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Agenda Item Details

Meeting	Sep 19, 2017 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	16. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR
Subject	16.01 Approve Minutes of June 8, 2017, Regular Board Meeting
Access	Public
Type	Action
Recommended Action	It is recommended that the Board of Trustees approve the June 8, 2017, Regular Board Meeting minutes as presented.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

SUBJECT: Approve Minutes of June 8, 2017, Regular Board Meeting

Attached are the minutes of the June 8, 2017, 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 June 8, 2017, Regular Board Meeting minutes as presented.

[BA_2017_06_08_Regular_Minutes.pdf \(572 KB\)](#)

Executive Content

East Side Union High School District

APPROVED

Board of Trustees

M. Quillen 9-19-17



EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES
Meeting Held at
East Side Union High School District
Board Room
830 N. Capitol Avenue, San Jose, CA 95133
June 8, 2017
4:30 p.m.

1. CALL TO ORDER/ROLL CALL

1.01 Roll Call

Board President Frank Biehl called the Regular Board meeting to order at 4:44 PM.

Present for roll call:

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

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

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

Public Speaker:

- *Marisa Hanson – ESTA President*

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 Mindfulness Practice

2.02 Expulsion(s): None

2.03 Public Employee Performance Evaluation (Government Code Section 54957)

- **Superintendent**
- **Senior Manager of Internal Controls**

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

- **Director of Finance (1)**
- **Associate Principal (2)**
- **Dean (2)**

Director of Finance

Motion by Member Van Le, second by Clerk Pattie Cortese, to approve the appointment of Silvia Pelayo as Director of Finance.

Motion by Member Van Le, second by Clerk Pattie Cortese

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

Vote: 5/0; Motion carries

Associate Principal

Motion by Clerk Pattie Cortese, second by Member Van Le, to approve the appointment of Marco Menendez as Associate Principal at Evergreen Valley High School.

Motion by Clerk Pattie Cortese, second by Member Van Le

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

Vote: 5/0; Motion carries

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

2.06 Conference with Labor Negotiators (Government Code Section 54957.6)

Agency Designated Representatives:

Chris D. Funk, Superintendent

Marcus Battle, Associate Superintendent of Business Services

Cari Vaeth, Associate Superintendent of Human Resources

Glenn Vander Zee, Associate Superintendent of Educational Services

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**

**2.07 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 S. Byrd; and,**
- **Four (4) Potential Cases**

Claim for Damages of S. Byrd

Motion by President Frank Biehl, second by Clerk Pattie Cortese, to approve the claim for damages of S. Byrd in the amount of \$500.

Motion by President Frank Biehl, second by Clerk Pattie Cortese

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

Vote: 5/0; Motion carries

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

- **One (1) Case -- Office of Administrative Hearings: Case No. 2017041185**

Motion by Member Van Le, second by Vice President J. Manuel Herrera, to approve the settlement agreement and release between the District and student. There is no monetary payment by the District with this settlement.

Motion by Member Van Le, second by Vice President J Manuel Herrera

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

Vote: 5/0; Motion carries

3. RESUME OPEN SESSION AT APPROXIMATELY 6:30 P.M. – EDUCATION CENTER - BOARD ROOM

Any person may address the Board on any item on the meeting agenda. Information explaining Board meeting procedures and how citizens can address the Board will be read. Persons wishing to address the Board must fill out a speaker request form, which is located at the entrance of the Board Room.

3.01 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 of the Board Room.

President Frank Biehl 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 The Superintendent and/or Board Member(s) may request that items be removed from the agenda for consideration and/or carried to a future Board meeting for consideration and/or action, and/or that the Board take action in a regular meeting on a subject not listed on the published agenda on an emergency basis or other basis allowed by law. (Gov. Code 54954.2)

Item 8.02 will be carried to the August 17, 2017, Board Meeting.

6. BOARD SPECIAL RECOGNITION(S)

Spring Sports Champions:

Andrew Hill High School

Swimming, West Valley Division, Blossom Valley Athletic League Champions
Tennis, West Valley Division, Blossom Valley Athletic League Champions

Evergreen Valley High School

Badminton, Mt. Hamilton Division, Blossom Valley Athletic League Champions
Girls' Track, Santa Teresa Division, Blossom Valley Athletic League Champions

Independence High School

Softball, West Valley Division, Blossom Valley Athletic League Champions
Boys' Track, West Valley Division, Blossom Valley Athletic League Champions

James Lick High School

Badminton, West Valley Division, Blossom Valley Athletic League Champions
Girls' Track, West Valley, Blossom Valley Athletic League Champions

Mt. Pleasant High School

Baseball, West Valley Division, Blossom Valley Athletic League Champions
Golf, West Valley Division, Blossom Valley Athletic League Champions

Piedmont Hills High School

Swimming, Santa Teresa Division, Blossom Valley Athletic League Champions

Santa Teresa High School

Boys' Track, Mt. Hamilton Division, Blossom Valley Athletic League Champions
Girls' Track, Mt. Hamilton Division, Blossom Valley Athletic League Champions

Silver Creek High School
Softball, Santa Teresa Division, Blossom Valley Athletic League Champions
Arianna Fisher, Girls' Triple Jump, CCS Champion
Jazlynn Shearer, Girls' Track, 100 Meter Hurdles, CCS Champion

