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Agenda Item Details

Meeting	Jun 18, 2015 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 - AMENDED
Category	16. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR
Subject	16.02 Approve Minutes of April 16, 2015, Regular Board Meeting
Access	Public
Type	Action
Recommended Action	It is recommended that the Board of Trustees approve the April 16, 2015, Regular Board Meeting minutes as presented.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 16.02

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

Attached are the minutes of the April 16, 2015, Regular Board Meeting for review and approval by the Board of Trustees.

FISCAL IMPACT:
None

FUNDING SOURCE:
None

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

[BA_2015_04_16_Reg_Minutes.pdf \(312 KB\)](#)

Executive Content

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

 



**EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES**

Meeting Held at Education Center – Board Room

April 16, 2015

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 4:04 PM by President Van Le.

Present for roll call:

- *President Van Le*
- *Clerk Frank Biehl*
- *Member J. Manuel Herrera*
- *Member Pattie Cortese*

Vice President Lan Nguyen arrived at 4:20 PM.

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

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

There were no public speakers.

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

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

2. CLOSED SESSION

2.01 Expulsion(s): A

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

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

Absent: Vice President Lan Nguyen

Vote: 4/0; Motion Carries

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

- Superintendent

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

- Superintendent (1)

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

2.05 Conference with Labor Negotiators (Government Code Section 54957.6)

Agency Designated Representatives:

Chris D. Funk, Superintendent

Marcus Battle, Associate Superintendent of Business Services

Juan Cruz, Assistant Superintendent of Educational Services

Cari Vaeth, Associate Superintendent of Human Resources

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

Administrator Collaborative of East Side (ACES)

Unrepresented Organizations:

Administrators

Managers

Confidential Employees

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

- *Claim for Damages of State Farm Insurance as Subrogee of Y. Hoang;*
- *Claim for Damages of State Farm Insurance as Subrogee of L. Rutab;*
- *Claim for Damages of L. Bernardez, represented by: Roggeveen, Nguyen & Tran; and*
- *Two (2) Potential Cases*

2.07 Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to subdivision (d)(4) of Government Code
Section 54956.9

- *Two (2) Potential Cases*

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

OPEN SESSION AT APPROXIMATELY 6:00 P.M. – EDUCATION CENTER BOARD ROOM

3. PLEDGE OF ALLEGIANCE

4. WELCOME AND EXPLANATION TO AUDIENCE

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

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

5. ADOPTION OF AGENDA

5.01 For consideration by the Board of Trustees

Item 25.01 will be heard after item 8.01.

6. BOARD SPECIAL RECOGNITION(S)

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

6.02 Synopsys Championship Winners

Andrew Hill High School

- Kevin Dieu

Evergreen Valley High School

- Sampada Deglurkar
- Justin Hao
- Tanisha Joshi
- Aratrika Ghatak
- Labanya Mukhopadhyay
- Anushka Prasad Jogalekar
- Swetha Revanur

Oak Grove High School

- Claudia Toma

Piedmont Hills High School

- Andrew Cyril Shacker

Silver Creek High School

- Nora Abushaaban
- Manjot Kaur
- Erin Yurim Kim
- Jennifer Yura Kim
- Sophia Lau
- Whitney J. Lau
- Pratima Manga
- Priya Padmanaban
- Christian Justo
- Moses Rivera
- Helen Hanh Thio

6.03 Winter Sports Recognitions

Mt. Pleasant High School

- Boys' Soccer, Mt. Hamilton Division, Blossom Valley Athletic League Champions and Central Coast Section Champions

Oak Grove High School

- Girls' Basketball, West Valley Division, Blossom Valley Athletic League Champions
- Wrestling, Jordan Auen, 126 lbs., Blossom Valley Athletic League Champion
- Wrestling, Anthony Jimenez, 182 lbs., Blossom Valley Athletic League Champion

Piedmont Hills High School

- Girls' Basketball, Mt. Hamilton Division, Blossom Valley Athletic League Champions
- Wrestling, West Valley Division, Blossom Valley Athletic League Champions

Santa Teresa High School

- Wrestling, Ray Carroll, 113 lbs., Blossom Valley Athletic League Champion and Central Coast Section Champion
- Wrestling, Jacob Thalín, 152 lbs., Blossom Valley Athletic League Champion and Central Coast Section Champion, Fourth in California

