

Agenda Item Details

Meeting Aug 30, 2011 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 14. ATTACHMENT A - CONSENT CALENDAR

Subject 14.16 Approve Minutes of June 28, 2011, Regular Board Meeting

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the June 28, 2011, Regular Board Meeting minutes as presented.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT**Item: 14.16**

TO: Board of Trustees

FROM: Dan Moser, Superintendent

SUBJECT: Approve Minutes of June 28, 2011, Regular Board Meeting

Attached are the minutes of the June 28, 2011, 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 28, 2011, Regular Board Meeting minutes as presented.

Administrative Content

Executive Content

EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED August 30, 2011


**EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES
Meeting Held at Education Center
June 28, 2011
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 4:05 p.m. by President Nguyen. Vice President Biehl, Clerk Le, Member Martinez-Roach and Member Herrera were present.

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

President Nguyen 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 regarding Closed Session items.

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

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

2. CLOSED SESSION

2.01 Expulsion(s): None

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

- *Superintendent*
- *Internal Auditor*

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

- **Principal (3 Positions)**
- **Temporary Director of Facilities**
- **Associate Principals**

Public speakers (Principal Selections):

- *Dalia Borrego*
- *Gabriel Diaz*
- *Alejandra Ruiz (mother)*
- *Alejandra Ruiz (daughter)*
- *Damaris Arechiga*
- *Karina Ramos*
- *Sergio Manriquez*
- *Mr. Ortiz*
- *Juan Iniguez*
- *Coy Garrett*
- *Tyler Grieve*
- *Bryan Phipps*
- *Julie Bounds*
- *Sheryl Boardman*
- *Colleen*
- *Rosalind Taylor*
- *Rick Curry*
- *Scott Young*
- *Autumn Juhl*
- *Randi Springer*
- *Cassandra Pereira*
- *Adelaido Solis*
- *Solitaire Ferguson*
- *Lizett Solorzano*
- *Shirley Madsen*
- *Lynn McHenry*
- *Hayley Walker*
- *Mary Walker*
- *Jennifer Bettencourt*

Motion by Member Martinez-Roach, second by Clerk Le, to approve the appointment of Tom Huynh as Principal at Yerba Buena High School, Juan Cruz as Principal at Santa Teresa High School, and Adolfo Laguna as Principal at Silver Creek High School.

Vote: 3/2, Vice President Biehl and Member Herrera voted No

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:

Dan Moser, Superintendent

Cathy Giammona, Associate Superintendent of Human Resources and Instruction

Hardy Childers, Interim Associate Superintendent of Business Services

Vida Branner, Director of Compensation and Classified Employee Relations

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

2.06 Conference with Legal Counsel – Anticipated Litigation

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

- **Three (3) Potential Cases**

2.07 Conference with Real Property Negotiators

<i>Property:</i>	<i>ESUHSD Educational Center, or portion thereof 830 N. Capitol Avenue San Jose, CA 95133</i>
<i>District Negotiators:</i>	<i>Dan Moser, Superintendent Hardy Childers, Interim Associate Superintendent of Business Services Rogelio Ruiz, Legal Counsel Real Estate Representatives Sam Swan, Bob Hunt and Andre Hunt</i>
<i>Negotiating Parties:</i>	<i>ESUHSD, Santa Clara Development Company, and Other Parties To Be Determined</i>
<i>Under Negotiation:</i>	<i>Price and Terms</i>

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

5. **CONSIDERATION OF PROPOSED AMENDMENTS TO AGENDA**

For consideration by the Board of Trustees.

There were no amendments to the agenda.

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

6.01 **Hardy Childers – Interim Associate Superintendent of Business Services**

7. **STUDENT BOARD LIAISONS**

No items on calendar under this section.

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

Persons wishing to address the Board must fill out a gold request form, which is located at the entrance of the Board Room.

Speakers:

- *Ricardo Reyes – Yerba Buena High School Principal*
- *Alejandro Ruiz – Yerba Buena High School Principal*
- *Mark Mao – Chinese Language Program*
- *Rosalind Taylor – Passing of Scott Sachs*
- *Damario Arechiga – Yerba Buena High School Principal*
- *Karina Ramos – Yerba Buena High School Principal*

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

9.01 **Hold Public Hearing at Approximately 6:15 p.m. - Receive and Sunshine the Initial Proposal for Successor Contract: From San Jose Federation of Teachers, Local 957, AFT, AFL-CIO to East Side Union High School District - Dan Moser, Superintendent; and Cathy Giammona, Associate Superintendent, Human Resources and Instruction**

Public hearing held.

There were no public speakers.

9.02 **Presentation, Discussion and/or Action of Internal Auditor Work Plan - Ian Marsh, Internal Auditor**

Presentation on Internal Auditor Work Plan by Ian Marsh.

Motion by Vice President Biehl, second by Member Martinez-Roach, to approve the amended Internal Auditor's Work Plan, specifically the addition of the development and implementation of a fraud hotline which can be listed under "other" and that the Internal Auditor bring back to the Board at August 30, 2011, Board Meeting his recommendations for implementation of the hotline. Since the Work Plan lists approximate percentages, the Internal Auditor will also bring back to the Board a more detailed plan that details the objectives of the Work Plan, which will include the various timelines.

Vote: 5/0

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

- 10.01 Program Improvement Year 4 School Alternative Governance Plans Presentation – Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Kirsten King, Director of Instructional Services, and Mary Stone, PI External Evaluator**

Motion by Member Martinez-Roach, second by Member Herrera, to approve the recommended governance structure at Andrew Hill High School and Independence High School.

Vote: 5/0

- 10.02 Charter Compact Update Presentation - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Kirsten King, Director of Instructional Services**

Motion by Vice President Biehl, second by Member Herrera, to authorize East Side administration to continue working on the compact with East Side authorized charter schools and to bring back the compact, in final form, to the Board of Trustees for consideration.

Vote: 3/2, Clerk Le and Member Martinez-Roach voted No

- 10.03 Approve Carl D. Perkins 132 Grant 2011-12 Grant Application for East Side Adult Education Program - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Cari Vaeth, Director of Adult Education and Career Services**

Motion by Member Herrera, second by Vice President Biehl, to approve the Carl D. Perkins 132 Grant 2011-2012 Application for East Side Union High School District.