7. STUDENT BOARD LIAISONS (5 MINUTES EACH SCHOOL)

No Items on Calendar under this Section

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

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

8.02 Discussion and/or Action on Charter Petition for KIPP East Side High School - Glenn Vander Zee, Associate Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight

Item moved to August 2017 Board meeting

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

9.01 Presentation and Discussion regarding Proposed Annual Update to Local Control Accountability Plan (LCAP) - Glenn Vander Zee, Associate Superintendent of Educational Services

Presentation item; no action taken

9.02 Hold Public Hearing at Approximately 6:45 p.m. regarding the Proposed Annual Update to the Local Control Accountability Plan (LCAP). A copy of the Local Control Accountability Plan is available for inspection at the District Office (Instructional Services Department, 830 N. Capitol Avenue, San Jose) - Glenn Vander Zee, Associate Superintendent of Educational Services

Public hearing held to solicit comments from the public regarding regulations for supplemental grants.

Public speakers:

- *Nicole Marmolejos*
- *Michelle Alcantar*
- *Albert Tobias*

9.03 Presentation and Discussion regarding the Preliminary Budget as Recommended for Fiscal Year 2017 - 2018; Receive First Reading of Proposed Resolution #2016/2017-36 to Confirm East Side Union High School District's Commitment to Fiscal Solvency - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance

President Frank Biehl requested that administration come back with a schedule:

- *Timeline for Board to make decisions*

- *A plan as to how cuts would be vetted before the recommendations are presented to the Board for consideration and/or action*
- *Dates of meetings at school sites*
- *When the recommendations would be presented by administration to the Board*

No formal action was made on this item.

- 9.04 Hold Public Hearing at Approximately 6:50 p.m. regarding the Proposed Budget Adoption for 2017 - 2018. The Proposed Budget is available for inspection at the District Office (Business Services Department, 830 N. Capitol Avenue, San Jose) - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance**

Public hearing held.

There were no public speakers.

- 9.05 Presentation and Public Hearing at Approximately 6:55 p.m. regarding Proposed Power Efficiency Agreement with GCN Storage Solutions, LLC ("GCN") for Energy (Battery) Storage at W.C. Overfelt High School (Government Code Section 4217.12) - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, Julio Lucas, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager**

Public hearing held to solicit comment from the public regarding the Proposed Power Efficiency Agreement with GCN Storage Solutions.

Public speaker addressed item under 9.06.

- 9.06 Discussion and/or Action to Approve Proposed Power Efficiency Agreement with GCN Storage Solutions, LLC ("GCN") for Energy (Battery) Storage at W.C. Overfelt High School (Government Code Section 4217.12) - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, Julio Lucas, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager**

It is recommended that the Board of Trustees approve the Power Efficiency Agreement (PEA) for the energy (battery) storage solution at W.C. Overfelt High School between ESUHSD and GCN Storage Solutions, LLC, and give authority to the Superintendent or designee to execute the Power Efficiency Agreement to meet the timeline.

Public speaker:

- *Stephen Kelley*

Motion by President Frank Biehl, second by Vice President J Manuel Herrera

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

Vote: 5/0; Motion carries

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.

Any person may address the Board on any item on the meeting agenda. Persons wishing to address the Board must fill out a speaker request form, which is located at the entrance of the Board Room. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.

There were no public speakers.

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

11.01 Discussion and/or Action to Adopt Point-Counterpoint Report - J. Manuel Herrera, Board Vice President

It is recommended that the Board of Trustees adopt the Point-Counterpoint Report with the following amendments:

Page 1 - Section 7: Delete "preliminary"

Page 16 - Section 8 (last sentence): Delete "preliminary"

Motion by Vice President J Manuel Herrera, second by President Frank Biehl

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

Vote: 5/0; Motion carries

11.02 Discussion and/or Action to Receive First Reading of Proposed Amendments to Include Measure Z in Citizens' Bond Oversight Committee Bylaws - Chris D. Funk, Superintendent, and Mariel Caballero, Chairperson of the Citizens' Bond Oversight Committee for Measures G, E, I, Education Technology I and Z

Received first reading of the proposed amendments to include Measure Z in the Citizens' Bond Oversight Committee Bylaws.

11.03 Discussion, Consideration and/or Action regarding the Selection / Appointment of Member(s) to Citizens' Bond Oversight Committee for Measures G, E, I, Education Technology I and Z - Frank Biehl, Board President, Van Le, Board Member, and Bud Lomonaco, Member of the Citizens' Bond Oversight Committee for Measures G, E, I, Education Technology I and Z

It is recommended that the Board of Trustees appoint Louis Barocio (Community At-Large), Andrea Cruz (Community At-Large), Abigail Cruz Meadows (Community At-Large), Melissa Got-Lopez (Community At-Large), Ramon Martinez (Active in Senior Citizens' Organization) and Vikas Navani (EVHS Parent & Active in School Site Council) with the specified role designation to the Citizens' Bond Oversight Committee for Measures G, E, I, Education Technology I and Z for the term beginning July 1, 2017, through June 30, 2019.

Motion by President Frank Biehl, second by Member Van Le

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

Vote: 5/0; Motion carries

11.04 Discussion and/or Action to Adopt Resolution #2016/2017-37 In Support of Preservation of Daylight Saving Time and Positive Impacts of District Sports Programs On Student Growth and Achievement - Frank Biehl, Board President

It is recommended that the Board of Trustees adopt Resolution #2016/2017-37 In Support of Preservation of Daylight Saving Time and Positive Impacts of District Sports Programs On Student Growth and Achievement.