Silver Creek High School

- Girls' Soccer, West Valley Division, Blossom Valley Athletic League Champions
- Wrestling, Sebastian Marin, 132 lbs., Blossom Valley Athletic League Champion

Wm. C. Overfelt High School

- Wrestling, Keven Alvarenga, 138 lbs., Blossom Valley Athletic League Champion

7. STUDENT BOARD LIAISONS (5 MINUTES EACH)

7.01 Luis Valdez Leadership Academy Student Ambassadors

7.02 Foothill High School

- Luis Apreza, Student Representative
- Jenny Thong, Student Representative

7.03 Oak Grove High School

- Jennassa Dahlman, Student Representative / Safe School Ambassador
- Omar Rivera, Student Representative / Safe School Ambassador

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

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

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

Presentation item; no action taken

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

Presentation item; no action taken

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

Presentation item; no action taken

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

No Items on Calendar Under this Section

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

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

Anyone wishing to address the Board from either the teleconference location or the Board Room meeting location regarding Closed Session items may speak at this time. Persons present in the Board Room wishing to address the Board on Closed Session items or any subject not on the agenda must fill out a gold request form, which is located at the entrance of the Board Room. Persons wishing to address the Board from the teleconference location should state his/her name before speaking.

Public speakers:

- *Rosalind Taylor*
- *Tricia Bolster*
- *Jennifer Black*
- *Danielle Nouriazad*
- *Marcus Mosqueda*
- *Gavin Lam*

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

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

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

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

Vote: 5/0; Motion Carries

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

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

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

Vote: 5/0; Motion Carries

11.03 Discussion and/or Action regarding Superintendent's Employment Contract - Van T. Le, Board President

Rogelio Ruiz, Legal Counsel

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

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

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

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

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

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

It also provides that he is delegated with the responsibility for personnel matters, except as to the Senior Manager of Internal Controls and any District Internal Auditors should the Board ever desire to fill that position.

Paragraph 6f on page 8 provides that the Superintendent is required to notify, in writing, each member of the Board if he applies for employment or accepts an invitation for an interview for full-time employment elsewhere. That is also a difference from the current contract.

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

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

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

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

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

Vote: 5/0; Motion Carries

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

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

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

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

Vote: 5/0; Motion Carries

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

13.01 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, and André Bell, Assistant Director of Capital Accounting and Purchasing

Motion by Vice President Lan Nguyen, second by Member J Manuel Herrera, to approve the contract(s) for professional services over \$25,000 as recommended and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

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

Vote: 5/0; Motion Carries

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

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

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

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

Vote: 5/0; Motion Carries

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

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

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

Vote: 5/0; Motion Carries

14.03 Discussion and/or Action to Approve Classified Management Job Description and Salary Range for Custodial Operations Supervisor

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

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

Vote: 5/0; Motion Carries

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

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

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

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

Vote: 5/0; Motion Carries

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

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

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

Vote: 5/0; Motion Carries

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

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

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

Vote: 5/0; Motion Carries

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

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

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

Vote: 5/0; Motion Carries

Consent / Action Calendar Sections 16-20

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

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

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

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

Vote: 5/0 Motion Carries

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

16.01 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/ Workshops/Meetings

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

16.04 Approve Minutes of March 19, 2015, Regular Board Meeting

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

17.01 Accept Safety Plan Goals Assessment for 2014-2015

17.02 Ratify/Approve School Field Trips

18. Business Services - Consent / Action Calendar

18.01 Ratification of Contract(s) for Professional Services At or Below \$25,000

18.02 Approve Purchase Orders

18.03 Approve Change Orders to Purchase Orders

18.04 Accept Report of Credit Card Purchases for Statement Dated March 23, 2015

18.05 Approve Memorandum of Understanding

- 18.06 Approve Budget Transfers**
- 18.07 Accept Warrant Register for the Month of April, 2015**
- 18.08 Approve Award of Bids and Request for Proposals**
- 18.09 Adopt Resolution #2014/2015-24 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546**

19. Human Resources - Consent / Action Calendar

- 19.01 Ratify/Approve Classified Personnel Actions Presented May 14, 2015**
- 19.02 Ratify/Approve Certificated Personnel Actions Presented May 14, 2015**
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented May 14, 2015**