Vote: 5/0

- 10.04 Approval of Consolidated Program Application (Con App) Part I for 2011-2012 - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Tim Nguyen, Coordinator of English Language Learners Supplementary Education**

Motion by Member Herrera, second by Clerk Le, to accept the safety plan goals assessment for 2010-2011.

Vote: 5/0

- 10.05 Approve 2011 Single Plan for Student Achievement - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Tim Nguyen, Coordinator of English Language Learners Supplementary Education**

Motion by Vice President Biehl, second by Clerk Le, to approve the inter-district attendance agreements with Milpitas Unified School District and San Francisco Unified School District.

Vote: 5/0

- 10.06 Approve CAHSEE Local Waivers for Special Education Students - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Kirsten King, Director of Instructional Services**

Motion by Member Herrera, second by Vice President Biehl, to approve the CAHSEE local waivers for special education students.

Vote: 5/0

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

- 11.01 Approve Variable Term Waiver Request for Certificated Employee – Cathy Giammona, Associate Superintendent, Human Resources and Instruction**

Motion by Clerk Le, second by Member Herrera, to approve the variable term waiver request for certificated employee.

Vote: 5/0

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

- 12.01 Receive Second Reading and Adopt New Board Policy #3105 Fund Balance (GASB 54) - Hardy Childers, Interim Associate Superintendent of Business Services**

Motion by Clerk Le, second by Member Herrera, to adopt Resolution #2010/2011-44 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546.

Vote: 5/0

- 12.02 Approve Budget Adoption for 2011/2012 - Hardy Childers, Interim Associate Superintendent of Business Services**

Motion by Vice President Biehl, second by Member Herrera, to approve the budget adoption for 2011/2012.

Vote: 5/0

12.03 Approve Contracts for Professional Services over \$50,000 - Hardy Childers, Interim Associate Superintendent of Business Services

Speaker:

- *Angie Nunn*

Motion by Member Vice President Biehl, second by Member Herrera, to approve the amended contracts for professional services over \$50,000 (attached).

Vote: 4/1

Member Martinez-Roach voted no due to item number 6 and also due to the design and error omission.

12.04 Approve Authorization for the Superintendent or Designee to Award Summer Projects – Hardy Childers, Interim Associate Superintendent of Business Services

Motion by Member Herrera, second by Vice President Biehl, to award purchase orders/contracts for summer projects as listed, with the exception of item 14, Request for Proposal for Banking Services RFP-02-10-11, which has been pulled off the list/not approved.

Vote: 3/2, Clerk Le and Member Martinez-Roach voted No

12.05 Approve Authorization for the Superintendent to Award Emergency Projects during the Summer - Hardy Childers, Interim Associate Superintendent of Business Services

Motion by Member Herrera, second by President Nguyen, to approve authorization for the Superintendent, after conferring with the Board President, to award emergency projects for unforeseen needs during the summer. Should the bidding requirements need to be waived as a result of the emergency, the Superintendent and Board President will call a Special Meeting of the Board for consideration/action.

Vote: 5/0

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

13.01 Approve Form Professional Services Agreements for Architectural Services for Measure E and Measure G - Hardy Childers, Interim Associate Superintendent of Business Services

Motion by Vice President Biehl, second by Clerk Le, to approve the form Professional Services Agreements for Architectural Services for Measure G and Measure E Bonds.

Vote: 5/0

14. ATTACHMENT A – CONSENT CALENDAR ITEMS

Items 14.08 and 14.09 were pulled from the consent calendar for discussion. Motion by Member Martinez-Roach, second by Member Herrera, to approve the remainder of the consent calendar.

Vote: 5/0

- 14.01 Ratify/Approve Classified Personnel Actions Presented June 28, 2011**
- 14.02 Ratify/Approve Certificated Personnel Actions Presented June 28, 2011**
- 14.03 Ratify/Approve Student Aide Personnel Actions Presented June 28, 2011**
- 14.04 Approve School Field Trips**
- 14.05 Approve Award of Bids**
- 14.06 Approve Contracts for Professional Services at or Below \$50,000**
- 14.07 Approve Memoranda of Understanding**
- 14.10 Approve Notice of Completion for Oak Grove High School, Building D Modernization Project (Lyncon Construction, Inc.)**
- 14.11 Approve Change Order #2 for Santa Teresa High School Title IX Modernization Project (John Plane Construction, Inc.)**
- 14.12 Approve Notice of Completion for Santa Teresa High School, Title IX Modernization Project (John Plane Construction, Inc.)**
- 14.13 Approve Minutes of April 16, 2011, Special Board Meeting**
- 14.14 Approve Minutes of April 21, 2011, Regular Board Meeting**
- 14.15 Approve Minutes of May 5, 2011, Special Board Meeting**
- 14.16 Approve Minutes of May 31, 2011, Special Board Meeting**

Items pulled for discussion from the Consent Calendar for discussion, consideration and/or Action by the Board of Trustees.

- 14.08 Approve Purchase Orders Presented June 28, 2011**

Motion by Vice President Biehl, second by Member Herrera, to approve the purchase orders presented June 28, 2011

Vote: 5/0

14.09 Approve Change Orders to Purchase Orders Presented June 28, 2011

Motion by Vice President Biehl, second by Member Martinez-Roach, to approve change orders to purchase orders presented June 28, 2011.

Vote: 5/0

15. WRITTEN REPORTS/RECOMMENDATIONS

15.01 Receive Quarterly Report on the County of Santa Clara Treasury Investment Portfolio as of March 31, 2011

Report received

15.02 Receive Santa Clara County Civil Grand Jury Report: East Side Union High School District's Progress in Response to the Fiscal Crisis & Management Assistance Team Audit

Report received

Item to be brought back at the next meeting for discussion by the Board of Trustees.

16. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

16.01 Board of Trustees

Van Le, Board Clerk

Request for breakdown of legal expenses on the agenda.

Frank Biehl, Board Vice President

I had the opportunity to be at Silver Creek High School for the old theater demolition. That is going well. We had a little air horn that we blew and the big shovel started tearing down the walls. That was fun to watch. We were there for about a half hour. It was really good. People in the community were really excited about that. I looked at the drawings for the design of the new building that is going to be replaced. It is gorgeous. It is a very nice, very effective multi-purpose room that has two classrooms off to the side that includes the Band Program and the Dance Program. It is going to be a real jewel inside the center of that campus. They are going to be bringing the elevation up by about 10 feet in the middle.