Motion by President Frank Biehl, second by Vice President J Manuel Herrera

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

Vote: 5/0; Motion carries

11.05 Discussion and/or Action to Adopt Proposed Amendments to 2017-2018 Board Meeting Calendar - Chris D. Funk, Superintendent

It is recommended that the Board of Trustees adopt the proposed amendments to the 2017-2018 Board Meeting Calendar.

Motion by President Frank Biehl, second by Member Van Le

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

Vote: 5/0; Motion carries

11.06 Discussion and/or Action to Receive First Reading of Proposed Amendments to Board Policy #9100 Organization - Chris D. Funk, Superintendent

Received first reading of proposed amendments to Board ByLaw 9100 Organization.

11.07 Discussion and/or Action Discussion and/or Action to Amend Lease Agreement Between East Side Union High School District and KIPP Bay Area Schools - Chris D. Funk, Superintendent

Public speakers:

- Tom Ryan*
- April Chou*
- Pastor Jethroe Moore II*
- Marisa Hanson*

Motion by Clerk Pattie Cortese, second by Member Van Le, to not extend/amend the lease agreement and direct administration to enter into negotiations with KIPP Bay Area Schools.

Motion by Clerk Pattie Cortese, second by Member Van Le

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

Vote: 5/0; Motion carries

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

No Items on Calendar Under this Section

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

13.01 Discussion and/or Action to Adopt Resolution #2016/2017-38 regarding the Education Protection Account (EPA) - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance

It is recommended that the Board of Trustees approve the spending plan for Education Protection Account (EPA) and Adopt Resolution #2016/2017-38.

Motion by Member Van Le, second by Member Lan Nguyen

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

Vote: 5/0; Motion carries

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

It is recommended that the Board of Trustees 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.

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

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

Vote: 5/0; Motion carries

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

No Items on Calendar under this Section

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

- 15.01 Presentation, Discussion and/or Action to Receive First Reading of Proposed Amendments to Board Policy #1330 Use of Facilities and Board Policy Exhibit #1330 Use of School Facilities - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Debbie Ramirez, Facility Rental Manager**

Received first reading of proposed amendments to Board Policy #1330 Use of Facilities and Board Policy Exhibit #1330 Use of School Facilities.

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

- 15.02 Discussion and/or Action to Approve Proposed Program Management Services Provider for Measure Z Bond Program - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, Julio Lucas, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager**

Motion by Frank Biehl, second by Lan Nguyen, to direct administration to reissue the request for qualifications and proposals for program management services for all District bond programs to commence January 1, 2018; Administration shall present its recommendation for the scope of services and provider qualifications and evaluation process prior to issuance of the RFQ/P.

Motion by President Frank Biehl, second by Member Lan Nguyen

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

Vote: 5/0; Motion carries

- 15.03 Discussion and/or Action to Approve “Infrastructure - Exterior Painting” at Independence High School, Andrew Hill High School, Evergreen Valley High School, and Yerba Buena High School - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager**

It is recommended that the Board of Trustees approve “Infrastructure - Exterior painting” project with an associated project budget of \$2,580,000.

Motion by President Frank Biehl, second by Vice President J Manuel Herrera

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

Vote: 5/0; Motion carries

15.04 Discussion and/or Action to Approve Construction Cost Escalation Projects Using Measure Z Site Allocation for James Lick High School, Oak Grove High School, and Piedmont Hills High School - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager

It is recommended that the Board of Trustees approve funds from Measure Z General Obligation Bond for Site Projects using Site Allocation for: James Lick High School, Oak Grove High School, and Piedmont Hills High School.

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

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

Vote: 5/0; Motion carries

15.05 Discussion and/or Action to Approve Additional Funding for Construction Cost Escalation of Independence Adult Center New Administration Building and Misc. Improvements - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager

It is recommended that the Board of Trustees approve additional funding from Measure E Alternative Education Fund 23 for construction cost escalation of Independence Adult Center New Administration Building and Misc. improvements.

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

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

Vote: 5/0; Motion carries

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

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

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

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 Lan Nguyen, second by Member Van Le, to approve the entire consent calendar as presented.

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

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

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

17.01 Ratify/Approve School Field Trips

18. Business Services - Consent / Action Calendar

18.01 Approve Use of Carnival Equipment at Evergreen Valley High School for Homecoming Celebration and Multi-Cultural Winterfest

18.02 Ratify/Approve Contract(s) for Professional Services At or Below \$25,000

18.03 Ratify/Approve Change Orders to Purchase Orders

18.04 Approve Award of Bids and Request for Proposals

18.05 Approve Memorandum of Understanding

19. Human Resources - Consent / Action Calendar

No items on calendar under this section

20. Facilities - Consent / Action Calendar

- 20.01 Approve the Capital Program Budget Adjustment Report**
- 20.02 Approve Award of Bids and Request for Proposals for Bond/Capital Projects**
- 20.03 Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000**
- 20.04 Ratify CUPCCAA Informal Bond Project(s)**
- 20.05 Ratification of Bond/Capital Projects Change Orders to Construction Contracts and Purchase Orders At or Below \$175,000**

21. Written Reports/Recommendation

- 21.01 Receive Quarterly Report on the County of Santa Clara Treasury Investment Portfolio as of March 31, 2017**

Report received

- 21.02 Receive Update on Bond Staffing Report**

Report received

Board President Biehl requested that the report be referred to the ESUHSD Citizens' Bond Oversight Committee.

