this District. That was the source of that clause. With the month-to-month clause, there

would be some advance notice if there was going to be... and with this reorganization there would be advance notice of demobilizing part of its workforce so there would not be the need for the demobilization fee.

J. Manuel Herrera, Board Vice President

Did you say "would" or "would not" be?

Rogelio Ruiz, Legal Counsel

Would not be. If you were to go with the fixed term through February 28, my recommendation would be that it would still be subject to and included with eliminating the demobilization and the added termination fee that's in the contract language right now.

Frank Biehl, Board President

That sounds okay to me. Does that sound okay to you?

J. Manuel Herrera, Board Vice President

It makes sense.

Frank Biehl, Board President

Do you want to make a motion to that?

Motion by Vice President Herrera, second by President Biehl, to approve as amended:

Extend the Measure G Program Management Agreement with Seville Group Inc. not to extend beyond February 28, 2014, without further Board approval and to modify the agreement to exclude and delete the demobilization fee and termination fee.

Vote: 5/0

15.08 Discussion and/or Action to Extend Measure E Program Management Agreement with Seville Group Inc. - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager

Marcus Battle, Associate Superintendent of Business Services

This is very similar to the Measure G. Once again, the administration is recommending a month-to-month extension of the Measure E to not extend beyond February 28, 2014. There was one added item to this. It is that there would be a cap of \$625,000 not to exceed based on the remaining allocation remaining on the 5% fee cap.

Frank Biehl, Board President

Was that calculated before you got the new information?

Marcus Battle, Associate Superintendent of Business Services

That was calculated before we got the new information. I would probably say that should now reflect the new information that we have.

Frank Biehl, Board President

Is that the \$900,000?

Marcus Battle, Associate Superintendent of Business Services

Yes.

Chris D. Funk, Superintendent

With that \$900,000, it was September 30. We still have the month of October to reduce the \$900,000.

Frank Biehl, Board President

That is a disputed figure I don't think should be included in this at all. I am going to make essentially the same motion that was made last time for this one without any additional language that basically just says we are extending to February 28 and without the provision for...

Rogelio Ruiz, Legal Counsel

We don't have those same provisions in the Measure E.

Frank Biehl, Board President

So, I don't need it here?

Rogelio Ruiz, Legal Counsel

You don't need it here.

Frank Biehl, Board President

I think it is a matter of just extending to February 28, but not beyond without further Board approval.

Motion by President Biehl, second by Member Nguyen, to approve as amended:

1. Authorize a third amendment to the Measure E amended and restated program management agreement with SGI to extend the agreement, but not to extend beyond February 28, 2014, without further Board approval, and
2. Authorize a change order not to exceed \$900,000.00 under the amended and restated program management agreement and delegate authority to the Superintendent and the Associate Superintendent of Business Services to authorize program management services up to that amount but only to the extent necessary if and when the current 5% fee cap has been reached

Vote: 5/0

Consent / Action Calendar Sections 16-20

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

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

Item 16.02 pulled for discussion. Motion by President Biehl, second by Member Nguyen, to approve the remainder of the consent/action calendar, sections 16-20, as presented.

Vote: 4/0, Vice President Herrera out of the room

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

16.01 Approve Minutes of September 19, 2013, Regular Board Meeting

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

17.01 Approve School Field Trips

18. Business Services - Consent / Action Calendar

18.01 Approve Award of Bids

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

18.03 Approve Memoranda of Understanding

18.04 Approve Budget Transfers

18.05 Approve Purchase Orders

18.06 Approve Change Orders to Purchase Orders

18.07 Accept Report of Credit Card Expenses for Statement Dated July 22, 2013

18.08 Accept Warrant Register for the Month of September 2013

18.09 Adopt Resolution #2013/2014-09 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546

18.10 Approve Facilities Use Agreements

19. Human Resources - Consent / Action Calendar

- 19.01 Ratify/Approve Classified Personnel Actions Presented October 17, 2013**
- 19.02 Ratify/Approve Certificated Personnel Actions Presented October 17, 2013**
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented October 17, 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 #1 for the Piedmont Hills & Oak Grove High Schools Gym Flooring Replacement Project, G-045-213 & G-050-213 (H.Y Floor and Gameline Painting, Inc.)**
- 20.04 Approve Final Change Order #2 for Independence High School Swimming Pool Renovation Project, G-065-203 (Gonsalves & Stronck Construction, Inc.)**
- 20.05 Approve Notice of Completion for the Summit Rainier Charter School at Mt. Pleasant High School Portable Renovation Project, F35-089-001 (Jeff Luchetti Construction Inc.)**
- 20.06 Approve Notice of Completion for James Lick High School Interior Flooring Project, G-030-212 (B.T. Mancini Co.)**
- 20.07 Approve Notice of Completion for the Yerba Buena High School Title IX Project, E-060-003 (Jeff Luchetti Construction Inc.)**
- 20.08 Approve Notice of Completion for the Mt. Pleasant High School Title IX Project, E-035-002 (Jeff Luchetti Construction Inc.)**
- 20.09 Approve Notice of Completion for the Mt. Pleasant High School Bleacher Fire Repair Project, F67-035-531 (Southern Bleacher Company)**
- 20.10 Approve Notice of Completion for the Independence High School B Villa Kitchen Fire Restoration and Renovation Project, Z-065-601 (Restoration Management Company)**
- 20.11 Approve Amended Notice of Completion for Independence High School KIPP Relocatable Science Classroom Project, and Classrooms and Restrooms Project, MG2011-01 (Enviroplex, Inc.)**

Item pulled for discussion by the Board of Trustees

Board of Trustees / Superintendent - Consent / Action Calendar

16.02 Ratify/Approve Board Member's Lawful Expenses/Mileage to Conferences/ Workshops/Meetings

Motion by Clerk Le, second by Member Nguyen, to ratify/approve Board Member's lawful expenses/mileage to conferences/workshops/meetings as presented.

Vote: 4/0, Vice President Herrera out of the room

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

22. FUTURE AGENDA ITEMS

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

Board President Biehl

<i>Item</i>	<i>Date (tentative)</i>	<i>Type</i>
<i>Study Session</i>	<i>January 2014 (poll Board for meeting date)</i>	<i>Presentation/Discussion</i>

22.02 Future Items:

Board President Biehl

Item	Date (tentative)	Type
Report on Strategic Plan Budget Process	January 2014	Presentation/Discussion

23. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

23.01 Board of Trustees

Magdalena Carrasco, Board Member

Yesterday we had a workshop that I have been working on regarding DACA. In Santa Clara County we know that between 17,000 and 30,000 youth qualify for DACA. Only 25% of Santa Clara County's eligible youth have applied for DACA in comparison to the nationwide 50% of youth that have applied for DACA. It is a key problem. DACA is Deferred Action for

Childhood Arrivals. Those are the young folks that came undocumented, entered the country undocumented, and remain undocumented. DACA is an administrative relief from deportation, legal work permit, driver's license, and social security. It's really a transformative effort for our youth. Most of that youth live on this side of town. I, with support of our Superintendent and his folks, have been able to do some outreach and try and get some information to our youth. This is in collaboration with Carlos Ponce who is the Mexican Consul and his office, the Office of Human Relations with Santa Clara County, San Jose State, Santa Clara University, and, most important, Asian Law Alliance who will be doing the applications free for our youth. Most agencies are currently charging over \$400. Lawyers and notaries are charging much more than that. We will be able to provide the assistance for free to our youth and to their families. The second phase of that is the fundraising for the \$465 that they have to pay for immigration services. I am really proud to be a part of that.

At the Unity Conference I learned that there is nobody else in the entire State of California and there is no other school district that is doing this. We are pioneers in this. We are the very first school district. L.A. Unified is the only district that had it on their website. We now have it on our website. I am very excited to be part of this collaboration. I want to invite anyone who is interested in helping out to come on board.

Van Le, Board Clerk

I attended Calero High School's grand opening. I also attended the ribbon cutting for the Overfelt Adult Center. I attended Yerba Buena High School's back-to-school night.

Frank Biehl, Board President

I went to the Unity Conference. It was great. It was the first time I had gone there.

Calero opening and the Overfelt opening were done really well. It made my heart feel good to see both of those projects completed; excellent work was done on those projects.