MetroED:

We will be meeting tomorrow and adopting our budget. It is balanced. It is deficit spending similar to what we are doing over the next three years. They have reserves. They are spending those reserves down; basically, the same situation that we have.

Patricia Martinez-Roach, Board Member

I just want to request the Superintendent bring back the grading policy for the Board so that we can finally have a first reading and a second reading.

I would like to ask the Board for consideration for an amendment of this agenda to include future items to the agenda.

J. Manuel Herrera, Board Member

One item, the Chinese Language curriculum issue that was addressed during the public comments session by one of our parents who is part of the leadership of the parent group that is working with the District on this matter. Member Martinez-Roach and I are the designated Board Members working with the parent group and district administration. There was a conflict in Ms. Martinez-Roach's schedule, but I attended a meeting with the group. I believe that they worked in good faith in agreeing to postpone this for a full year while we thoroughly, methodically and a very high level of excellence developed a program, but part of that agreement I assured them was that we would, in fact, the Board would monitor month-to-month the progress being made because we did not want to arrive at the end of the year and find out that we still weren't ready because of something or another. That was a request that was reiterated in the public comment today by Mark Mao. So, I am just requesting that the administration, beginning in August, have a continuing item on the agenda for an update however brief or more than brief as may be appropriate so that the Board is aware of what is happening from month-to-month in the development of that program.

16.02 Dan Moser, Superintendent

This summer we had what I consider a small summer school with a total of 1,500 youngsters. Of note of that is the majority of that program is being paid by our members in the community that believe in the district and want to accelerate our youngsters where possible. I want to cite two examples: Step Up to Biology which is a total of 8 classes at our four high schools and is being paid for through a grant through National Semiconductor through Silicon Valley Education Foundation. Also at Overfelt, through aspiring youngsters and staff, they were able to secure funding for a math analysis course for this summer for 10th graders so that they will be able to go into calculus as 11th graders. Good for Overfelt on that there.

It all just points to belief by the community that we as a district continue to accelerate in our quest for A-G.

17. REPORT CLOSED SESSION ACTION(S)

Attorney will report on Closed Session action item(s).

See section 2.0 for reporting out of Closed Session items.

18. ADJOURNMENT

President adjourns the meeting.

President Nguyen adjourned the meeting at 11:05 p.m.

Respectfully submitted,



Board Clerk

Agenda Item Details

Meeting Jun 28, 2011 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 -- AMENDED

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

Subject 12.03 Approve Contracts for Professional Services over \$50,000 - Hardy Childers, Interim Associate Superintendent of Business Services

Access Public

Type Action, Discussion

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

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

**Item: 12.03
AMENDED**

TO: Board of Trustees

FROM: Dan Moser, Superintendent

PREPARED BY: Hardy Childers, Interim Associate Superintendent of Business Services

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

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

FISCAL IMPACT:
As indicated in the attachment

FUNDING SOURCE:
As indicated in the attachment

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

[12.03 Contracts Over \\$50K.pdf \(144 KB\)](#)

Administrative Content

Executive Content

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED June 28, 2011**
M. Guitler

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contracts for Professional Services over \$50,000
Board Meeting of June 28, 2011

1. AEDIS Architecture & Planning

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford D. Moser D. Bertrand J. Unger	April 10, 2009 – October 31, 2012 (no change)	\$91,314.00 Measure E	Overfelt Adult Education Facilities Cari Vaeth, Director June Rono, PhD, Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #2 to Purchase Order #905237 and Amendment #2 to the Agreement in the amount of \$91,314.00. This change order is issued to include the additional amount for scope modification during the programming phase of Overfelt Adult Education Center New Academic & Administrative Building. No change is being requested for the contract period.

Original Purchase Order was approved for \$526,018.00 + Change Order #1- \$52,601.00 + Change Order #2 - \$91,314.00 = the new Purchase Order total of \$669,933.00

Selection Process

The solicitation process took place prior to the original contract award. A Request for Qualification (RFQ) (RFQ-03-07-08) process was conducted by ESUHSD Administration. The recommendation for award was brought to the Board on June 19, 2008 for approval whereby a "Pool of District Architects for Capital Improvement and Expansion Projects" was developed. AEDIS is one of the eleven (11) District Architects.

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #2 to Purchase Order #905237 and Amendment #2 to the Agreement with AEDIS Architecture & Planning in the amount of \$91,314.00 for the scope modification during the programming phase of Overfelt Adult Education Center New Academic & Administrative Building per the Agreement.

2. Construction Testing Services, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford D. Moser D. Bertrand J. Unger	June 29, 2011 – July 15, 2012	\$74,438.00 (not to exceed) Measure E	Piedmont Hills High School Facilities Traci William, Principal June Rono, PhD., Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Construction Testing Services, Inc. for the provision of special inspections and material testing services required for the Piedmont Hills High School New Auxiliary Gymnasium Building, Project # E-045-002.

Selection Process

O'Connor Construction Management, Inc., the Construction Manager for the Piedmont Hills High School new Auxiliary Gymnasium Building Project solicited proposals from four vendors and the results are as follows:

Firm	On-Site Inspection	Concrete Comp. Test	Steel Shop Inspection	Welding Inspection
Construction Testing Services, Inc.	\$64.00/hr.	\$10.00 ea.	\$64.00/hr.	\$64.00/hr.
BAGG Engineers	\$73.00/hr.	\$33.00 ea.	\$83.00/hr.	\$83.00/hr.
Signet Testing Labs, Inc.	\$81.00/hr.	\$35.00 ea.	\$81.00/hr.	\$86.00/hr.
Smith-Emery Company	\$89.50/hr.	\$24.00 ea.	\$89.50/hr.	\$89.50/hr.

Based on the above fees and the anticipated number of inspections and testing estimated for this project, the award is being recommended to Construction Testing Services, Inc., as being the lowest responsible proposer.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract with Construction Testing Services, Inc., for the contract term June 29, 2011 through and including July 15, 2012 for the provision of special inspections and material testing services for the Piedmont Hills High School New Auxiliary Gymnasium Building Project # E-045-002 in an amount not-to-exceed \$74,438.00.