22. FUTURE AGENDA ITEMS

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

There were no requests for item(s) to be placed on the Board meeting agenda.

- 22.02 Future Items**

Frank Biehl, Board President

Item	Date (tentative)	Type
Foreign Exchange Program <ul style="list-style-type: none">• Criteria• Process	June 22, 2017 (Annually)	Presentation/Discussion
Bond Projects	TBD	Report

J. Manuel Herrera, Board Vice President

Item	Date (tentative)	Type
STEAM	TBD	Presentation/Discussion
IPC Annual Update <ul style="list-style-type: none">• Activities To-Date	Annually (beginning February 2018)	Presentation/Discussion

Pattie Cortese, Board Clerk

Item	Date (tentative)	Type
Teen Parents <ul style="list-style-type: none"> • Education • Support • Child Care at James Lick HS 	August 17, 2017	Presentation/Discussion
Community Liaisons vs. PCIS and Attendance Clerks <ul style="list-style-type: none"> • Delineation of Roles and Expectations and How they Work Together 	TBD	Presentation/Discussion

Van Le, Board Member

Item	Date (tentative)	Type
Accel Program	June 22, 2017	Presentation/Discussion
Adult Education	August 17, 2017	Report
Challenge Exams for Course Advancement	August 17, 2017	Report
Grading Policy	Fall, 2017	Presentation/Discussion
Role of PCIS vs. Liaisons <ul style="list-style-type: none"> • Ethnicity/Diversity compared to Site Enrollment • Roles and Responsibilities 	TBD	Presentation/Discussion

Lan Nguyen, Board Member

Item	Date (tentative)	Type
After School Programs	August 17, 2017	Presentation/Discussion

22.03 Annual Governance Calendar

July
Summer School Program (concludes session)
Summer School Graduation

August
Board Members' Expenses Report (Apr/May/June)
Expulsion Hearing Panel Committee
First Day of School
Superintendent's Annual Evaluation
Williams Quarterly Report

September
Board Retreat
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
Board Members Expenses' Report (July/Aug/Sept)
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
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

January
Audit Report
Board Audit Committee Selections/Appointments
Board Members' Expenses Report (Oct/Nov/Dec)
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 (March or April)
Second Interim Report
SJPD Secondary Employment Application
Superintendent's Mid-Year Evaluation
Vietnamese Students Achievement Awards

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

May
Asian American/Pacific Islander History Month: Poster & Essay Contest Awards/Celebration
Board Self-Evaluation
Board Study Session/Workshop
Budget (Preliminary/Draft) Presentation
Employee Recognition Event
Graduations
Honor Nights
Last Day of School
Preliminary Review of Proposed LCAP

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 – next due date: 2018)
Program Improvement Update
Safety Plan Assessment for Each School
Single Plan for Student Achievement (SPSA) for Each School
Sports Recognitions (Winter/Spring)
Summer School Program (session begins)

23. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

23.01 Board of Trustees

- Board President Frank Biehl
- Board Vice President J. Manuel Herrera
- Board Clerk Pattie Cortese
- Board Member Lan Nguyen
- Board Member Van Le

23.02 Chris D. Funk, Superintendent

24. REPORT CLOSED SESSION ACTION(S)

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

See section 2.0 for reporting out of Closed Session items.

25. ADJOURNMENT

25.01 President adjourns the meeting.

President Frank Biehl adjourned the meeting at 9:46 PM.

Respectfully submitted,



Board Clerk

East Side Union High School District

APPROVED

Board of Trustees

M. Guillen 9-19-17



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting Jun 08, 2017 - ESUHS D REGULAR BOARD MEETING - 4:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 -- AMENDED

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

Subject 13.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

Type Action, Discussion

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

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager


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.

 [2017 0608 Contracts Over 25K.pdf \(99 KB\)](#)

Motion & Voting

It is recommended that the Board of Trustees 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.

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

Final Resolution: Motion Carries

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

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of June 8, 2017 – Item 13.02

1. Simz Productions, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda Ornelas Francine Brissey	July 1, 2017 – June 30, 2019	Not to exceed \$40,000.00 Various – General Fund	District Wide/Marketing and Public Relations/Linda Ornelas

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Simz Productions, Inc. Simz Productions, Inc. will conduct filming, script writing, production, voice-overs, editing and development of videos for the District, the school sites and the adult education program as needed. Each site/program will fund their publications.

Selection Process

N/A

Recommendation

It is recommended that the Board of Trustees approve the contract with Simz Productions, Inc. in the amount not to exceed \$40,000.00 for the term of July 1, 2017, through June 30, 2019. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

2. Direct to Door, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda Ornelas Francine Brissey	July 1, 2017 – June 30, 2019	Not to exceed \$50,000.00 Various – General Fund	District Wide/Marketing and Public Relations/Linda Ornelas

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Direct to Door, Inc. Direct to Door, Inc. will print and distribute a series of door hangers to designated zip codes with the District. The Door hanger will publicize the District, the school sites and the adult education programs. Each site/program will fund their publications.