20. Facilities - Consent / Action Calendar

- 20.01 Ratification of Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000**
- 20.02 Approve Award of Bids and Request for Proposals for Bond/Capital Projects**
- 20.03 Approve Amended Final Change Order #2 for the Yerba Buena High School Title IX Modernization Project, E-060-003 (D.L. Falk Construction, Inc.)**
- 20.04 Approve Amended Final Change Order #1 for the James Lick High School New Two Story Classroom Building 500 Project, E-030-001 (D.L. Falk Construction, Inc.)**
- 20.05 Approve Amended Final Change Order #1 for the James Lick High School Fire Science Academy Project, G-030-026 (BRCO Constructors, Inc.)**
- 20.06 Approve Final Change Order #1 for Andrew Hill New Classroom Building Project, E-025-003 (Duran & Venables, Inc.)**
- 20.07 Approve Final Change Order #1 for Andrew Hill New Classroom Building Project, E-025-003 (Robert A. Bothman, Inc.)**
- 20.08 Approve Final Change Order #1 for Andrew Hill New Classroom Building Project, E-025-003 (Beals Martin & Associates, Inc.)**
- 20.09 Approve Final Change Order #1 for Andrew Hill New Classroom Building Project, E-025-003 (King's Roofing)**
- 20.10 Approve Final Change Order #1 for Andrew Hill New Classroom Building Project, E-025-003 (George E. Masker Inc.)**
- 20.11 Approve Final Change Order #1 for Andrew Hill New Classroom Building Project, E-025-003 (Environmental Systems, Inc.)**

- 20.12 Approve Final Change Order #1 for Andrew Hill New Classroom Building Project, E-025-003 (Val's Plumbing & Heating, Inc.)
- 20.13 Approve Final Change Order #1 for Andrew Hill New Classroom Building Project, E-025-003 (Del Monte Electric Co, Inc.)

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

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

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

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

21. WRITTEN REPORTS/RECOMMENDATION

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

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

Report received

It was requested that this item be placed on the May Board meeting agenda as a presentation item.

22. FUTURE AGENDA ITEMS

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

Board President Van Le

Item	Date (tentative)	Type
Camera Project Update	June, 2015	Presentation/Discussion
Construction Projects Update	October 15, 2015	Presentation/Discussion

Board Vice President Lan Nguyen

Item	Date (tentative)	Type
Anti-Bullying Efforts	June, 2015	Presentation/Discussion

Board Clerk Frank Biehl

Item	Date (tentative)	Type
Water Conservation Efforts	August 20, 2015	Presentation/Discussion

Board Member J. Manuel Herrera

Item	Date (tentative)	Type
Convert to All Electric Bus Fleet	August 20, 2015	Presentation/Discussion

Board Member Pattie Cortese

Item	Date (tentative)	Type
Restorative Justice	September 24, 2015	Presentation/Discussion

22.02 Future Items

Board President Van Le

Item	Date (tentative)	Type
Failed Courses	Quarterly	Report

Board Vice President Lan Nguyen

Item	Date (tentative)	Type
International Baccalaureate (IB) Program	April 23, 2015	Presentation/Discussion

Board Clerk Frank Biehl

Item	Date (tentative)	Type
Special Education Program Update (County & District Wide)	May 14, 2015	Presentation/Discussion
Summer School Plan	May 14, 2015	Presentation/Discussion

22.03 Annual Governance Calendar

July
Summer School Program (concludes session)
Summer School Graduation

August
Board Retreat
Expulsion Hearing Panel Committee
First Day of School
Williams Quarterly Report

September
Board Study Session/Workshop
College Night
Conflict of Interest/Board Policy (updates)
Public Hearing and Adoption: Gann Spending Limit
Public Hearing: Sufficiency or Insufficiency of Textbooks
Receive Annual Developer Fees Report
Unaudited Actuals

October
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
Superintendent's Annual Evaluation
Williams Quarterly Report

November
Board Study Session/Workshop
Election Orientation for New Board Members

December
Annual Organizational Board Meeting
CSBA Annual Conference
Election Orientation for New Board Members
End of First Semester
First Interim Report
Superintendent's Mid-Year Evaluation

January
Audit Report
Board Audit Committee Selections/Appointments
Board Retreat
Financial & Performance Audit Report for Bond Measures
Magnet Night
Martin Luther King, Jr. Writing, Art & Multi-Media Awards Ceremony & Reception
Master Business Relationship Agreement between East Side Union High School District and Metropolitan Education District
Policies & ByLaws (Begin Review by Series)
Sports Recognitions (Fall)
Technology Report
Williams Quarterly Report