3. County of Santa Clara

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
C. Vaeth D. Moser D. Bertrand	July 1, 2011 – June 30, 2012	(\$290,872.00) (REVENUE) CalWORKs	Adult Education Carl Vaeth, Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve a Master Contract with the County of Santa Clara. This Master Contract is a revenue contract whereby ESUHSD will provide an array of education, training and job placement services for CalWORKs clients for the County of Santa Clara. The contract is for the term of July 1, 2011 through June 30, 2012. 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 10 years successfully.

Selection Process

Not applicable

RECOMMENDATION

It is recommended that the Board of Trustees approve a Master contract with the County of Santa Clara for the term of July 1, 2011 through June 30, 2012 for an amount not to exceed \$290,872.00.

4. Facilities Management Planning and Operations, Inc. (FMPO)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford D. Moser D. Bertrand J. Unger	April 10, 2009 – October 31, 2012 (no change)	\$569,888.55 (increase amount) Measure E	W.C. Overfelt High School Facilities Chiala Vito, Principal June Rono, Ph.D.

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #2 to Purchase Order #905012 with FMPO in the amount of \$569,888.55. The change order is issued to add funds to cover the actual construction cost of the W.C.

Overfelt High School Renovation of Building C South Wing and E Wing (Project No.: E-040-001) also includes reimbursable expenses for this change order amount.

Actual construction costs are \$5,962,870.00. Construction Management fees per Master Agreement are paid at 15%. Fee for construction management service for this project should be \$983,873.55 includes 10% reimbursable expenses. Change order #2 is to make up the difference that was estimated at the time the contract was awarded and issued.

Original Purchase Order was approved for \$376,350.00 (05/01/09) + Change Order #1- \$37,635.00 + Change Order #2 - \$569,888.55 = the new Purchase Order total of \$983,873.55

Selection Process

The solicitation process took place prior to the original contract award. A Request for Qualification (RFQ) process was conducted by ESUHSD Administration. The recommendation for award was brought to the Board on March 10, 2009 for approval whereby a "Measures E & G Pre-Approved Construction Management Firms (CM) List" was developed. FMPO is one of the four Pre-Approved CMs.

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #2 to Purchase Order #905012 with FMPO in the amount of \$569,888.55 for the W.C. Overfelt High School Renovation of Building C South Wing and E Wing (Project No.: E-040-001).

5. Morgan Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
C. Hersom C. Giammona D. Bertrand	September 1, 2010 – August 31, 2011 (no change)	\$60,000.00 (increased amount) Tuition	Special Education Carole Hersom, Coordinator

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve change order #1 to purchase order #102001 with Morgan Center for the provision of non-public school services for special education students. Educational services shall be consistent with the master SELPHA contract and specified services per the students Individual Education Program (IEP) plan. This change order is needed to pay for the costs of an additional Special Education Student who was placed at this facility.

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

The original contract amount is \$289,641.50, plus change order #1 for \$60,000.00, for a new total Contract/Purchase Order amount of \$349,641.50.

Selection Process

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

Morgan Center is a NPS that offers specialized educational services for this unique group of ESUHSD students. Morgan Center is one of two local NPSs that offer these unique services and ESUHSD contracts with both vendors.

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order #102004 to purchase order #102001 with Morgan Center for the provision of non-public school services for special education students in the increased amount of \$60,000.00.

6. Safe Trans Transportation

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
J. Kasberger D. Moser D. Bertrand	July 1, 2011 – September 30, 2011	\$ 221,000.00 (estimate) Transportation	Education Center – Transportation Julie Kasberger, Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into a Contract with Safe Trans Transportation for the provision of Transportation Services for ESUHSD's Special Education Students for the term of July 1, 2011 through and including September 30, 2011.

Selection Process

The selection process was completed by previous leadership and was intended to go out to bid this last summer 2010. However, due to other priorities the bidding was not able to take place at this time. It is the intention of the ESUHSD to do a formal solicitation process and present a recommendation to the Board of Trustees at the September 2011 meeting.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract with Safe Trans Transportation for the provision of Transportation Services for ESUHSD's Special Education Students for the term of July 1, 2011 through and including September 30, 2011.

7. Williams Scotsman

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Brazil D. Moser D. Bertrand J. Unger	July 1, 2011 – June 30, 2012	\$126,381.60 Capital Facilities	Oak Grove High School/Facilities Martha Brazil, Principal June Rono, PhD., Director

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve the continuation of the lease for twenty-four (24) relocatable classrooms at Oak Grove High School. These relocatable classrooms have been there for some time and are part of the district wide feasibility study that is taking place regarding all of the relocatable classrooms. Therefore, Administration is requesting authorization to keep these relocatables on a month-to-month year extension so that the feasibility study can be completed.

Selection Process

None was conducted at this time. This is a continuation of a current lease.

RECOMMENDATION

It is recommended that the Board of Trustees approve the continuation of the lease for twenty-four (24) relocatable classrooms at Oak Grove High School with Williams Scotsman for an amount of \$126,381.60 for the extended period of July 1, 2011 – June 30, 2012.

8. Beals Martin & Associates, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford D. Bertrand H. Childers	N/A	\$153,243.00 (increase amount) Measure E	Yerba Buena High School Facilities Juan Cruz, Principal; June Rono, Ph.D., Director

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve Administration to issue Change Order #1 to Beals Martin's Purchase Order #003312 and Amendment #1 to their Agreement as needed. This Change Order/Amendment is needed to increase their funding to cover costs that exceeded the total contract amount in an amount of \$153,243.00. The overage is due to the reasons listed in the spreadsheet below. This project is near completion and a final reconciliation will be brought to the Board at a later date.

At the June 17, 2010 Board meeting the Board of Trustees approved Administration's recommendation to award the Yerba Buena High School - Modernization of Buildings 700 & 100 project to Beals Martin & Associates, Inc. as the lowest responsible bidder in an amount of \$4,219,797.00 which included a 10% allowance to be managed by the District. Based on the reasons set forth below in the brief descriptions of the reasons for each of the PCO's (Potential Change Orders), the project has gone over the total contracted amount by \$153,243.00 at this time. Once the project is complete, Administration will bring back a final reconciliation of the contract/purchase.

Original contract amount \$4,219,797.00 plus change order #1 \$153,243.00 for a new total Contract/ Purchase Order amount of \$4,373,040.00.