Selection Process

N/A

Recommendation

It is recommended that the Board of Trustees approve the contract with Direct to Door in the amount not to exceed \$50,000.00 for the term of July 1, 2017, through June 30, 2019. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of June 8, 2017 – Item 13.02

3. Safir and Associates, LLC

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Bjorn Berg Glenn Vander Zee Francine Brissey	July 1, 2017 – June 30, 2018	\$40,000.00 Title I	Independence High School/Administration/Bjorn Berg

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Safir and Associates. Safir and Associates will provide a series of professional development trainings for the site administration.

Executive Coaching for Principal (monthly) – to focus on Vision and Strategy

Admin Team Retreat (1 session) – to focus on team building, communication and roles and responsibilities.

ITL Development (5 sessions) – to focus on basic skills and power standards and common assessments.

PD Committee Support (4-6 sessions) – to focus on their PD Vision.

Selection Process

N/A

Recommendation

It is recommended that the Board of Trustees approve the contract with Safir and Associates in the amount of \$40,000.00 for the term of July 1, 2017, through June 30, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

4. Oak Grove School District

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Tim Nguyen Glenn Vander Zee Francine Brissey	January 1, 2017 – June 30, 2018	\$227,566.00 CTEIG	Ed Center/Career Pathways/Tim Nguyen

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Oak Grove School District in accordance with the CTE Grant. Oak Grove School District will be implementing a Career Exploration and Career Pathway elective for their 7th and 8th graders at Bernal Intermediate. The students will access this program during school hours, and assist them in identifying their work interests, skills, learning preferences and abilities. Students will also have access to hundreds of Fuel Education online career courses which can prepare them for up to 15 various pathways.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of June 8, 2017 – Item 13.02

Bernal, Davis & Herman Intermediate schools will participate in Project Lead the Way Elective which is an at home and after school Career Cruising program. There will also be two courses to accompany this program, Design and Modeling, and Flight and Space.

Davis Intermediate will use Career Cruising to supplement existing Study Skills Electives. Teachers from Davis will also work with Edenvale and Stipe Elementary (6th graders only) to introduce Career Cruising and prepare them for CTE focused programs.

Selection Process

CTEIG Grant Partner

Recommendation

It is recommended that the Board of Trustees approve the contract with Oak Grove School District in accordance with the CTEIG Grant in the amount of \$227,566.00 for the term of January 1, 2017, through June 30, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

5. Evergreen School District

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Tim Nguyen Glenn Vander Zee Francine Brissey	January 1, 2017 – June 30, 2018	\$250,744.00 CTEIG	Ed Center/Career Pathways/Tim Nguyen

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Evergreen Elementary School District in accordance with the CTE Grant. LeyVa Middle School wishes to create a computer science pathway to include coding, logic, robotics and electronics to align with ESUHSD's Information and Communication Technology Career Tech Academy Pathway. This contract will cover the expense: staffing, materials and various indirect expenses of creating the pathway elective.

Selection Process

CTEIG Grant Partner

Recommendation

It is recommended that the Board of Trustees approve the contract with Evergreen School District in accordance with the CTEIG Grant in the amount of \$250,744.00 for the term of January 1, 2017, through June 30, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of June 8, 2017 – Item 13.02

6. The Devereux Foundation

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Francine Brissey	July 1, 2016 – June 30, 2017	\$42,000.00 Special Ed	Ed Center/Special Ed/Barbara Moore

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with The Devereux Foundation for the provision of Non-Public School (NPS) services for ESUHSD special education students for the 2016-17 school year.

Selection Process

SELPA

Recommendation

It is recommended that the Board of Trustees approve the contract with The Devereux Foundation in the amount of \$42,000.00 for the term of July 1, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting Jun 08, 2017 - ESUHS D REGULAR BOARD MEETING - 4:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 -- AMENDED

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

Subject 15.06 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, Julio Lucas, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager

Type Action, Discussion

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

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, André Bell, Director of Purchasing and Capital Accounting, 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.

- [2017 0608 Contract Over \\$50K.pdf \(150 KB\)](#)
- [Attachment A.pdf \(478 KB\)](#)
- [Attachment B.pdf \(553 KB\)](#)
- [Attachment C.pdf \(417 KB\)](#)
- [Attachment D.pdf \(256 KB\)](#)



Attachment E.pdf (689 KB)



Attachment F.pdf (714 KB)



Attachment G.pdf (114 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 Vice President J Manuel Herrera, second by Member Lan Nguyen.

Final Resolution: Motion Carries

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

EAST SIDE UNION HIGH SCHOOL DISTRICT
Board Meeting of June 08, 2017, 2017
Bond/Capital Projects Contract(s) for Services over \$50,000 – Item 15.06

1. Statewide Education Owner Controlled Insurance Program (Wrap Up) Program c/o Keenan & Associates (SEWUP/OCIP)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Marcus Battle Andre Bell Janice Unger	See Below:	Multiple funding – Measure E & I	District wide sites/Facilities/Construction Julio Lucas, Director of Construction, Maintenance and Facilities

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the following proposals for the project list below that have called for in the bids for an Owner Controlled Insurance Program (OCIP). The program would provide Workers' Compensation, General/Excess Liability, and under certain conditions, Builders' Risk insurance coverage for all contractors and their sub-contractors of all tiers on the project. Bidders were asked to exclude contractor insurance in their base bid.