23.02 Chris D. Funk, Superintendent

Thank you to Lorraine Guerin and SGI and our staff for putting on both of those events, Calero and Overfelt Adult Center. Both of them were outstanding turnout and touched the heart of many; both facilities are outstanding.

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 11:36 p.m.

Respectfully submitted,

Board Clerk

Agenda Item Details

Meeting Oct 17, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

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

Subject 13.03 Discussion and/or Action to Approve 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 Contracts for Professional Services over \$50,000 as recommended on the attachment.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 13.03

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 to Approve Contracts for Professional Services Over \$50,000

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

Fiscal Impact:
As indicated in the attachment

Funding Source:
As indicated in the attachment

Recommendation:
It is recommended that the Board of Trustees approve Contracts for Professional Services over \$50,000 as recommended on the attachment.

[Contracts Over \\$50k 10-17-13.pdf \(43 KB\)](#)

Executive Content

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED October 17, 2013**



Last Modified by Betty Banderas on October 12, 2013

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contracts for Professional Services over \$50,000
Board Meeting of October 17, 2013

1. Agape Foundation and 180 Degrees Program (RATIFICATION)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Donna Bertrand	August 13, 2013 – June 30, 2014	\$208,800.00 Total Program Costs (\$184,800.00 Revenue from Agape Foundation) \$24,000.00 from ESUHSD Title I	Oak Grove, Martha Brazil Yerba Buena, Tom Huynh Piedmont Hills, Traci Williams Andrew Hill, Bettina Lopez Independence, Grettel Castro-Stanley Silver Creek, Adolfo Laguna Mt. Pleasant, Teresa Marquez Calero, Robert Ibarra

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve the acceptance of the grant funding from Agape Foundation and approve the ratification of the Agreement with 180° LLC, for the contract term August 13, 2013 through and including June 30, 2014 and to delegate authority to the Superintendent or designee to execute amendments to the term and/or funding of said agreements as needed.

Agape Foundation will give ESUHSD \$208,800.00 grant for the program along with ESUHSD's commitment of \$24,000 to pay for the 180 Degrees Program Services.

180 Degree's continued mission is to passionately help youth enhance their lives by accepting personal accountability and to continuously strive toward the goal of achieving their full potential, "one degree" at a time. They utilize comprehensive, research based and measurable approaches of intense instructional, participatory and interactive character and life skills education that is based upon 180°'s "Core Values." They will always deliver these services in the most professional, innovative and highly effective manner.

Selection Process

No solicitation process took place for this service.

RECOMMENDATION

It is recommended that the Board of Trustees accept the grant funding from Agape Foundation and ratify the Agreement with 180° LLC, for the agreement term of August 13, 2013 through and including June 30, 2014 and to delegate authority to the Superintendent or designee to execute amendments to the term and/or funding of said agreements as needed.

2. Club Z! In-Home Tutoring Service

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Tim Nguyen Juan Cruz Donna Bertrand	October 18, 2013 – February 28, 2014	\$61,000.00 Title I	Education Center Tim Nguyen, Coordinator

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Club Z! In-Home Tutoring Service for the provision of Supplemental Educational Services (SES) to Title I Students at Program Improvement Year 2+ Schools; Andrew Hill, James Lick, Oak Grove, W. C. Overfelt, Yerba Buena, Mt. Pleasant, Silver Creek, and Independence High Schools.

These agreements are paid for out of Title I funds. Services are provided either as one-to-one or one-to-five ratios (tutor/student ratios). The State allows home, off site, or on-site services.

Selection Process

Title I requires ESUHSD to use their State approved SES providers. Therefore, ESUHSD sent an e-mail invitation to over thirty State approved SES providers to attend a fair for ESUHSD's Title I students/parents at our school sites on various days throughout September 2013. A total of twelve vendors responded and were present at the fairs.

The parents/students were asked to interview and then select the SES provider that they wanted to provide the supplemental education services to their child. All twelve vendors were selected by one or more parents/students.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Club Z! In-Home Tutoring Service in the amount of \$61,000.00 for the contract term October 18, 2013 through and including February 28, 2014 for the provision of Supplemental Educational Services to Title I Students at Program Improvement Year 2+ Schools.

3. College Board (RATIFICATION)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Donna Bertrand	September 15, 2013 – June 30, 2014	\$66,591.00 General Fund	District Wide Juan Cruz, Assistant Superintendent

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to ratify a Contract with the College Board for the participation in the College Board's Early Participation Program for all ESUHSD High Schools. The amount for all sites is \$66,591.00 which includes a discount of approximately 25%.

This initiative supports the involvement of all students in the college-going process at an earlier age while there is still time to inform instruction and learning, and increase students' readiness for college expectations. Additionally, earlier involvement in the PSAT/NMSQT program will expose students to a wealth of college planning and preparation tools to get and keep them actively involved in the process.

Selection Process

None took place for this service.

RECOMMENDATION

It is recommended that the Board of Trustees ratify the Contract with College Board in the amount of \$66,591.00 for the contract term September 15, 2013 through and including June 30, 2014 for the participation in the College Board's Early Participation Program in an amount of \$66,591.00.

4. North Valley School – Lodi Campus (RATIFICATION)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Toby Hopstone Juan Cruz Donna Bertrand	July 1, 2013 – June 30, 2014	\$160,000.00 Tuition \$3,000.00 Transportation	Special Services Toby Hopstone, Director

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to ratify the Agreement with North Valley School for the provision of Non-Public School Services for Special Education students per their IEP requirements for the term of July 1, 2013 through June 30, 2014. The estimated contract amount of \$160,000.00 for services and \$3,000.00 for transportation are estimates only.

North Valley School is a specialized, isolated placement for students with severe emotional and behavioral disorders that keep them from functioning in a less restrictive setting. The students receive therapeutic interventions in a highly structured, small adult-to-student ratio classroom. Therapists and staff work closely together to address the student's behavioral issues. Students are heavily supervised at all times, and many are brought to Victor Group Home during their attendance--as was the case with our placement there. Students gradually demonstrate greater control and better decision-making.

Selection Process

None took place for this service.

RECOMMENDATION

It is recommended that the Board of Trustees ratify the Agreement with North Valley School for the provision of Non-Public School Services for Special Education students per their IEP requirements for the term of July 1, 2013 through June 30, 2014 in an estimated amount of \$163,000.00.

5. Sylvan Learning Center of Santa Clara County

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Tim Nguyen Juan Cruz Donna Bertrand	October 18, 2013 – February 28, 2014	\$61,000.00 Title I	Education Center Tim Nguyen, Coordinator

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Sylvan Learning Center of Santa Clara County for the provision of Supplemental Educational Services (SES) to Title I Students at Program Improvement Year 2+ Schools; Andrew Hill, James Lick, Oak Grove, W. C. Overfelt, Yerba Buena, Mt. Pleasant, Silver Creek, and Independence High Schools.

These agreements are paid for out of Title I funds. Services are provided either as one-to-one or one-to-five ratios (tutor/student ratios). The State allows home, off site, or on-site services.

Selection Process

Title I requires ESUHSD to use their State approved SES providers. Therefore, ESUHSD sent an e-mail invitation to over thirty State approved SES providers to attend a fair for ESUHSD's Title I students/parents at our school sites on various days throughout September 2013. A total of twelve vendors responded and were present at the fairs.

The parents/students were asked to interview and then select the SES provider that they wanted to provide the supplemental education services to their child. All twelve vendors were selected by one or more parents/students.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Sylvan Learning Center of Santa Clara County in the amount of \$61,000.00 for the contract term October 18, 2013 through and including February 28, 2014 for the provision of Supplemental Educational Services to Title I Students at Program Improvement Year 2+ Schools.

6. University of California at Santa Cruz-Educational Partnership Center (CAL-SOAP) (RATIFICATION)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Donna Bertrand	August 14, 2013 – August 13, 2014	\$ 60,500.00 Total Amount to be distributed as described below: \$16,000 Andrew Hill High School \$18,500 James Lick High School \$14,500 Yerba Buena High School \$11,500 W.C. Overfelt High School Title I	Juan Cruz, Assistant Superintendent of Instruction James Lick High School; Glenn VanderZee, Principal Andrew Hill High School, Bettina Lopez, Principal Yerba Buena High School, Tom Huynh, Principal W.C. Overfelt High School, Vito Chiala, Principal

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to ratify a Contract Services Agreement with The Regents of the University of California on behalf of San Jose Cal-SOAP for the provision of academic support and to increase student achievement and prepare students to pursue and succeed in postsecondary education for the term August 14, 2013 through and including August 13, 2014 for the provision of academic support in a total cost of \$60,500, and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding.