Bid #	Purchase Order #	DSA #	Project #
B-13-09-10	003312	01-111098 / 01-111099	E-060-002 / E-060-001

Item #	Description / Reason	Requestor	Amount
1	Bldg 100-PCO 1 - Remove built-in bookcase between library and new offices.	Owner	\$1,496.50
2	Bldg 100-PCO 2 - Abate ceiling in Room 108 shown as acoustical when it was GWB.	Design error/omission	\$1,496.50
3	Bldg 100-PCO 3 - Abate 2 nd layer of GWB in kitchen that was under plywood.	Unforeseen	\$11,042.00
4	Bldg 100 PCO 4 - Temporarily Remove Hot Water Heater in janitor closet for abatement to proceed.	Design error/omission	\$494.00
5	Bldg 100 PCO 5 - Frame (n) wall between Library and Room 110.	Unforeseen	\$1,631.00
6	Bldg 100-PCO 6 - Remove and Replace 5 HVAC Units identified as (e).	Owner	\$71,475.00
7	Bldg 100-PCO 7 - Repair conduit and pull (n) wire to Clock Tower that was buried inside forint go be removed.	Unforeseen	\$4,544.00
8	Bldg 100-PCO 8 - Remove and Replace 26 pieces of badly weathered parapet plywood.	Owner	\$1,966.00
9	Bldg 100-PCO 9 - Revise parapet plywood from 1/2" CDX to Resawn over felt paper.	Owner	\$3,493.00
10	Bldg 100-PCO 10 - Bush / grind concrete at interior of kitchen at roll up doors to achieve ADA compliance.	Unforeseen	\$3,015.00
11	Bldg 100-PCO 11 - Remove 5 (e) Gravity Vents and patch roof.	Unforeseen	\$578.00
12	Bldg 100-PCO 12 - Change electrical panels from "Seimans" to District Standard "Square-D"	Owner	\$477.00
13	Bldg 100-PCO 13 - Add fire blocking at the (e) ceiling ledger in the library.	Unforeseen	\$450.00
14	Bldg 100-PCO 14 - Remove (e) Walk-In HVAC Unit. Add taller curb and re-install.	Unforeseen	\$8,561.00
15	Bldg 100-PCO 15 - Install GWB on wall between library and Room 110.	Unforeseen	\$3,431.00
16	Bldg 100-PCO 16 - Remove additional unforeseen footing concrete per Structural Engineer Site Visit.	Unforeseen	\$1,898.00
17	Bldg 100-PCO 17 - Remove and dispose of books left in Book Room by the site	Owner	\$2,853.00

18	Bldg 100-PCO 18 – Abate GWB ceiling and remove ceiling joists in Room 104 that was shown to be acoustical ceiling.	Design error/omission	\$5,651.00
19	Bldg 100-PCO 19 – Delete from scope of work the power wash of roof tiles.	Owner	(\$1,007.00)
20	Bldg 100-PCO 20 – Reinstall electrical outlets for kitchen vending machines that were removed Per the Demo plan.	Design error/omission	\$2,126.00
21	Bldg 100-PCO 21 – Paint wall where bookcase was removed in library instead of adding wall paper.	Owner	\$488.00
22	Bldg 100-PCO 22 – Paint remainder of kitchen interior walls to match exterior paint scheme.	Owner	\$4,322.00
23	Bldg 100-PCO 23	VOID	0.00
24	Bldg 100-PCO 24 – Repair (e) T-bar ceiling in library where (n) wall was added.	Design error/omission	\$933.00
25	Bldg 100-PCO 25 – Change HVAC Unit manufacturer from "Trane" to District Standard "Carrier".	Owner	\$1,363.00
26	Bldg 100-PCO 26 – Raise (e) electrical sub panel on roof feeding the HVAC Units.	Unforeseen	\$963.00
27	Bldg 100-PCO 27 – Make taller reception counter in Guidance Office.	Design error/omission	0.00
28	Bldg 100-PCO 28 – Re-float exterior concrete at kitchen roll up doors for ADA compliance.	Unforeseen	\$3,168.00
29	Bldg 100-PCO 29 – Replace 2 additional window panes not included in Addendum #2.	Design error/omission	\$625.00
30	Bldg 100-PCO 30 – Add toilet compartment partition in the Staff Women's Non-Accessible stall.	Design error/omission	\$894.00
31	Bldg 100-PCO 31 – Relocate electrical sub-panel inside Room 104.	Unforeseen	\$14,732.00
32	Bldg 100-PCO 32 – Temporarily reconnect the Hot Water Heater in the kitchen janitor closet.	Design error/omission	\$1,593.00
33	Bldg 100-PCO 33 – Saw cut and re-route (e) underground fed lighting circuits in Room 104.	Unforeseen	\$785.00
34	Bldg 100-PCO 34 – Remove and replace additional exterior concrete at doorways to achieve ADA compliance.	Unforeseen	\$10,185.00
35	Bldg 100-PCO 35 – Add curbs around (e) HVAC Duct Work for roofing warrantee issues.	Owner	\$2,048.00
36	Bldg 100-PCO 36 – Modify (e) HVAC Duct Work and add sheet metal caps at the Units where curbs were added.	Owner	\$3,222.00
37	Bldg 100-PCO 37 – Modify (e) Duct Work at the 5 (n) HVAC Units.	Owner	\$3,108.00
38	Bldg 100-PCO 38 – Permanently re-install sink and HWH in kitchen janitor closet.	Design error/omission	\$1,997.00
39	Bldg 100-PCO 39 – Install GWB "J" Mold at (n) door jambs.	Owner	\$1,067.00
40	Bldg 100-PCO 40 – Install HVAC electrical convenience outlets at (e) Unit locations.	Owner	\$2,841.00
41	Bldg 100-PCO 41 – Install (n) power, conduits and disconnects to 9 HVAC Units.	Owner	\$50,599.00
42	Bldg 100-PCO 42 – Provide chair rail in Room 103 to match other class rooms.	Design error/omission	\$1,071.00
43	Bldg 100-PCO 43 – Provide District Standard heat weld seams on sheet vinyl flooring.	Owner	\$1,180.00
44	Bldg 100-PCO 44 – Install (n) surface mounted light switch in men's and women's Staff Toilet Rooms.	Unforeseen	\$1,232.00