February
African American Students Achievement Awards
Audit Committee Charter Amendment(s)
CSBA Delegate Assembly Election
Non-Re-Elects
Safety Plan Goals for Each Site
State of the District

March
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
Latino Student Awards Recognition Ceremony
March 15 Notices
NSBA Annual Conference
Second Interim Report
SJPD Secondary Employment Application
Vietnamese Students Achievement Awards

April
Board Study Session/Workshop
Form 700 – Statement of Economic Interests Due to Santa Clara County (filing)
Honor Nights
Migrant Education Awards Night
Williams Quarterly Report

May
Board Self-Evaluation
Budget (Preliminary/Draft) Presentation
Employee Recognition Event
Graduations
Honor Nights
Last Day of School
Sports Recognitions (Winter/Spring)

June
Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting)
Budget Adoption (second June Board Meeting)
Budget Advisory Committee: Nominate and Appoint Board Representatives (2) and Alternative Board Representative (1) (2 year term, fiscal year)
Employee Retirement Celebration
ESTA Safety Survey
Master Contracts for Capital Projects
Plan for Expelled Youth (due every three years – 2015)
Program Improvement Update
Safety Plan Assessment for Each School
Single Plan for Student Achievement (SPSA) for Each School
Summer School Program (session begins)
Superintendent's Annual Evaluation

23. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

23.01 Board of Trustees

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

Board Vice President Lan Nguyen

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

Board Member Pattie Cortese

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

Board Clerk Frank Biehl *(no comments made)*

Board President Van Le

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

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

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

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

24. REPORT CLOSED SESSION ACTION(S)

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

See section 2.0 for reporting out of Closed Session items.

25. ADJOURNMENT

President adjourns the meeting.

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

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Frank R. Smith", written in a cursive style.

Board Clerk



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Agenda Item Details

Meeting	Apr 16, 2015 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 - Amended Agenda
Category	13. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION
Subject	13.01 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, and André Bell, Assistant Director of Capital Accounting and Purchasing
Type	Action
Recommended Action	It is recommended that the Board of Trustees approve the contract(s) for professional services over \$25,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 13.01

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

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

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

Fiscal Impact:
As indicated in the attachment

Funding Source:
As indicated in the attachment

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

[4-16-2015 Contracts over \\$25k.pdf \(100 KB\)](#)

Motion & Voting

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

Motion by Vice President Lan Nguyen, second by Member J Manuel Herrera.

Final Resolution: Motion Carries

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

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contract(s) for Professional Services Over \$25,000
 Board Meeting of April 16, 2015; Item 13.01

1. Rebekah Children's Services (Change Order No. 1)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Toby Hopstone André Bell	October 20, 2014 – June 30, 2015 (no change)	\$76,000.00 (increased amount) Tuition	Special Services Toby Hopstone, Director of Special Services

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

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

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

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

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

Selection Process

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

RECOMMENDATION

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

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

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Toby Hopstone André Bell	October 20, 2014 – June 30, 2015 (no change)	\$15,000.00-Transportation (increased amount) \$75,000.00-Tuition (increased amount)	Special Services Toby Hopstone, Director of Special Services

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

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

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

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

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

Selection Process

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

RECOMMENDATION

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

3. County of Santa Clara, CalWORKs

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Richard Uribe Juan Cruz André Bell	July 1, 2015 – June 30, 2016	(\$315,260.00) (REVENUE) CalWORKs	Adult Education Center Richard Uribe, Director

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

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

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

Selection Process

Not applicable

RECOMMENDATION

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

4. AVID Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Tim Nguyen Juan Cruz André Bell	July 1, 2015 – June 30, 2016	\$36,756.00 EIA	AcceL Program; Lauren Kelly, Principal Calero High School; Robert Ibarra, Principal Evergreen Valley High School; Lauren Kelly, Principal Independence High School; Grettel Castro-Stanley, Principal Mt. Pleasant High School; Teresa Marquez, Principal W.C. Overfelt High School; Vito Chiala, Principal Piedmont Hills High School; Traci Williams, Principal Silver Creek High School; Adolfo Laguna, Principal Yerba Buena High School; Tom Huynh, Principal

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

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

Selection Process

No selection process took place for this service.