Contractor will provide the following efforts to support the above outcomes:

1. High quality outreach services and leverage all funding and program opportunities;
2. Integrate direct service programs with school wide efforts and align with the school objectives;
3. Assign one trained outreach counselor to provide dire services to students and school staff;
4. Utilize trained undergraduate academic interns to provide direct services to the above listed ESUHSD Schools' students; and
5. A high school appropriate college awareness program through multiple formats.

Selection Process

No solicitation process took place for this service.

RECOMMENDATION

It is recommended that the Board of Trustees ratify a Contract Services Agreement with The Regents of the University of California on behalf of San Jose Cal-SOAP for the term August 14, 2013 through and including August 13, 2014 in the total amount of \$60,500 and to delegate authority to the Superintendent or designee to execute amendments to said contract on an as needed basis, including funding.

Agenda Item Details

Meeting Oct 17, 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 15.04 Discussion and/or Action of Bond/Capital Projects Contract(s) 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(s) as recommended in the attachment.

Public Content**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 15.04**

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(s) Over \$50,000

The attachment for the Bond/Capital Projects Contract(s) over \$50,000 is being presented for Board review and approval.

Fiscal impact:

As indicated in the attachment

Funding Source:

As indicated in the attachment

Recommendation:

It is recommended that the Board of Trustees approve the Bond/Capital Projects contract(s) as recommended in the attachment.

[Bond Capital Projects Contracts Over \\$50k.pdf \(44 KB\)](#)

[Item 1 RGA Inc Attachment A.pdf \(3,768 KB\)](#)

[Item 2 M Henley Attachment A.pdf \(3,676 KB\)](#)

[Item 2 M Henley Attachment B.pdf \(3,493 KB\)](#)

[Item 3 Salas O'Brien Attachment A.pdf \(2,016 KB\)](#)

[Item 4 Smith Emery Attachment A.pdf \(3,758 KB\)](#)

[Item 4 Smith Emery Attachment B.pdf \(3,576 KB\)](#)

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

APPROVED**October 17, 2013**
Executive Content

Item 1, Attachment A RGA, Inc. Contract Award

Agenda Item Details

Meeting Nov 18, 2010 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 12. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

Subject 12.06 Approve Contracts for Professional Services over \$50,000 - Jerry Kurr, Associate Superintendent of Administration and Business Services

Access Public

Type Action

Recommended Action It is recommended that the Board of Trustees approve the contracts for professional services as listed in the attachment and to delegate authority to the Interim Superintendent/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: 12.06

TO: Board of Trustees

FROM: Dan Moser, Interim Superintendent

PREPARED BY: Jerry Kurr, Associate Superintendent of Administration and Business Services

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

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

FISCAL IMPACT:
Not Applicable

FUNDING SOURCE:
Not Applicable

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

[Over 50k Contracts.pdf \(57 KB\)](#)


Administrative Content

Executive Content

East Side Union High School District

Approved

Board of Trustees

November 18, 2010 

Item: 12.06

EAST SIDE UNION HIGH SCHOOL DISTRICT Contracts for Professional Services over \$50,000 Board Meeting of November 18, 2010

1. Extreme Learning

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Cathy Giammona Robert Ibarra Donna Bertrand	November 19, 2010 through and including May 31, 2011	\$549,976.00 Title 1	Robert Ibarra, Coordinator of Professional Development

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve a Contract Services Agreement with Extreme Learning for the contract term November 19, 2010 through and including May 31, 2011 for the provision of supplemental educational services to Title I Students at Program Improvement Year 2+ Schools and to delegate authority to the Interim Superintendent/Superintendent or designee to amend the term and/or funding of said contract as needed during the term of the Agreement. Educational services shall be consistent with the students Individual Education Program (IEP) plan.

Supplemental educational services (SES) are additional academic instruction designed to increase the academic achievement of students in schools in the second year of improvement, corrective action, or restructuring. These services, which are in addition to instruction provided during the school day, may include academic assistance such as tutoring, remediation and other supplemental academic enrichment services that are consistent with the content and instruction used by the local educational agency (LEA) and are aligned with the State's academic content and achievement standards. SES must be high quality, research-based, and specifically designed to increase student academic achievement [Section 1116(e)(12)(C); 34 §C.F.R. 200.45(a)].

Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA), as reauthorized by the No Child Left Behind Act of 2001 (NCLB), calls for parents of eligible students attending Title I schools that have not made adequate yearly progress (AYP) in increasing student academic achievement for three years to be provided with opportunities and choices to help ensure that their children achieve at high levels. SES provides extra academic assistance for eligible children. Students from low-income families who are attending Title I schools that are in their second year of school improvement (i.e., have not made AYP for three years), in corrective action, or in restructuring status are eligible to receive these services.

ESUHSD is required to spend 20 percent of our Title I, Part A allocation on SES services, choice-related transportation, or a combination of both.

Selection Process

Our district follows the Department of Education's Guidance to publicize SES services to parents in multiple languages, contact and invite State-approved SES providers to complete the required contract and insurance paper work, and schedule recruitment fairs at all eligible school sites (Andrew Hill, Independence, James Lick, Oak Grove, and WC Overfelt) at which parents can interview and choose the SES provider they feel best meets their child's academic needs.

Since 20% of our district's Title I is not sufficient to fund SES services for all eligible Title I students, school sites have the option (as per DOE guidelines) to target students who have been identified as failing or most at risk of failing to meet the State's challenging academic content and students academic achievement standards.

Once parents choose an SES provider for their child, our district contracts with said provider on an hourly basis up to the maximum per-pupil expenditure allowed by the State (both the SES hourly rate range and the per-pupil amount for 2010-11 is regulated by the State).

Invitations were sent out to all State approved providers and six (6) choose to attend the fairs at the school sites.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Extreme Learning for the contract term November 19, 2010 through and including May 31, 2011 for the provision of Supplemental Educational Services to Title I Students at Program Improvement Year 2+ Schools and to delegate authority to the Interim Superintendent/Superintendent or designee to amend the term and/or funding of said contract as needed during the term of the Agreement.

2. Leader Services

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Dan Moser Donna Bertrand	July 1, 2010 through and including June 30, 2011	\$217,780.00 (estimated annual expenditure) Medi-Cal Administrative Activities	Student Services

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Leader Services, LDP Inc. for the purchase of Medi-Cal Administrative Activities (MAA) claim services to ESUHSD at a maximum cost of \$500 per participant. This fee will not exceed 9% of all MAA recovered funds.

Selection Process

No solicitation took place for this service at this time. This will be competitively bid in the upcoming spring for the subsequent school year.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Leader Services, LDP Inc. for the purchase of Medi-Cal Administrative Activities (MAA) claim services to ESUHSD at a maximum cost of \$500 per participant for the term of July 1, 2010 through and including June 30, 2011 and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract as needed.

3. RMA Group of Northern California

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Jerry Kurr Donna Bertrand	July 1, 2010 through and including June 30, 2011	\$62,108.00 School Facilities Fund	Independence Adult Center, James Lick, Mt. Pleasant, Oak Grove, Piedmont Hills, Silver Creek, and Yerba Buena

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with RMA Group of Northern California for the provision of special inspection and materials testing services related to the installation of Photovoltaic Systems and other related services as needed for the sever remaining highs schools and to delegate authority to the Interim Superintendent/Superintendent or designee to amend the term and/or funding of said contract as needed during the term of the Agreement.

Selection Process

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

	Kleinfelder	RMA	Earth Systems
Est. Total	\$87,845	\$62,108	\$78,028
Rates Group 1 & 2	\$83	\$74	\$85
Rates Group 1 & 2	\$83	\$83	\$79

Based on the above rates and the anticipated number of inspections and testing estimated for this second phase, the award is being recommended to RMA as being the lowest responsible proposer.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract with RMA Group of Northern California for the contract term June 1, 2010 through and including June 30, 2011 for the provision of special inspection and materials testing services related to the installation of Photovoltaic Systems and other related services and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract as needed.