(Proposals: Attachments A, B)

Project Name	Contract Term	Proposal Fee Total	School Site
IH Bld J Modernization	June 29, 2017 through January 04, 2018	\$157,764.33	Independence High School
PH New Classroom Bld D1 & D2	June 12, 2017 through August 01, 2018	\$473,869.43	Piedmont Hills High School

RECOMMENDATION

It is recommended that the Board of Trustees approve two (2) purchase order agreements with **SEWUP c/o Keenan & Associates** for a total amount not to exceed **\$631,633.76** for the Owner Controlled Insurance Program (OCIP) proposal for the projects listed above and authorize Administration to execute change orders in accordance with Board Policy 3312.1, if needed.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of June 08, 2017, 2017

Bond/Capital Projects Contract(s) for Services over \$50,000 – Item 15.06

2. Gilbane Building Company

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Andre Bell Janice Unger	April 18, 2015 through project closeout	\$136,860.00 (not to exceed) Multiple funding (Measures G, E & I)	Santa Teresa High School/Facilities Greg Louie, Principal Julio Lucas, Director of Construction, Maintenance and Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees approve Amendment #02 to the construction management agreement and Change Order No. 02 to Purchase Order 503301 for the Santa Teresa High School and Phoenix Campus Improvements (Project No: Z-070-XXX).

On April 16, 2015, (Item No. 20.02) the Board of Trustees approved Administration's recommendation to award (RFP-17-15-16) Construction Management Services for the 2013/2014 Project Lists to Gilbane Building Company for the final negotiated amount of \$808,053.19 (Attachment C).

On August 18, 2016, (Item No. 15.01) the Board of Trustees approved Administration's recommendation to credit and issue contract agreement modification resulting from the deletion of three projects and the reallocation of the funds associated with the Santa Teresa High School Projects in the amount of ~~(\$170,449.19)~~. (Attachment D)

This Change Order No. 02 is being recommended for approval for additional compensation due to increased budget to existing projects under contract and duration of time exceeded original proposal. (Attachment E)

Original Contract Amount	\$808,053.19
Contract Amount Prior to Change Order No. 01	\$0.00
Change Order No. 01 – Deductive credit/project modification	(\$ 170,499.19)
Current Contract Amount	\$637,554.00
Change Order No. 02 – Additional compensation – duration of time	\$136,860.00
Revised Contract Amount	\$774,414.00

RECOMMENDATION

It is recommended that the Board of Trustees approve Amendment #02 and Change Order No. 02 to Purchase Order 503301 with **Gilbane Building Company** for the additional compensation for construction management services in the amount of \$136,860.00 for the Santa Teresa High School and Phoenix Campus Improvements (Project No: Z-070-XXX).

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of June 08, 2017, 2017

Bond/Capital Projects Contract(s) for Services over \$50,000 – Item 15.06

3. Gilbane Building Company

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Andre Bell Janice Unger	June 09, 2017 through project closeout	\$68,750.00 (not to exceed) Multiple funding (Measures E, I & Fund 35)	Santa Teresa High School/Facilities Greg Louie, Principal Julio Lucas, Director of Construction, Maintenance and Facilities

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve and award a construction management agreement with Gilbane Building Company for the Santa Teresa High School renovation of the football field, track and long jump pits. (Project No.: Z-070-XXX). (Attachment F)

On May 18, 2017, (Item 15.02) The Board of Trustees approved Santa Teresa High School Site Council's recommendation and administration's concurrence to initiate the track and field improvements project with a project budget of \$2,200,000.55. (Attachment G)

Selection Process

No solicitation process was performed for construction management services due to Gilbane Building Company is the acting CM for all of Santa Teresa High School current projects, so it is in the best interest of the District's to continue to have one CM manage the projects. Gilbane Building Company is very knowledgeable about the site's conditions and familiar with staff. Gilbane Building Company's proposal is fair and competitive at 3.12% of the total project budget. The percentage is within industry standard for these services.

RECOMMENDATION

It is recommended that the Board of Trustees approve the construction management agreement with **Gilbane Building Company** for an amount not to exceed **\$68,750.00** for construction management services for the Track and Field Improvements project at Santa Teresa High School (Project # Z-070-XXX) and authorize administration to execute change orders in accordance with Board Policy 3312.1, if needed.

4. Vavrinek, Trine, Day & Co., LLP

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Marcus Battle Karen Poon André Bell	January 19, 2012 - January 30, 2017 (extended)	\$5,000.00 (increased estimated expense) Measure I Tech - \$5,000	Business Services Marcus Battle, Associate Superintendent

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees approve amendment to the contract services agreement and Change Order No. 01 to Purchase Order 702116 with Vavrinek, Trine, Day & Co., LLP.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of June 08, 2017, 2017

Bond/Capital Projects Contract(s) for Services over \$50,000 – Item 15.06

At the January 19, 2012, Board meeting, the Board of Trustees awarded a three-year agreement to Vavrinek, Trine, Day & Co., LLP after Administration had conducted a formal Request for Proposals process (RFP-07-11-12) for Professional Auditing Services to perform independent audit services regarding the performance of the required annual District audit of General Fund, Measure E, and Measure G.

At the April 17, 2014, Board meeting, the Board of Trustees amended the approved agreement with Vavrinek, Trine, Day & Co., LLP to increase their contract for 2013 – 14 by \$5,000 to cover the cost of adding Measure I to the annual audit.

At the March 19, 2015, Board meeting, the Board of Trustees amended the approved agreement with Vavrinek, Trine, Day & Co., LLP to extend service through January 30, 2017, for an estimated increase amount of \$144,000.

Now staff is requesting this amendment and change order to include Measure I – Technology Bond since it was not included in the original agreement.