RECOMMENDATION

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

5. Sunbelt Staffing, LLC

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Toby Hopstone André Bell	April 14, 2015 – June 30, 2015	\$28,000 Special Day Class	Special Services Toby Hopstone, Director of Special Services

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

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

Selection Process

No solicitation took place for this service.

RECOMMENDATION

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



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Agenda Item Details

Meeting	Apr 16, 2015 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 - Amended Agenda
Category	15. FACILITIES/BOND - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION
Subject	15.01 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director of Capital Accounting and Purchasing, and Janice Unger, Capital Projects Purchasing Manager
Type	Action
Recommended Action	It is recommended that the Board of Trustees approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 15.01

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

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

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

Fiscal Impact:

As indicated in the attachment

Funding Source:

As indicated in the attachment

Recommendation:

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

[Contracts Over \\$50K FINAL.pdf \(143 KB\)](#)

[Duran & Venable Attachment A.pdf \(432 KB\)](#)

[Duran & Venables Attachment B.pdf \(1,997 KB\)](#)

[Duran & Venable Attachment C.pdf \(727 KB\)](#)

[FMPO Attachment D.pdf \(54 KB\)](#)

[R.C. Benson & Sons Attachment E.pdf \(339 KB\)](#)

[R.C. Benson & Sons Attachment F.pdf \(811 KB\)](#)

[The Consulting Group Attachment G.pdf \(975 KB\)](#)

[The Consulting Group Attachment H.pdf \(528 KB\)](#)

Motion & Voting

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

Motion by Member J Manuel Herrera, second by Clerk Frank Biehl.

Final Resolution: Motion Carries

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

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contract(s) for Services over \$50,000
Board Meeting of April 16, 2015 - Item 15.01

1. Duran & Venables, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger André Bell Marcus Battle	July 7, 2014 – August 15, 2014 (no change)	\$6,032.00 (not to exceed increased amount) Measure G	Yerba Buena & Santa Teresa High Schools/Facilities Tom Huynh, Principal Greg Louie, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

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

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

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

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

Original Contract Amount	\$729,200.00
Previous Change Order Amounts	\$89,000.00
Contract Amount Prior to This Change Order	\$640,200.00
Change Order No. 02	\$6,032.00
Revised Contract Amount	\$646,232.00

RECOMMENDATION

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

2. Facilities Management Planning and Operations (FMPO)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger André Bell Marcus Battle	September 12, 2011 through project completion (no change)	\$ 7,405.00 (not to exceed increased amount) Measure E	William C. Overfelt High School/ Facilities Vito Chiala, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

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

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

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

Original Contract Amount	\$178,425.00
Previous Change Order Amounts	0.00
Contract Amount Prior to This Change Order	\$178,425.00
Change Order No. 01 (Amendment No. 01)	\$7,405.00
Revised Contract Amount	\$185,830.00

RECOMMENDATION

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

3. R C Benson & Sons, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger André Bell Marcus Battle	April 18, 2014 through project completion (no change)	\$9,658.42 (not to exceed increased amount) Measure E	Evergreen Valley High Schools/Facilities Lauren Kelly, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

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

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

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

Original Contract Amount	\$560,160.00
Previous Change Order Amounts	0.00
Contract Amount Prior to This Change Order	\$560,160.00
Change Order No. 01	\$9,658.42
Revised Contract Amount	\$569,818.42

RECOMMENDATION

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

4. The Consulting Group

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Randy Phelps Linda da Silva Janice Unger André Bell Marcus Battle	January 17, 2014 through project completion (no change)	\$ 138,000.00 (increase amount) Measure I	District Wide/ Information Technology Services Randy Phelps, Director of IT Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees approve Change Order No. 01 to Purchase Order #402686 and Amendment #1 to increase the contract service agreement for the Comprehensive District Wide Enterprise Level, and IP-Based Camera Solution Project (I-XXX-703).

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

This Change Order No. 01 for Purchase Order #402686 is for additional services to cover additional work and guidance to the District.

Original Contract Amount	\$260,000.00
Previous Change Order Amounts	15,000.00
Contract Amount Prior to This Change Order	\$275,000.00
Change Order No. 01	\$138,000.00
Revised Contract Amount	\$413,000.00

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order No. 01 to Purchase Order #402686 with **The Consulting Group**, for the increase amount of \$153,000.00 for the Comprehensive District Wide Enterprise Level, and IP-Based Camera Solution Project (I-XXX-703).