4. Richard Gonzalez & Associates, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
June Rono Jerry Kurr	December 1, 2010 through and including November 30, 2013	\$714,951.60 School Facilities Fund	Facilities June Rono, Ph.D. Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve a Contract Services Agreement with Richard Gonzalez & Associates, Inc. (RGA) for the contract term December 1, 2010 through and including November 30, 2013 for the provision of Facilities Planning Services for measure G & E and coordinate services with OPSC and other governmental agencies in the amount of \$714,951.60 which includes 10% allocation for reimbursable expenses (\$64,995.60).

Selection Process

Facilities contacted four (4) firms to respond to a request for pricing; HMC, WLC, School Advisors and RGA. Only two (2) firms responded by the due date. The proposals were evaluated based on the firms' ability to provide the services required specific to ESUHSD and the submitted price proposal.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Richard Gonzalez & Associates, Inc. (RGA) for the contract term December 1, 2010 through and including November 30, 2013 for the provision of Facilities Planning Services for measure G & E and coordinate services with OPSC and other governmental agencies in the amount of \$714,951.60.

5. SafeTrans Transportation, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Jerry Kurr Julie Kasberger Donna Bertrand	Extend through and including January 31, 2011	\$407,080.00 (Increase Amount) Transportation	Transportation Julie Kasberger, Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to issued Change Order #2 to Purchase Order #000657 with SafeTrans Transportation, Inc. for the provision of Transportation Services for ESUHSD's Special Education Students.

At the June 22, 2010 board meeting the Board approved ESUHSD Administration to extend the purchase order through September 30, 2010 and to increase the purchase order by \$276,474.31 so that the Transportation Department could get the new buses and drivers certified. That has taken place but the need has increased. There are currently 64 routes needed to transport 543 ESUHSD special education students to and from 38 schools. The district maintains 43 special education pupil buses, two passenger vans and 3 cars. There are 38 ESUHSD certified school bus drivers, seven certified substitute drivers and five van drivers that transport students. The district does not have the equipment or drivers to cover 17 routes making it necessary to contract services.

The total purchase order amount if the Board of Trustee approves this change order will be as \$1,128,998.94 (Original purchase order \$445,444.63 + change order #1 \$276,474.31 + change order #2 \$407,080.00)

Selection Process

The selection process was completed by previous leadership and was intended to go out to bid this last summer 2010. However, due to other priorities the bidding was not able to take place at this time. It is the intention of the ESUHSD to do a formal solicitation process prior to coming back to the Board for further approvals for this service.

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #2 to Purchase Order #000657 with SafeTrans Transportation, Inc. for the provision of Transportation Services for ESUHSD's Special Education Students.

**Item 2, Attachment A
Michael Henley & Co.
Contract Award**

Agenda Item Details

Meeting	Apr 19, 2012 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	14. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION
Subject	14.05 Approve Contracts for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator
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: 14.05

TO: Board of Trustees

FROM: Dan Moser, Superintendent

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

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

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

FISCAL IMPACT:

As indicated in the attachment

FUNDING SOURCE:

As indicated in the attachment

RECOMMENDATION:

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

[14.05 Contracts Over \\$50k.pdf \(61 KB\)](#)

Executive Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

BOARD OF TRUSTEES

APPROVED April 19, 2012



M. Battle

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contracts for Professional Services Over \$50,000
Board Meeting of April 19, 2012

1. Cody Anderson Wasney Architects (Ratification)

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

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

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

Original Purchase Order was approved for \$667,233.00 + Change Order #1 \$8,800.00 + Change Order #2 \$66,723.30 + Change Order # 3 \$6,825.75 + Change Order #4 \$3,745.50 + Change Order #5 \$21,291.00 = the new Purchase Order total of \$774,618.55.

Selection Process

N/A

RECOMMENDATION

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

2. Kitchell CEM (Ratification)

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

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

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

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

Selection Process

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

RECOMMENDATION

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

3. Michael Henley & Company

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

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

Selection Process

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

RECOMMENDATION

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

4. Santa Clara County Office of Education

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
J. Cruz D. Moser D. Barnes D. Bertrand	May 1, 2012 – April 30, 2015	\$146,844.00 (REVENUE)	Child Development Program Deborah Barnes, Program Coordinator

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve the Standard Contracts Agreement with Santa Clara County Office of Education, Children's Services Department – Head Start Program for the contract term May 1, 2012 through and terminates on April 30, 2015 and to delegate authority to the Superintendent or designee to amend said contract, including funding, as needed.

Purpose of the Grant

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

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

All other requirements are outlined in the full Agreement.

Selection Process

Not Applicable

RECOMMENDATION

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

5. Santa Clara County Office of Education

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
J. Cruz D. Moser G. Sanchez D. Bertrand	July 1, 2012 – June 30, 2013	\$334,000.00 General Fund	Education Center, Student Services George Sanchez, Coordinator

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

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

Selection Process

There was no competitive solicitation done for this service.

The SCCOE operates community schools which provide services for students of school districts throughout Santa Clara County.

RECOMMENDATION

It is recommended that the Board of Trustees enter into and approve an Agreement with Santa Clara County Office of Education for the contract term July 1, 2012 through and terminates on June 30, 2013 and delegate authority to the Superintendent or designee to amend said contract, including funding, as needed.

6. Smith-Emery San Francisco

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

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

Selection Process

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

	MatriScope	Smith-Emery	Bagg Engineers
Estimated Total	\$104,332.60	\$74,350.00	\$63,470.00

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

RECOMMENDATION

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

7. United Compliance Corporation (Ratification)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford D. Moser M. Battle D. Bertrand J. Unger	April 9, 2012 – July 31, 2013	\$44,100.00 Measure E	Yerba Buena High School/ Facilities Tom Huynh, Principal Kathy Lanford, Assistant Director

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

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

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

Selection Process

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

RECOMMENDATION

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

8. Van Pelt Construction Services (Ratification)

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

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

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

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

Selection Process

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

RECOMMENDATION

It is recommended that the Board of Trustees ratify a Contract with Van Pelt Construction Services (VPCS) for the Yerba Buena High School Modernize / Add to Theater Building 500 (E-060-004) in the amount of \$240,000.00 for the contract term of April 9, 2012 through and including July 31, 2014.

9. World Wide Workshop, the creators of Globaloria

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
J. Cruz D. Moser V. Chiala M. Brazil G. Louie C. Giammona D. Bertrand	March 15, 2012 – June 30, 2014	\$182,887.00 (WCO) \$ 45,659.77 (OGHS) \$ 69,554.00 (STHS) (REVENUE)	W. C. Overfelt High School Oak Grove High School Santa Teresa High School Vito Chiala, Principal Martha Brazil, Principal Greg Louie, Principal

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

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

High School	Implementation Grant	Technology Sub Grant	Total Amount of Award
William C. Overfelt	\$80,000.00	\$102,887.00	\$182,887.00
Oak Grove	\$45,000.00	\$ 659.77	\$ 45,659.77
Santa Teresa	\$45,000.00	\$ 24,554.00	\$ 69,554.00

Selection Process

N/A

RECOMMENDATION

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

**Item 2, Attachment B
Michael Henley & Co.
Change Order #1**

Agenda Item Details

Meeting	Jun 07, 2012 - 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	14.03 Approve 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: 14.03

TO: Board of Trustees

FROM: Dan Moser, Superintendent

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

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

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


FISCAL IMPACT:
As indicated in the attachment

FUNDING SOURCE:
As indicated in the attachment

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

[14.03 Contracts Over \\$50k 6-7-12.pdf \(37 KB\)](#)

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED June 7, 2012**


Executive Content

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contracts for Professional Services over \$50,000
Board Meeting of June 07, 2012

1. Bruce Flynn & Associates

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 10, 2009 – October 31, 2013 (no change)	\$ 89,112.00 (Increased amount) Measure E	Mt. Pleasant High School/ Facilities Teresa Marquez, Principal Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve change order #4 to Purchase Order # 000208 for DSA Project Inspection services for the Mt. Pleasant High School Gym Modernization – Increment 2 (Project No.: E-035-002).

This project was awarded to Bruce Flynn & Associates at the April 9, 2009 board meeting. However, after the Board and Mt. Pleasant's Site Counsel had discussions regarding this project, it was decided and agreed to by the Board at the October 8, 2009 Board meeting to modify the scope of this project which increased the scope and budget significantly.

This change order is issued to include the DSA required inspection services for the Gym Modernization – Increment 2 portion of the project that will begin construction this summer.