RECOMMENDATION

It is recommended that the Board of Trustees approve the increase of Measure I – Technology Bond to the Agreement with Vavrinek, Trine, Day & Co., Inc. for the auditing services through June 30, 2017, for an increased amount of \$5,000.00 and to execute change orders in accordance with Board Policy 3312.1.



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Agenda Item Details

Meeting	Jun 08, 2017 - ESUHSD REGULAR BOARD MEETING - 4:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 -- AMENDED
Category	18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR
Subject	18.02 Ratify/Approve 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

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

SUBJECT: Ratify/Approve 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.



[2017 0608 Prof Serv Contracts under \\$25K.pdf \(90 KB\)](#)

Motion & Voting

It is recommended that the Board of Trustees ratify the projects contract(s) for professional services at or below \$25,000 as presented 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 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 Lan Nguyen, second by Member Van Le.

Final Resolution: Motion Carries

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

**The EAST SIDE UNION HIGH SCHOOL DISTRICT
Contract(s) for Professional Services At or Below \$25,000**

Board Meeting of June 08, 2017 – Item 18.02

A Conflict of Interest Statement has been collected for each service contract listed below.

Consultant	Contract Period	Contract Amount/ Funding Source	PO Number	Location of Services	Description of Services	Date Contract Assigned
Advertisers Mailing Service	July 1, 2016 – June 30, 2019	\$25,000.00/ Various sites	N/A	Education Center	Provide printing service of brochures, postcards, and other print services as well as mailing services for the District, school sites and Adult Education.	April 28, 2017
California School Board Association	February 4, 2017	\$2,395.89/ Board of Trustees	703650	Education Center	Provide services for Governance Good Beginnings Workshop at ESUHSD.	February 6, 2017
D & V Sound	May 1, 2017 – May 26, 2017	\$2,500.00/ Principal	703653	W.C. Overfelt	Provide services for sound system rental and strike for graduation ceremony at W.C. Overfelt High School	April 28, 2017
D & V Sound	May 25-26, 2017	\$3,000.00/ Principal	703198	Silver Creek	Provide services for sound system rental and strike for graduation ceremony at Silver Creek High School	May 10, 2017
Evoqua Water Technologies LLC.	July 1, 2016 – June 30, 2017	\$564.00/ Science	703656	W.C. Overfelt	Provide water tank replacement and services as needed for Science Department at W.C. Overfelt High School.	May 2, 2017
Go Bananas	May 13, 2017	\$540.00/ School Linked Services	703597	W.C. Overfelt	Provide Photo Booth services for Summer Jam at W.C. Overfelt High School.	April 26, 2017
Houghton Mifflin Harcourt Publishing Co.	April 13, 2017 – April 12, 2018	\$5,900.00/ Title I	703403	Education Center	Provide training services for summer Math 180 course II for staff at ESUHSD.	April 13, 2017
International Association for Human Values	March 1, 2017 – June 30, 2017	\$2,200.00/ School Linked Services	703588	W.C. Overfelt	Provide YES! For School services to parents at W.C. Overfelt High School.	March 6, 2017
Jennifer Jennings	July 1, 2016 – June 30, 2019	\$25,000.00/ Various sites	N/A	Education Center	Provide graphic design services for brochures, postcards, door hangers, banners and other print and online graphics for the District, school sites and Adult Education.	May 2, 2017
Mindful Schools	April 1, 2017 – March 31, 2018	\$20,000.00/ Professional Dev.	703725	Education Center	Provide on-line courses for staff, 200 registrations for mindful fundamentals and 32 mindful educator essentials.	May 14, 2017

Consultant	Contract Period	Contract Amount/ Funding Source	PO Number	Location of Services	Description of Services	Date Contract Assigned
Nancy Reid	June 1, 2017 – July 31, 2017	\$10,000.00/ Title I	703655	W.C. Overfelt	Provide ADA coding services of supplementing Common Core Math with 21 st Century skills of coding to CSI students at W.C. Overfelt High School.	May 2, 2017
New Hope for Youth	May 15, 2017 – August 15, 2017	\$10,000.00/ School Linked Services	703589	W.C. Overfelt	Provide services for summer home visitation program for chronic truant and high risk kids through School Linked Services program at W.C. Overfelt High School.	April 25, 2017
Nick Sabedra	May 1, 2017 – June 30, 2017	\$800.00/ School Linked Services	703580	W.C. Overfelt	Provide music/DJ services for Summer Jam at W.C. Overfelt High School.	February 28, 2017
Paxton/Patterson	June 1, 2017 – June 30, 2017	\$14,937.00/ Cal Career Pathways	703727	Independence Piedmont Hills	Provide the Paxton Content Learning Management systems software/license for the Construction Pathway at Piedmont Hills and Independence High Schools. Services includes furniture and lab installation and professional development.	May 19, 2017
Williams Party Rentals	May 22, 2017 – May 25, 2017	\$907.50/ Supplement E	703515	Calero	Provide services to set up stage and rental of chairs for graduation ceremony at Calero High School.	May 5, 2017



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Agenda Item Details

Meeting	Jun 08, 2017 - ESUHSD REGULAR BOARD MEETING - 4:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 -- AMENDED
Category	20. FACILITIES/BOND - CONSENT/ACTION CALENDAR
Subject	20.03 Ratify 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

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

SUBJECT: Ratify 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.