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Agenda Item Details

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

Category 18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

Subject 18.04 Ratification of Contract(s) for Professional Services At or Below \$25,000

Type Action

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

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 18.04

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

SUBJECT: Ratification of Contract(s) for Professional Services At or Below \$25,000

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

Fiscal Impact:
As presented in the attachment

Funding Source:
As presented in the attachment

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

[4-16-15 Prof Serv Contract under \\$25K.pdf \(82 KB\)](#)

Motion & Voting

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

Motion by Member J Manuel Herrera, second by Vice President Lan Nguyen.

Final Resolution: Motion Carries

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

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contract(s) for Professional Services Under \$25,000
 Board Meeting of April 16, 2015 - Item 18.04

Consultant	Contract Period	Contract Amount	Contract Number	Location of Services	Description of Services	Date Contract Assigned
Buck Institute for Education	June 2, 2015 - June 4, 2015	\$10,000.00	502663	Andrew Hill High School	Provide a three day Project Based Learning (PBL) 101 workshop for students.	March 20, 2015
Event Center at San Jose State University	May 28, 2015	\$16,560.00	N/A	Evergreen Valley High School	To enter into a Facility Use Agreement with San Jose State University for the rental of the Event Center for Evergreen Valley's 2015 Graduation Ceremony.	March 26, 2015
Event Center at San Jose State University	May 27, 2015	\$16,560.00	N/A	Yerba Buena High School	To enter into a Facility Use Agreement with San Jose State University for the rental of the Event Center for Yerba Buena's 2015 Graduation Ceremony.	March 26, 2015
NEAT / Cheryl Ambler	December 12, 2015 - June 30, 2015 (extended)	\$5,000.00 (No change)	501850	Education Center	Provide a complete psychological assessment for one special education student per IEP requirements. Amendment #1 is being requested to extend the term of the Agreement to allow more time for the assessment of the special education student. The original term is set to expire on March 31, 2015 (Board Ratified on January 15, 2015).	December 4, 2014
Team San Jose	May 27, 2015	\$9,163.00	N/A	Mt. Pleasant High School	To enter into a Facility Use Agreement with Team San Jose for the rental of the Center for the Performing Arts for Mt. Pleasant's 2015 Graduation Ceremony.	March 26, 2015

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contract(s) for Professional Services Under \$25,000

Board Meeting of April 16, 2015 - Item 18.04

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



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Agenda Item Details

Meeting	Apr 16, 2015 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 - Amended Agenda
Category	20. FACILITIES/BOND - CONSENT/ACTION CALENDAR
Subject	20.01 Ratification of Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000
Type	Action
Recommended Action	It is recommended that the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 20.01

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

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

The attached lists the Bond/Capital Projects Contracts for Professional Services at or below \$50,000 being recommended for Board ratification.

Fiscal Impact:

As indicated in the attachment

Funding Source:

As indicated in the attachment

Recommendation:

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

[Prof_Serv Contract under \\$50K -Ratified-eg.pdf \(95 KB\)](#)

Motion & Voting

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

Motion by Member J Manuel Herrera, second by Vice President Lan Nguyen.

Final Resolution: Motion Carries

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

**East Side Union High School District
Construction Related Professional Services Contracts under \$50,000 for Ratification
Board Meeting of April 16, 2015 - Item 20.01**

Project Number & Name	Project Description	Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
E-040-009 / WC Overfelt HS Bldg N Child Care Shade Canopy	Provide architectural services for the shade canopy at WCO Bldg N, Child Care Center	502530	March 6, 2015 to completion	Artik Art & Architecture	\$2,500.00	3/6/2015
I-030-001 / James Lick Bldg 200, 300	Provide site observation and structural engineering services for the interior remodel work on Bldg 200, 300	502533	March 6, 2015 to completion	Duquette Engineering	\$1,100.00	3/6/2015
E-04-002 / Piedmont Hills Auxiliary Gym	Provide site observation and structural engineering services for the justification of an existing speaker installation for the sports announcer	502532	March 6, 2015 to completion	Duquette Engineering	\$400.00	3/6/2015
E-025-005 / AH Site Infrastructure Improvements	Survey of Andrew Hill softball field and adjacent areas. Survey will inform design of drainage solutions at areas that flood during rain	502692	March, 2015 to Completion	Brio Engineering	\$5,850.00	3/24/2015