This Purchase Order/Contract includes other Construction/Modernization Projects: Silver Creek, James Lick, and W. C. Overfelt High Schools, but this change order is only for the Mt. Pleasant High School Modernization Project.

Original purchase order (line item amount) \$123,655.00 + change order #2 \$331,977.00 + change order #4 \$89,112.00 = the new purchase order total for the (line item amount) = \$544,744.00.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve change order #4 to Purchase Order # 000208 for DSA Project Inspection services with Bruce Flynn & Associates in an amount of \$89,112.00 for the Mt. Pleasant High School Gym Modernization – Increment 2 Project, (Project No.: E-035-002).

2. Cathedral Home for Children

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
C. Hersom J. Cruz D. Bertrand	July 1, 2011 – August 31, 2012	\$174,636.00 -(estimated annual expenditure) Tuition – Special Education	Special Education Carole Hersom, Coordinator

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into an Agreement with Cathedral Home for Children for the provision of Non-Public School (NPS) services for a special education student. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP); and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

Selection Process

No solicitation process took place for this contract. This student was already placed in this facility prior to coming to ESUHSD. ESUHSD is now responsible for all costs.

RECOMMENDATION

It is recommended that the Board of Trustees approve an Agreement with Cathedral Home for Children for the contract term July 1, 2011 through and including August 31 2012, for the provision of Non-Public School Services for Special Education Students in an estimated amount of \$174,636.00, and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

3. Michael Henley & Company

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 20, 2012 – February 28, 2013.(no change)	\$15,000.00 (increased amount) Measure E	Overfelt Adult Education Rich Uribe, Director Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #1 to the Purchase Order # 202805 with Michael Henley & Company for Class-1 DSA required project inspection services for Overfelt Adult Education Center New Classroom Facility Project, (Project No. E-042-001).

This change order is issued on a contingency basis. The IOR was informed by the CM that the duration of Increment 2 of this project has extended ten (10) additional weeks than the schedule that the original proposal was submitted for back on March 13, 2012.

Original Purchase Order was approved for \$65,000.00 + Change Order #1 \$15,000.00 = the new Purchase Order total of \$ 80,000.00.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order # 202805 with Michael Henley & Co., in the increased amount of \$15,000.00 for the provision of Class-1 DSA required project inspection services for Overfelt Adult Education Center New Classroom Facility Project, (Project No. E-042-001).

4. Nascent Group, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. King J. Cruz D. Bertrand	August 1, 2012 – July 31, 2013	\$98,500.00 NCLB/Title I	Education Center/ Instructional Services Tim Nguyen, Coordinator Kirsten King, Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve an Agreement with Nascent Group, Inc. for the Term August 1, 2012 through and including July 31, 2013 for District Assistance Intervention Team (DAIT) Services in an amount not-to-exceed \$98,500 and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

Services to include but not limited to, monitor the implementation of the LEA Plan for 2012-2015; collaborate and strategize with the District Leadership Team on analysis and course of action for the Program

Improvement Process; assist the district in merging the district focus areas for 2012 - 2013 into the planning process for the Single School Plan for Student Achievement and assist schools in updating the SPSA for 2013 – 2014; enhance the collaboration and communication between the schools and the district; meet with school leadership teams to assess and collect data on the nine Essential Program Components (Academic Program Survey) as they relate to district and schools' current performance; attend and monitor James Lick High School, Andrew Hill High School, Independence High School, Overfelt High School, and Oak Grove High School Alternative Governance meetings; work with Yerba Buena High School to meet Program Improvement, Year 4, requirements; provide additional assistance (coaching/consulting) to Program Improvement schools; assist in assessing and improving the collaboration period structure and process at sites; assist in the development and implementation of formative assessments; assist in the revision of and participate in a district-wide walk through process; update Report of Findings and provide required electronic data/update reports to the California Department of Education; provide technical assistance and support to the district in writing the Evidence of Progress Reports sent to California Department of Education; provide semi-annual school board updates (study sessions and/or meetings); provide professional development for teachers and administrators, as needed; and visit school sites to assess implementation of professional development strategies and determine continuing compliance and instructional needs for students with disabilities.

Selection Process

No solicitation process took place for this contract at this time. At the August 19, 2010 Board Meeting the Board approved single sourcing the Nascent Group.

RECOMMENDATION

It is recommended that the Board of Trustees Approve an Agreement with Nascent Group, Inc. for the Term August 1, 2012 through and including July 31, 2013 for District Assistance Intervention Team (DAIT) Services in an amount not-to-exceed \$98,500 and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

5. Smith-Emery San Francisco

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 20, 2012 – February 28, 2013 (no change)	\$17,760.00 (increased amount) Measure E	Overfelt Adult Education Rich Uribe, Director Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #1 to the Purchase Order # 203069 with Smith-Emery San Francisco for the provision of special inspections and materials testing services required by DSA for the Overfelt Adult Education Center New Classroom Facility Project, (Project No. E-042-001).

This change order is issued on a time and materials add services due to the extended ten (10) week duration schedule that was granted to the modular contractor. This increase will not be billed against unless additional onsite/offsite visits are actually needed and requested by the District's IOR.

Original Purchase Order was approved for \$74,350.00 + Change Order #1 \$17,760.00 = the new Purchase Order total of \$92,110.00

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order # 203069 with Smith-Emery San Francisco in the increased amount of \$17,760.00 for the provision of special inspections and materials testing services required by DSA for the Overfelt Adult Education Center New Classroom Facility Project, (Project No. E-042-001).

Item 3, Attachment A Salas O'Brien Contract Award

Agenda Item Details

Meeting Dec 11, 2012 - ESUHSD ANNUAL ORGANIZATIONAL & REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 17. ATTACHMENT A - CONSENT CALENDAR

Subject 17.15 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: 17.15

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, and Janice Unger, Capital Projects Purchasing Manager

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

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

FISCAL IMPACT:
As indicated in the attachment

FUNDING SOURCE:
As indicated in the attachment

RECOMMENDATION:
It is recommended that the Board of Trustees approve the 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 Contracts At or Below \$50k.pdf (31 KB)

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



APPROVED December 11, 2012

M. Gutter

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.

EAST SIDE UNION HIGH SCHOOL DISTRICT
BOND/CAPITAL PROJECTS PROFESSIONAL CONTRACT SERVICES At or Below \$50,000
 Board Meeting of December 11, 2012

A. BOND / FACILITIES

Contractor Name	Reviewed By	Contract Period	Cost/Funding	School/Dept. Manager	Purpose
1. C2G/Civil Consultants Group, Inc.	L. da Silva M. Battle J. Unger	December 12, 2012 – June 30, 2013	\$ 7,200.00 (estimate not to exceed) Measure E	Oak Grove High School/Facilities Martha Brazil, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Provide a topographic survey of the path of travel to Buildings I & U and survey the perimeters of both Building I&U for the Oak Grove High School Modernization – Buildings I & U Project, (E-050-005, E-050-006).
2. Construction Inspection Services, Inc. (CIS, Inc.)	L. da Silva M. Battle J. Unger	December 12, 2012 – through project closeout	\$ 28,296.00 (estimate not to exceed) Measure G	Independence High School/Facilities Grettel Castro-Stanley, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Provide required Division of the State Architect (DSA) project inspection services for the Independence High School Pool Renovation Project, (G-065-203).
3. Davillier-Sloan, Inc. (DSI)	L. da Silva M. Battle J. Unger	January 01, 2013 – June 30, 2013	\$45,000.00 (estimate not to exceed) Measure E	Multiple School Sites/Facilities Linda da Silva, Director of Construction, Maintenance & Facilities	Provide labor management monitoring services for labor compliance of certified payroll for Measure E projects that were contracted before January 1, 2012. Projects assigned to DSI are Piedmont Hills High School New Gymnasium, Silver Creek High School New Multi-purpose Theater Building, Overfelt Adult Education New Facility Building, James Lick High School New Two Story Building 500, and Mt Pleasant High School Modernization – Increments 1 & 2. The services requested of DSI are to collect certified payroll from all contractors and monitor for prevailing wage