45	Bldg 100-PCO 45 – Remove, cut and reinstall (e) decorative 4x10 BMS at doors 109A & 110A that encroach into the ADA access.	Unforeseen	\$894.00
46	Bldg 100-PCO 46 – Install “slip track” at (e) beams for head wall deflection detail.	Unforeseen	\$2,945.00
47	Bldg 100-PCO 47 – Forced account work to provide (n) “cricket system” roofing as opposed to “full taper” system	Unforeseen	\$3,377.00
48	Bldg 100-PCO 48 – Door Hardware changes not picked up in addendum #2.	Design error/omission	\$9,138.00
49	Bldg 100-PCO 49 – Patch concrete for re-routing electrical lighting circuits in COR #33.	Unforeseen	\$910.00
50	Bldg 100-PCO 50 – Install (n) gas piping for the 5 added HVAC Units.	Owner	\$11,551.00
51	Bldg 100-PCO 51 – Add VCT, patch and repair quarry and wall tile in Staff toilet rooms.	Design error/omission	\$4,900.00
52	Bldg 100-PCO 52 – Add toilet accessories in Staff toilet rooms.	Design error/omission	\$222.00
53	Bldg 100-PCO 53 – Remove and replace additional concrete at door entrances for ADA compliance.	Design error/omission	NTE \$20,000.00
54	Bldg 100-PCO 54 – Re-establish ground connectivity to (e) roof top electrical conduits.	Owner	\$5,049.00
55	Bldg 100-PCO 55 – Up-grade to Movable Security Cameras.	Owner	\$6,159.00
56	Bldg 100-PCO 56 – Install (n) condensate piping for the 5 (n) HVAC Units.	Owner	\$10,923.00
57	Bldg 100-PCO 57 – Paint the remaining 5 exterior doors in the kitchen.	Owner	\$1,410.00
58	Bldg 100-PCO 58 – Modify (e) Duct Work and add sheet metal caps on added curbs around (e) duct penetrations.	Owner	\$5,519.00
59	Bldg 100-PCO 59 – Install additional counter flashings around (e) curbs at (e) HVAC Units.	Owner	NTE \$10,000.00
60	Bldg 700-PCO1 – Hook up FA cable passing through Bldg 700 feeding other buildings.	Unforeseen	\$1,254.00
61	Bldg 700-PCO 2 – Frame (n) wall between Rooms 706 & 710 shown to be (e) but was a demountable wall.	Design error/omission	\$2,083.00
62	Bldg 700-PCO 3 -- Revise parapet plywood from ½” CDX to Resawn over felt paper.	Owner	\$7,511.00
63	Bldg 700-PCO 4 – Install metal ramp between the portables and the tennis courts. Safety Issue.	Owner	\$11,242.00
64	Bldg 700-PCO 5 – Extend the Sanitary Sewer approx. 75' from indicated POC to (e) sewer line.	Design error/omission	\$6,555.00
65	Bldg 700-PCO 6 – Add (n) 12”x12” area drain near door 716A to allow for drainage.	Unforeseen	\$635.00
66	Bldg 700-PCO 7 – Change Owner Furnished Contractor Installed (OFCl) Life Skills Kitchen Appliances to Contractor Furnished Contractor Installed (CFCl)	Unforeseen	\$3,438.00
67	Bldg 700-PCO 8 – Install power and data @ 4 Smart Board Locations in the Life Skills.	Owner	\$14,091.00
68	Bldg 700-PCO 9 – Extend the soffit over the sink bases at 4 Life Skills Classrooms.	Owner	\$1,811.00
69	Bldg 700-PCO 10 – Upcharge to change from Siemens electrical panels to Square D.	Owner	\$11,524.00

70	Bldg 700-PCO 11 – Credit for re-using (e) conduits to supply electrical power to the building.	Contractor	(\$3,712.00)
71	Bldg 700-PCO 12 -- Delete from scope of work the power wash of roof tiles.	Owner	(\$737.00)
72	Bldg 700-PCO 13 – Add anchor bolts each side of (n) door opening 710D.	Design error/omission	\$181.00
73	Bldg 700-PCO 14 – Upcharge from Siemens to Square D main breaker and transformer.	Owner	\$4,920.00
74	Bldg 700-PCO 15 – Remove 2 sets of concrete stairs near portables and re-install 1 set to conform to ADA Requirements.	Unforeseen	\$6,575.00
75	Bldg 700-PCO 16 – Remove and replace addition concrete at door entrances for ADA compliance Room 715, 716.	Unforeseen	\$9,592.00
76	Bldg 700-PCO 17 -- Remove and replace addition concrete at door entrances for ADA compliance Room 718.	Unforeseen	\$1,178.00
77	Bldg 700-PCO 18 – Install ceramic floor and wall tile in Toilet Room 711.1.	Design error/omission	\$2,386.00
78	Bldg 700-PCO 19 – Install occupancy motion sensors not shown on drawings in Rooms 710; 718; 720 (total 5)	Design error/omission	\$3,616.00
79	Bldg 700-PCO 20 – Additional hand excavation at stairs that was excluded in PCO 15.	Unforeseen	\$1,120.00
80	Bldg 700-PCO 21 – Delete from Scope, material and installation of Architectural fences and gates.	Owner	(\$27,425.00)
81	Bldg 700-PCO 22 – Install (n) louvered door and modify swing at electrical Room 711.2 for clearance inside.	Unforeseen	\$945.00
82	Bldg 700-PCO 23 – Provide heat welded seams on (n) sheet vinyl flooring per District Standards.	Owner	\$1,805.00
83	Bldg 700-PCO 24 -- Additional IT requested items not in Scope of Work.	Owner	\$27,804.00
84	Bldg 700-PCO 25 -- Install "slip track" at (e) beams for head wall deflection detail. Phase 1.	Unforeseen	\$2,683.00
85	Bldg 700-PCO 26 – Install 2 additional security key pads not shown on drawings.	Design error/omission	\$806.00
86	Bldg 700-PCO 27 – Add power and receptacles at the Life Skills kitchen equipment.	Design error/omission	\$452.00
87	Bldg 700-PCO 28 – Install GWB "J" mold at (n) door frame flanges. Phase 1.	Owner	\$1,467.00
88	Bldg 700-PCO 29 – Plumbers premium portion of Overtime to shut down campus and change valves on Saturday.	Owner	\$765.00
89	Bldg 700-PCO 30 -- Electricians premium portion of Overtime to shut down campus and pull (n) electrical feeder cables on Saturday and Sunday.	Owner	\$1,445.00
90	Bldg 700-PCO 31 – Change the model number on the electrical hand dryer and add 1 additional soap disp.	Unforeseen	\$220.00
91	Bldg 700-PCO 32 – Abate GWB ceiling and remove framing members in Room 701 shown to be Acoustical ceiling. Remove additional built in case work not shown to be removed.	Design error/omission	\$12,854.00
92	Bldg 700-PCO 33 – Install breaker, conduit and power for Hot Water Heater and Circulation pump in janitors closet.	Design error/omission	\$4,095.00
93	Bldg 700-PCO 34 – Install (n) breaker and extend wiring for electrical panel RR for adjacent RR building.	Unforeseen	\$2,118.00