[2017 0608 Prof Serv Contract under \\$50K.pdf \(107 KB\)](#)

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 presented 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 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 Lan Nguyen, second by Member Van Le.

Final Resolution: Motion Carries

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

East Side Union High School District
Construction-Related Professional Services Contracts under \$50,000 for Ratification
Board Meeting of June 8, 2017 - Item 20.03

Project Number & Name	Project Description	Purchase Order Number/ Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
E-060-009 / YB Concession/Resroom Bld	Consultant to provide the following scope of work: materials testing and special inspection services fo the project at Yerba Buena High School	703295 / CP1957	April 14, 2017 through project completion	Ninyo & Moore	\$7,858.00	4/14/2017
Z-065-008 / IH Bld J Modernization	Consultant to provide the following scope of work: hazardous materials removal monitoring and inspection services for the project at Independence High School	703440 / CP1956	April 27, 2017 through project completion	Millennium Consulting Associates	\$12,130.00	4/27/2017
I-075-003 / EV Science CR Refurb	Consultant to provide the following scope of work: moving services for the project at Evergreen High School	703444 / CP1971	April 27, 2017 through project completion	Mont/Rose Moving Systems, Inc.	\$4,430.00	4/27/2017
Z-045-602 / PH New CR Building D1 & D2	Consultant to provide the following scope of work: moving services for the project at Piedmont Hills High School	703446 / CP1951	April 27, 2017 through project completion	Mont/Rose Moving Systems, Inc.	\$8,910.72	4/27/2017
E-025-007 / AH Gymnasium Windows Replacement	Consultant to provide limited hazmat survey with optional design and hazmat monitoring services. Scope of work includes pre-renovation survey and analysis, a written report, abatement plans and specifications, bid support, monitoring and close out document for Andrew Hill High School Gym Windows Replacement project	703571 / CP1862	May 4, 2017 through project completion	Millennium Consulting Associates	\$13,835.20	5/4/2017
E-060-009 / YB Concession/Resroom Bld	Consultant to provide the following scope of work: DSA project inspector service for the project at Yerba Buena High School	703572 / CP1958	May 4, 2017 through project completion	Santa Clara Valley Construction Inspections (SCVCI)	\$14,965.00	5/4/2017

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X-052-993 / District Program Cost	Year 3 of PlanetBids System vendor and bid management modules with RFP Evaluation, Insurance Certificate Management Module, and Contract Management Module for the period of 02/13/2017 to 02/12/2018.	703592 / CP2017	February 13, 2017 through February 12, 2018	PlanetBids, Inc.	\$21,218.00	5/8/2017
Z-065-602 / IH Streetscape, Infrastructure, Wayfinding Modernization (Marquee)	Consultant to provide the following scope of work: provide in-plant special inspection and materials testing services for the new marquee structure at Independence High School	703594 / CP1839	May 10, 2017 through project completion	Earth Systems Pacific	\$3,555.00	5/10/2017
E-060-008 / YB Alt Ed MiniCampus Improvements	Consultant to provide the following scope of work: moving supplies and services for the 13 portables move at Yerba Buena High School. Total cost includes materials, labor, tax, and delivery	703595 / CP1993	May 9, 2017 through project completion	Mont/Rose Moving Systems, Inc.	\$10,431.88	5/9/2017
Z-030-601 / JL Student Center & Quad Mod	Consultant to provide the following scope of work: abatement monitoring services for the project at James Lick High School	703622 / CP1851	May 11, 2017 through project completion	Hazmat Doc	\$42,830.00	5/11/2017
F35-052-009 / EC Maintenance Yard & Infrastructure Realignment	Consultant to provide the following scope of work: soil engineering observation and testing services during construction for Ed Center fuel station	703623 / CP2009	May 11, 2017 through project completion	Envirocom	\$3,074.00	5/11/2017
Z-065-601 / IH Bld B Commons Modernization	Consultant to provide the following scope of work: moving services for the project at Independence High School	703625 / CP2003	May 12, 2017 through project completion	Mont/Rose Moving Systems, Inc.	\$742.50	5/12/2017
E-060-009 / YB Concession/Resroom Bld	Consultant to provide the following scope of work: geotechnical and geohazard investigation and soil engineering observation and testing services for the project at Yerba Buena High School	703626 / CP1984	May 12, 2017 through project completion	Cleary Consultants, Inc.	\$12,100.00	5/12/2017

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Z-XXX-803 / DW Roofing (Package B, C, and D)	Consultant to provide the following scope of work: hazmat/environmental monitoring and inspection services during the demolition and abatement phase of each separate construction contracts (Package B, C, and D) occurring at the same time. Package B: AH, PH. Package C: MP, WCO. Package D: FH, EV, JL, ST, YB	703627 / CP1997	May 12, 2017 through project completion	Millennium Consulting Associates	\$36,889.00	5/12/2017
I-030-002 / JL CR Modernization	Consultant to provide the following scope of work: moving services for Building 900, book room, and any items needed to prepare for the construction of the new student center at James Lick High School	703631 / CP1859	May 12, 2017 through project completion	Chipman Relocation & Logistics	\$11,500.00	5/12/2017
Z-055-603 / SC Bld N Mod & New Quad Marquee	Insurance program for Silver Creek High School	703635 / CP2035	May 15, 2017 through September 12, 2017	Statewide EDU Wrap Up Program, C/O: Keenan & Associates	\$37,706.11	5/15/2017