							and upon completion of the projects to certify labor compliance closeout. Due to Department of Industrial Relations regulation changes effective January 1, 2012, the Capital Purchasing Department assumed responsibility for certified payroll monitoring for projects that have been awarded after January 1, 2012.
4.	Earth Systems Pacific	L. da Silva M. Battle J. Unger	N/A	\$ 6,068.40 (not to exceed) Measure G	Independence, Mt. Pleasant, Silver Creek, W.C. Overfelt and Evergreen Valley High Schools/Facilities Grettel Castro-Stanley, Teresa Marquez, Adolfo Laguna, Vito Chiala, Ana Lomas, Principals Linda da Silva, Director of Construction, Maintenance & Facilities	Change Order #1 to Purchase Order # 300089, Amendment #1 to increase contract due to unforeseen field flood testing (percolation testing that was not a part of the original contract) . This involved additional consultation, sampling, and testing associated with the permeable material. All testing has been completed and are in the process of preparing final reports for the project	Original Purchase Order Amount \$20,000.00 + Change Order #1 \$6,068.40 = a new Purchase Order Total \$26,068.40.
5.	Musson Theatrical	L. da Silva M. Battle J. Unger	December 12, 2012 – June 30, 2013	\$ 11,500.00 (not to exceed) Measure E	Silver Creek High School/Facilities Adolfo Laguna, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Provide installation services of the portable lighting package for the Silver Creek High School Multi-purpose Building Project, (E-055-001).	
6.	Ninyo & Moore	L. da Silva M. Battle J. Unger	December 12, 2012 – through project closeout	\$ 9,352.00 (estimate not to exceed) Measure G	Independence High School/Facilities Grettel Castro-Stanley, Principal Linda da Silva, Director of Construction,	Provide material testing and special inspection services for the Independence High School Pool Renovation Project, (G-065-203).	

7.	Randall Black dba A440 Piano Tuning and Repair	L. da Silva M. Battle J. Unger	December 12, 2012 – June 30, 2013	\$ 600.00 (not to exceed) Measure E	Silver Creek High School/Facilities Adolfo Laguna, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Provide re-tuning of (6) pianos after moving back into the new Multi-purpose Building at Silver Creek High School Project, (E-055-001).
8.	Salas O'Brien	L. da Silva M. Battle J. Unger	December 12, 2012 – through project closeout	\$45,400.00 (fixed fee inclusive of reimbursable fee). Measure G	Silver Creek High School/Facilities Adolfo Laguna, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Provide Electrical Engineering services for the Stadium Lighting Project at Silver Creek High School, (G-055- 207).

Item 4, Attachment A Smith Emery San Francisco Contract Award

Agenda Item Details

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

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

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

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: 14.05

TO: Board of Trustees

FROM: Dan Moser, Superintendent

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

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

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

FISCAL IMPACT:
As indicated in the attachment


FUNDING SOURCE:
As indicated in the attachment

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

[14.05 Contracts Over \\$50k.pdf \(61 KB\)](#)

Executive Content

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED April 19, 2012**



EAST SIDE UNION HIGH SCHOOL DISTRICT
Contracts for Professional Services Over \$50,000
Board Meeting of April 19, 2012

1. Cody Anderson Wasney Architects (Ratification)

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

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

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

Original Purchase Order was approved for \$667,233.00 + Change Order #1 \$8,800.00 + Change Order #2 \$66,723.30 + Change Order # 3 \$6,825.75 + Change Order #4 \$3,745.50 + Change Order #5 \$21,291.00 = the new Purchase Order total of \$774,618.55.

Selection Process

N/A

RECOMMENDATION

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

2. Kitchell CEM (Ratification)

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

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

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

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

Selection Process

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

RECOMMENDATION

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

3. Michael Henley & Company

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

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

Selection Process

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

RECOMMENDATION

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

4. Santa Clara County Office of Education

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
J. Cruz D. Moser D. Barnes D. Bertrand	May 1, 2012 – April 30, 2015	\$146,844.00 (REVENUE)	Child Development Program Deborah Barnes, Program Coordinator

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve the Standard Contracts Agreement with Santa Clara County Office of Education, Children's Services Department – Head Start Program for the contract term May 1, 2012 through and terminates on April 30, 2015 and to delegate authority to the Superintendent or designee to amend said contract, including funding, as needed.

Purpose of the Grant

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

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

All other requirements are outlined in the full Agreement.

Selection Process

Not Applicable

RECOMMENDATION

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

5. Santa Clara County Office of Education

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
J. Cruz D. Moser G. Sanchez D. Bertrand	July 1, 2012 – June 30, 2013	\$334,000.00 General Fund	Education Center, Student Services George Sanchez, Coordinator

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

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

Selection Process

There was no competitive solicitation done for this service.

The SCCOE operates community schools which provide services for students of school districts throughout Santa Clara County.

RECOMMENDATION

It is recommended that the Board of Trustees enter into and approve an Agreement with Santa Clara County Office of Education for the contract term July 1, 2012 through and terminates on June 30, 2013 and delegate authority to the Superintendent or designee to amend said contract, including funding, as needed.

6. Smith-Emery San Francisco

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

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

Selection Process

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

	MatriScope	Smith-Emery	Bagg Engineers
Estimated Total	\$104,332.60	\$74,350.00	\$63,470.00

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

RECOMMENDATION

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

7. United Compliance Corporation (Ratification)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford D. Moser M. Battle D. Bertrand J. Unger	April 9, 2012 – July 31, 2013	\$44,100.00 Measure E	Yerba Buena High School/ Facilities Tom Huynh, Principal Kathy Lanford, Assistant Director

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

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

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

Selection Process

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

RECOMMENDATION

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

8. Van Pelt Construction Services (Ratification)

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

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

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

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

Selection Process

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

RECOMMENDATION

It is recommended that the Board of Trustees ratify a Contract with Van Pelt Construction Services (VPCS) for the Yerba Buena High School Modernize / Add to Theater Building 500 (E-060-004) in the amount of \$240,000.00 for the contract term of April 9, 2012 through and including July 31, 2014.

9. World Wide Workshop, the creators of Globaloria

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
J. Cruz D. Moser V. Chiala M. Brazil G. Louie C. Giammona D. Bertrand	March 15, 2012 – June 30, 2014	\$182,887.00 (WCO) \$ 45,659.77 (OGHS) \$ 69,554.00 (STHS) (REVENUE)	W. C. Overfelt High School Oak Grove High School Santa Teresa High School Vito Chiala, Principal Martha Brazil, Principal Greg Louie, Principal

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

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

High School	Implementation Grant	Technology Sub Grant	Total Amount of Award
William C. Overfelt	\$80,000.00	\$102,887.00	\$182,887.00
Oak Grove	\$45,000.00	\$ 659.77	\$ 45,659.77
Santa Teresa	\$45,000.00	\$ 24,554.00	\$ 69,554.00

Selection Process

N/A

RECOMMENDATION

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

**Item 4, Attachment B
Smith Emery San Francisco
Change Order #1**

Agenda Item Details

Meeting	Jun 07, 2012 - 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	14.03 Approve 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: 14.03

TO: Board of Trustees

FROM: Dan Moser, Superintendent

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

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

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


FISCAL IMPACT:
As indicated in the attachment

FUNDING SOURCE:
As indicated in the attachment

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

[14.03 Contracts Over \\$50k 6-7-12.pdf \(37 KB\)](#)

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED June 7, 2012**



Executive Content

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contracts for Professional Services over \$50,000
Board Meeting of June 07, 2012

1. Bruce Flynn & Associates

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 10, 2009 – October 31, 2013 (no change)	\$ 89,112.00 (Increased amount) Measure E	Mt. Pleasant High School/ Facilities Teresa Marquez, Principal Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve change order #4 to Purchase Order # 000208 for DSA Project Inspection services for the Mt. Pleasant High School Gym Modernization – Increment 2 (Project No.: E-035-002).

This project was awarded to Bruce Flynn & Associates at the April 9, 2009 board meeting. However, after the Board and Mt. Pleasant's Site Counsel had discussions regarding this project, it was decided and agreed to by the Board at the October 8, 2009 Board meeting to modify the scope of this project which increased the scope and budget significantly.

This change order is issued to include the DSA required inspection services for the Gym Modernization – Increment 2 portion of the project that will begin construction this summer.

This Purchase Order/Contract includes other Construction/Modernization Projects: Silver Creek, James Lick, and W. C. Overfelt High Schools, but this change order is only for the Mt. Pleasant High School Modernization Project.