94	Bldg 700-PCO 35 – Relocate electrical panel CR to Computer Room. Install a (n) smaller panel in the IDF room.	Owner	\$6,414.00
95	Bldg 700-PCO 36 – Changes to hardware Group 1. Change lever handles to panic devices.	Design error/omission	\$5,613.00
96	Bldg 700-PCO 37 – Credit for not installing sheet vinyl in Toilet Room 711.2 where tile was installed.	Design error/omission	(\$420.00)
97	Bldg 700-PCO 38 -- Install "slip track" at (e) beams for head wall deflection detail. Phase 2.	Unforeseen	\$1,630.00
98	Bldg 700-PCO 39 – Furnish and install site requested projector screens that were not included in scope.	Design error/omission	\$3,831.00
99	Bldg 700-PCO 40 – Install SS mirror in Student Toilet Room 711.C	Design error/omission	\$259.00
100	Bldg 700-PCO 41 – Site request to add additional lighting at the rear of Bldg 700.	Owner	\$5,276.00
101	Bldg 700-PCO 42 – Cap and remove Fire Sprinkler Line in Room 702.	Unforeseen	NTE \$2,000.00
102	Bldg 700-PCO 43 – Remove (e) plywood "drop down" door to soffit area and add a 1-hr rated access door.	Unforeseen	\$296.00
103	Bldg 700-PCO 44 – Excavate Computer Room "Walker Duct" trenches deeper, place additional rebar and add additional concrete.	Design error/omission	\$14,941.00
104	Bldg 700-PCO 45 – Install 5 HVAC convenient outlets on roof.	Owner	\$2,278.00
105	Bldg 700-PCO 46 – Install an additional 50' of 1-1/2" cold water piping above ceiling in Room 701, 702.	Unforeseen	\$2,692.00
106	Bldg 700-PCO 47 – Install different movable security cameras than specified in drawings at District IT direction.	Owner	\$8,717.00
107	Bldg 700-PCO 48 – Add additional FA Devices not shown on drawings.	Unforeseen	NTE \$5,000.00
108	Bldg 700-PCO 49 – Remove and replace additional concrete at door entrances to achieve ADA compliance.	Design error/omission	NTE \$10,000.00
109	Bldg 700-PCO 50 – Add additional concrete at entrance to trash compactor which was blocked by the addition of (n) handrail.	Owner	NTE \$5,000.00
110	Bldg 700-PCO 51 – Seismically brace the (e) 3" gas line that was unforeseen above the hard ceiling.	Unforeseen	\$1,929.00
111	Bldg 700-PCO 52 – Delete from scope the (n) ADA curb cut near the locker rooms.	Contractor	(\$2,575.00)
112	Bldg 700-PCO 53 – Remove and replace ceiling tiles in order to change speaker cables directed in PCO 24.	Owner	\$418.00
113	Bldg 700-PCO 54 – Repair unforeseen electrical conduits and pull (n) wire for circuits feeding other buildings.	Unforeseen	\$4,788.00
114	Bldg 700-PCO 55 – Remove and replace old broken (e) gas regulator feeding the HVAC Units.	Unforeseen	\$1,433.00

Selection Process

Not Applicable.

RECOMMENDATION

Approve Change Order #1 to Purchase Order # and Amendment #1 to the Agreement as needed for the Yerba Buena High School – Modernization of Buildings 700 & 100 project with Beals Martin & Associates, Inc. in the increased amount of \$153,243.00.

9. Lyncon Construction

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford D. Bertrand H. Childers	N/A	\$21,138.87 (increase amount) Measure E	Oak Grove High School Facilities Martha Brazil, Principal; June Rono, Ph.D., Director

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve Administration to issue Change Order #1 to Lyncon Construction's Purchase Order #100771 and Amendment #1 to their Agreement as needed. This Change Order/ Amendment is needed to increase their funding to cover costs that exceeded the total contract amount in an amount of \$21,138.87. The overage is due to the reasons listed in the spreadsheet listed below. This project is now complete and this change order is needed to pay the contractor for services already rendered.

At the August 19, 2010 Board meeting the Board of Trustees approved Administration's recommendation to award the Oak Grove High School Building D Modernization project to Lyncon Construction as the lowest responsible bidder in an amount of \$1, 748,031.00 which included a 10% allowance to be managed by the District. Based on the reasons set forth below in the brief descriptions of the reasons for each of the PCO's (Potential Change Orders), the project ended up going over the total contract amount by \$21,138.87.

Therefore, Administration is requesting Board approval to approve the reconciliation of Lyncon's contract by adding the additional amount to their purchase order so that the District can pay for services provided during construction. This is the final reconciliation as the Notice of Completion is also being presented for Board approval at this same Board meeting so that the project can be closed out.

Original contract amount \$1,748,031.00 plus change order #1 \$21,138.87 for a new total Contract/ Purchase Order amount of \$1,769,169.87.