Original purchase order (line item amount) \$123,655.00 + change order #2 \$331,977.00 + change order #4 \$89,112.00 = the new purchase order total for the (line item amount) = \$544,744.00.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve change order #4 to Purchase Order # 000208 for DSA Project Inspection services with Bruce Flynn & Associates in an amount of \$89,112.00 for the Mt. Pleasant High School Gym Modernization – Increment 2 Project, (Project No.: E-035-002).

2. Cathedral Home for Children

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
C. Hersom J. Cruz D. Bertrand	July 1, 2011 – August 31, 2012	\$174,636.00 -(estimated annual expenditure) Tuition – Special Education	Special Education Carole Hersom, Coordinator

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into an Agreement with Cathedral Home for Children for the provision of Non-Public School (NPS) services for a special education student. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP); and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

Selection Process

No solicitation process took place for this contract. This student was already placed in this facility prior to coming to ESUHSD. ESUHSD is now responsible for all costs.

RECOMMENDATION

It is recommended that the Board of Trustees approve an Agreement with Cathedral Home for Children for the contract term July 1, 2011 through and including August 31 2012, for the provision of Non-Public School Services for Special Education Students in an estimated amount of \$174,636.00, and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

3. Michael Henley & Company

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 20, 2012 – February 28, 2013.(no change)	\$15,000.00 (increased amount) Measure E	Overfelt Adult Education Rich Uribe, Director Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #1 to the Purchase Order # 202805 with Michael Henley & Company for Class-1 DSA required project inspection services for Overfelt Adult Education Center New Classroom Facility Project, (Project No. E-042-001).

This change order is issued on a contingency basis. The IOR was informed by the CM that the duration of Increment 2 of this project has extended ten (10) additional weeks than the schedule that the original proposal was submitted for back on March 13, 2012.

Original Purchase Order was approved for \$65,000.00 + Change Order #1 \$15,000.00 = the new Purchase Order total of \$ 80,000.00.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order # 202805 with Michael Henley & Co., in the increased amount of \$15,000.00 for the provision of Class-1 DSA required project inspection services for Overfelt Adult Education Center New Classroom Facility Project, (Project No. E-042-001).

4. Nascent Group, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. King J. Cruz D. Bertrand	August 1, 2012 – July 31, 2013	\$98,500.00 NCLB/Title I	Education Center/ Instructional Services Tim Nguyen, Coordinator Kirsten King, Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve an Agreement with Nascent Group, Inc. for the Term August 1, 2012 through and including July 31, 2013 for District Assistance Intervention Team (DAIT) Services in an amount not-to-exceed \$98,500 and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

Services to include but not limited to, monitor the implementation of the LEA Plan for 2012-2015; collaborate and strategize with the District Leadership Team on analysis and course of action for the Program

Improvement Process; assist the district in merging the district focus areas for 2012 - 2013 into the planning process for the Single School Plan for Student Achievement and assist schools in updating the SPSA for 2013 – 2014; enhance the collaboration and communication between the schools and the district; meet with school leadership teams to assess and collect data on the nine Essential Program Components (Academic Program Survey) as they relate to district and schools' current performance; attend and monitor James Lick High School, Andrew Hill High School, Independence High School, Overfelt High School, and Oak Grove High School Alternative Governance meetings; work with Yerba Buena High School to meet Program Improvement, Year 4, requirements; provide additional assistance (coaching/consulting) to Program Improvement schools; assist in assessing and improving the collaboration period structure and process at sites; assist in the development and implementation of formative assessments; assist in the revision of and participate in a district-wide walk through process; update Report of Findings and provide required electronic data/update reports to the California Department of Education; provide technical assistance and support to the district in writing the Evidence of Progress Reports sent to California Department of Education; provide semi-annual school board updates (study sessions and/or meetings); provide professional development for teachers and administrators, as needed; and visit school sites to assess implementation of professional development strategies and determine continuing compliance and instructional needs for students with disabilities.

Selection Process

No solicitation process took place for this contract at this time. At the August 19, 2010 Board Meeting the Board approved single sourcing the Nascent Group.

RECOMMENDATION

It is recommended that the Board of Trustees Approve an Agreement with Nascent Group, Inc. for the Term August 1, 2012 through and including July 31, 2013 for District Assistance Intervention Team (DAIT) Services in an amount not-to-exceed \$98,500 and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

5. Smith-Emery San Francisco

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 20, 2012 – February 28, 2013 (no change)	\$17,760.00 (Increased amount) Measure E	Overfelt Adult Education Rich Uribe, Director Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #1 to the Purchase Order # 203069 with Smith-Emery San Francisco for the provision of special inspections and materials testing services required by DSA for the Overfelt Adult Education Center New Classroom Facility Project, (Project No. E-042-001).

This change order is issued on a time and materials add services due to the extended ten (10) week duration schedule that was granted to the modular contractor. This increase will not be billed against unless additional onsite/offsite visits are actually needed and requested by the District's IOR.

Original Purchase Order was approved for \$74,350.00 + Change Order #1 \$17,760.00 = the new Purchase Order total of \$92,110.00

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order # 203069 with Smith-Emery San Francisco in the increased amount of \$17,760.00 for the provision of special inspections and materials testing services required by DSA for the Overfelt Adult Education Center New Classroom Facility Project, (Project No. E-042-001).

APPROVED

October 17, 2013

**Agenda Item Details**

Meeting Oct 17, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

Subject 18.02 Approve Contracts for Professional Services At or Below \$50,000

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the Contracts for Professional Services at or below \$50,000 as recommended on the attachment.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 18.02

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

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

The attached list of Contracts for Professional Services at or below \$50,000 are being presented for Board review and approval as recommended on the attachment.

Fiscal Impact:

As indicated in the attachment

Funding Source:

As indicated in the attachment

Recommendation:

It is recommended that the Board of Trustees approve the Contracts for Professional Services at or below \$50,000 as recommended on the attachment.

[Contracts Under \\$50k 10-17-13.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 Vangie Avila on October 11, 2013

**EAST SIDE UNION HIGH SCHOOL DISTRICT
PROFESSIONAL CONTRACT SERVICES At or Below \$50,000**

Board Meeting of October 17, 2013

	Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1.	1 st Choice Android Smart- Phone Tutoring	Tim Nguyen Juan Cruz Donna Bertrand	October 18, 2013 – February 28, 2014	\$7,000.00 Title I	Education Center Instructional Tim Nguyen, Coordinator	For the provision of Supplemental Educational Services to Title I Students at Program Improvement Year 2+ Schools
2.	#1 In Learning OnLine Inc.	Tim Nguyen Juan Cruz Donna Bertrand	October 18, 2013 – February 28, 2014	\$1,525.00 Title I	Education Center Instructional Tim Nguyen, Coordinator	For the provision of Supplemental Educational Services to Title I Students at Program Improvement Year 2+ Schools
3.	#1 Touch Screen Tablet Computer Tutoring	Tim Nguyen Juan Cruz Donna Bertrand	October 18, 2013 – February 28, 2014	\$3,812.50 Title I	Education Center Instructional Tim Nguyen, Coordinator	For the provision of Supplemental Educational Services to Title I Students at Program Improvement Year 2+ Schools
4.	A+ Computer Assisted Tutoring	Tim Nguyen Juan Cruz Donna Bertrand	October 18, 2013 – February 28, 2014	\$30,500.00 Title I	Education Center Instructional Tim Nguyen, Coordinator	For the provision of Supplemental Educational Services to Title I Students at Program Improvement Year 2+ Schools
5.	A Tree of Knowledge Educational Services, Inc.	Tim Nguyen Juan Cruz Donna Bertrand	October 18, 2013 – February 28, 2014	\$1,525.00 Title I	Education Center Instructional Tim Nguyen, Coordinator	For the provision of Supplemental Educational Services to Title I Students at Program Improvement Year 2+ Schools
6.	BACA	Toby Hopstone Juan Cruz Donna Bertrand	October 18, 2013 – June 30, 2014	\$50,000.00 Special Services	Special Education Toby Hopstone, Director	To provide Deaf/Hard-of-Hearing services to special needs students in accordance with their IEP. These students' profiles are complex, and presents with both academic, social and behavioral concerns. With sign language interpreting, any time over two hours, a second interpreter needs to be present, because interpreters tire.

7.	Henry Vong	Richard Uribe Juan Cruz Donna Bertrand	November 1, 2013 – November 8, 2013	\$300.00 Carl Perkins Grant	Independence Richard Uribe, Director	To participate on the evaluation team conducting the on-site evaluation of Independence High School's Automotive Program. This evaluation is required in order for the program to receive accreditation by the National Automotive Technicians Education Foundation, Inc (NATEF). It is NATEF who assigns the team members and it is the responsibility of the District to pay the honorarium.
8.	iDimensions For Learning, Inc.	Juan Cruz Donna Bertrand	October 1, 2013 – July 31, 2014	\$50,000.00 Small Learning Community	W.C. Overfelt Vito Chiala, Principal Andrew Hill Betina Lopez, Principal	Provide project management for Smaller Learning Communities (SLC); coordinate operation and implementation of SLC structures and strategies at W. C. Overfelt and Andrew Hill High Schools; perform site and cohort-based data collection and reporting; act as liaison between schools & district to maximize district support; coordinate & facilitate meetings between schools and cohorts; facilitate work between schools and redesign coach and external evaluator; cultivate alternative funding sources to ensure long-term sustainability; provide coaching for SLC structures and pathways to engage in Linked Learning. No solicitation process took place for this contract. Brenda Childress, principal of IDimensions, brings over 30 years of experience with Career Technical Education (CTE) programs and with direct links to local, state, and federal CTE resources and agencies Mrs. Childress has assisted both schools in establishing SLC programs that meet federal compliance requirements and their school program goals.
9.	James Lane	Richard Uribe Juan Cruz Donna Bertrand	November 1, 2013 – November 8, 2013	\$1,300.00 (not- to-exceed) Carl Perkins Grant	Independence Richard Uribe, Director	To perform the duties of "Evaluation Team Leader" of the evaluation team conducting the on-site evaluation of Independence High School's Automotive Program. This evaluation is required in order for the program to receive accreditation by the National Automotive Technicians Education Foundation, Inc (NATEF). It is NATEF who assigns the team members and it is the responsibility of the District to pay the honorarium and travel expenses.

10.	Laurie Boswell	Kristin Hulse Kirsten King Juan Cruz Donna Bertrand	October 21, 2013 – May 20, 2014	\$3,240.00 Professional Development	Education Center/ Instruction Kirsten King, Director	To provide water safety instructions and certification for 36 physical education teachers.
11.	NOVA	Toby Hopstone Juan Cruz Donna Bertrand	October 18, 2013 – June 30, 2014	\$50,000.00 Special Services	Special Education Toby Hopstone, Director	To provide speech therapy services to ESUHSD special education students' in accordance with the student's IEP.
12.	Patrick Cruise	Richard Uribe Juan Cruz Donna Bertrand	November 1, 2013 – November 8, 2013	\$300.00 Carl Perkins Grant	Independence Richard Uribe, Director	To participate on the evaluation team conducting the on-site evaluation of Independence High School's Automotive Program. This evaluation is required in order for the program to receive accreditation by the National Automotive Technicians Education Foundation, Inc (NATEF). It is NATEF who assigns the team members and it is the responsibility of the District to pay the honorarium.
13.	Robert Chan	Richard Uribe Juan Cruz Donna Bertrand	November 1, 2013 – November 8, 2013	\$300.00 Carl Perkins Grant	Independence Richard Uribe, Director	To participate on the evaluation team conducting the on-site evaluation of Independence High School's Automotive Program. This evaluation is required in order for the program to receive accreditation by the National Automotive Technicians Education Foundation, Inc (NATEF). It is NATEF who assigns the team members and it is the responsibility of the District to pay the honorarium.
14.	Sabrina Daise	Mary Metz Bettina Lopez Juan Cruz Donna Bertrand	September 11, 2013 – May 7, 2014	\$4,500.00 Mission Valley College Grant	Andrew Hill High School Bettina Lopez, Principal	REQUEST FOR RATIFICATION To provide after school instruction classes on Medical Terminology and Pharmacy Clerk.
15.	Stanford Teacher Education Program	Cari Vaeth Chris Funk Donna Bertrand	August 1, 2013 – May 30, 2014	No Cost	Human Resources Cari Vaeth, Director	REQUEST FOR RATIFICATION ESUHSD will provide STEP (Stanford Teacher Education Program) teacher candidates with opportunities to observe, plan, and co-teach with expert teachers who model exemplary teaching, and who coach and advise them.

16.	The Community College Foundation	Tim Nguyen Juan Cruz Donna Bertrand	October 18, 2013 – February 28, 2014	\$38,125.00 Title I	Education Center Instructional Tim Nguyen, Coordinator	For the provision of Supplemental Educational Services to Title I Students at Program Improvement Year 2+ Schools
17.	Trumpet Behavioral Health	Toby Hopstone Juan Cruz Donna Bertrand	June 28, 2013 – December 31, 2013	\$48,000.00 (Increased Amount) Special Education	Special Education Toby Hopstone, Director	Change Order #1 is needed because the original contract was to serve only one student, to aid his transition to high school. Since that time, another student has entered the district that requires extensive behavioral support. Original Contract Amount \$2,000.00 + Change Order #1 for \$48,000.00 = new Contract Amount of \$50,000.00 No solicitation took place for this service.
18.	United Site Services	Traci Williams Juan Cruz Donna Bertrand	July 1, 2013 – May 30, 2014	\$8,000.00 General Fund	Piedmont Hills Traci Williams, Principal	REQUEST FOR RATIFICATION For the rental of portable toilets for various events being held at the school during the school year. The contract includes regular clean-out and maintenance of the portable toilets placed on site.
19.	United Site Services	Vito Chiala Juan Cruz Donna Bertrand	September 1, 2013 – May 30, 2014	\$1,000.00 General Fund	W. C. Overfelt Vito Chiala, Principal	REQUEST FOR RATIFICATION For the rental of portable toilets for various events being held at the school during the school year. The contract includes regular clean-out and maintenance of the portable toilets placed on site.
20.	YWCA	Juan Cruz Donna Bertrand	8/12/2013	\$512.50 Professional Development	Yerba Buena Tom Huynh	REQUEST FOR RATIFICATION To provide a presentation on sexual harassment, suicide prevention, and on the CPS Process to staff.

APPROVED

October 17, 2013

**Agenda Item Details**

Meeting Oct 17, 2013 - ESUHS D 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 \(22 KB\)](#)

Executive Content

EAST SIDE UNION HIGH SCHOOL DISTRICT
BOND/CAPITAL PROJECTS PROFESSIONAL CONTRACT SERVICES At or Below \$50,000
 Board Meeting of October 17, 2013

A. BOND / FACILITIES

	Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1.	Action Maintenance Systems	L. da Silva M. Battle J. Unger	October 18, 2013 until project is completed	\$4,800.00 (not to exceed) Measure E	Silver Creek High School/Adolfo Laguna, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	REQUEST FOR RATIFICATION Provide final construction clean up services before the move in date for the Silver Creek High School Multi-Purpose Classroom Building Project (E-055-001).
2.	Ed Tech Team, Inc.	L. da Silva M. Battle J. Unger	October 18, 2013 – June 30, 2014	\$10,000.00 (inclusive of all costs, including travel expenses) Measure E	Education Center, Information Technology/Randy Phelps, Director of Information Technology Linda da Silva, Director of Construction, Maintenance & Facilities	Provide the Information Technology department staff with a professional development session titled: <i>Google Apps Certified Training Bootcamp</i> . This training will focus on the use of technology to support teaching and learning, specifically raising awareness about how Google Apps can be used in education. This is a train-the-trainers event and time permitting, additional Google tools will also be covered. This is a three full day workshop scheduled October 21, 2013 through October 23, 2013.
3.	InnerSpace Storage Equipment and Solutions	L. da Silva M. Battle J. Unger	October 18, 2013 project is completed	\$4,422.00 (not to exceed) Measure E	Independence High School/Grettel Castro-Stanley, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Provide material and labor for additional 24 shelving units required in the bookroom at Independence High School Buildings N & G Modernization Project (E-065-004/005).

4.	Multi-Media Consulting Services	L. da Silva M. Battle J. Unger	October 18, 2013 until project is completed	\$48,389.98 (not to exceed) Measure E	Esquelea Popular/Charter Linda da Silva, Director of Construction, Maintenance & Facilities	Provide product, labor & installation for the projector, screen and network room controller and test all equipment (Project E-089-004). Three (3) consultants were solicited; proposals were evaluated and Multi-Media Consulting Services submitted the lowest responsive / responsible proposal for this project.
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