Bid #	Purchase Order #	DSA #	Project #
B-14-09-10	100771	01-111151	E-050-001
Item #	Description/Reason	Requestor	Amount
1	PCO #1- Repair main water valve feeding Building D. Valve was discovered broken- unforeseen condition.	Unforeseen	\$1,469.98
2	PCO #2- Pre-existing condition: tripping hazard caused by an existing 1-1/2" crack in walkway. Saw cut, demolish and remove (only) portion of walkway not included in the demo plan on the east side of the building.	Unforeseen	\$2,508.47
3	PCO #3- Fire Alarm Investigation	VOID	-
4	PCO #4- Replace concrete identified as being a hazard in PCO #2.	Unforeseen	\$16,694.90
5	PCO #5- The bottom of the footing is at a depth too low to run the pipe underneath the footing and maintain the proper slope. Core drill through footings to install pipe.	Unforeseen	\$2,322.87
6	PCO #6- Rust on roof deck was discovered after roof demo and must be treated before the new roof is installed. Remove rust from roof deck using a rust inhibitor.	Unforeseen	\$7,043.94
7	PCO #7- After interior demo, the existing building framing shown to be existing as not up to current DSA code. The code is very specific about how windows and doors need to be framed. There were (4) different framing issues at a total of (17) window/door locations.	Unforeseen	\$26,942.04

8	PCO #8- Change metal stud size from 6" to 8" to accommodate existing building columns	Unforeseen	\$2,019.85
9	PCO #9- Repair damaged roof deck areas that were identified as being structurally vulnerable during the initial roof rust discovery.	Unforeseen	\$12,794.18
10	PCO #10- Had to add a roof opening detail appropriate for the specified roof drain.	Design omission	\$7,167.01
11	PCO #11- In order to properly install the roof curb and ensure the prolonged life of the roof, we needed to revise the roof curb detail to show an even surface running along the perimeter of the building. The existing curb was not even and did not create a solid connection.	Unforeseen	\$15,132.24
12	PCO #12- Due to the extended amount of work and time needed to repair the roof, the contractor was unable to pursue the scope of work inside the building thus causing a delay in the critical path of the project's base schedule.	Unforeseen	\$51,458.75
13	PCO #13- The existing feeder running from the main switch gear to building D was obstructed with unknown debris. Contractor to use a high power pressure washer and suction pump to clear the line.	Unforeseen	\$4,666.20
14	PCO #14- Had to add shaft walls in storage areas to prevent fire from spreading from storage rooms to classrooms via soffit openings.	Design Omission	\$15,355.35
15	PCO #15- Relocate Irrigation	VOID	-
16	PCO #16- Due to a casework conflict the wall mounted sink changed to a recessed sink in the casework	Design omission	\$461.95
17	PCO #17- Owner requested new fire rated plywood, three sheets, in the electrical room.	Unforeseen	\$403.33
18	PCO #18- Contractor to add an additional 25 PR to achieve the 50 PR protection black required per the District standards.	Design omission	\$3,407.76
19	PCO #19- Contractor to install stainless steel electrical cover plates in lieu of specified nonmetallic cover plates. This is the District standard.	District	\$466.62
20	PCO #20- New Panic Devices	VOID	-
21	PCO #21- Credit to eliminate the projector screen support detail. A more simple method was utilized due to minimal weight (10lbs).	District	(\$371.18)
22	PCO #22- Credit to eliminate the shutdown wiring to the AC units, contractor was able to meet minimum code requirements through other methods.	District	(\$346.78)
23	PCO #23- Contractor to change the existing ST fiber connectors to LC fiber connectors. This is a District standard and is necessary for the performance of the system.	District	\$6,607.27
24	PCO #24- Contractor to install an additional DX4020 panel and gimbals for security upgrades, as part of the District standard low voltage systems.	District	\$2,257.12

25	PCO #25- Contractor instructed to remove and patch certain sections of casework that were deemed to be a potential hazard to teachers and to allow room for some furniture, fixture, and equipment items.	VOID	-
26	PCO #26- Reconnect Light fixtures on roof per District punch list	VOID	-
27	PCO #27-Security upgrades related to the District requested low voltage punch list items required for system operation.	Requested by District	\$1,589.00
25	Negotiated from contract	District	(\$158,912.00)

Selection Process

Not Applicable.

RECOMMENDATION

Approve Change Order #1 to Purchase Order #100771 and Amendment #1 to the Agreement as needed for the Oak Grove High School Building D Modernization Project with Lyncon Construction in the amount of \$21,138.87.

Agenda Item Details

Meeting Jun 28, 2011 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 14. ATTACHMENT A - CONSENT CALENDAR

Subject 14.06 Approve Contracts for Professional Services at or Below \$50,000

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the contracts for professional services at or below \$50,000 as listed in the attachment and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

Public Content**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 14.06**

TO: Board of Trustees

FROM: Dan Moser, Superintendent

PREPARED BY: Hardy Childers, Interim Associate Superintendent of Business Services

SUBJECT: Approve Contracts for Professional Services at or below \$50,000

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

FISCAL IMPACT:
As indicated in the attachment

FUNDING SOURCE:
As indicated in the attachment

RECOMMENDATION:
It is recommended that the Board of Trustees approve the contracts for professional services at or below \$50,000 as listed in the attachment and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

[14.06 Contracts Under \\$50K.pdf \(59 KB\)](#)

Administrative Content

Executive Content

EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED June 28, 2011
M. Gutter

Item: 14.06

EAST SIDE UNION HIGH SCHOOL DISTRICT PROFESSIONAL CONTRACT SERVICES at or Below \$50,000 Board Meeting of June 28, 2011

A. SCHOOL SITES/EDUCATION CENTER

Contractor Name	Reviewed By	Contract Period	Cost/Funding	School/Dept. Manager	Purpose
1 The Bay School	C. Hersom C. Giammona D. Bertrand	July 1, 2010 – August 31, 2011	\$41,000.00 (increase amount) Tuition	Education Center Special Education Carole Hersom, Coordinator	To approve Change Order #1 to Purchase Order #101441 to cover the cost of tuition and other related services for special education Students currently at The Bay School and to extend the term through August to cover summer school program. The Bay School is the provider of non-public school services for special education students. Educational services are consistent with the master contract and specified services per the students' Individual Education Program (IEP) plan. Original contract amount \$218,430.00 plus change order #1 \$250,000.00 for a new total Purchase Order amount of \$468,430.00.
2 Cambium Learning Group	D. Bertrand R. Ibarra C. Giammona	June 13, 2011 – July 20, 2011	\$10,000.00 Professional Development	Education Center Robert Ibarra, Coordinator	To provide two 2-day Step Up to Writing trainings for ESUHSD English Support and EL teachers on June 13/14, and July 18/19, 2011. Each training session will accommodate up to 40 teachers. No solicitation process took place for this service. This is a very specialized training
3 County of Santa Clara, Probation Department	D. Moser D. Bertrand	July 1, 2011 – June 30, 2016	No Cost Operational Agreement. There are other agreements that cover the costs of the truancy officer.	Andrew Hill, Foothill and Independence High Schools, Betina Lopez , Lynne Murray, and Gretel Castro-Stanley, Principals	Contractor will assign one Deputy Probation Officer (DPO) at each of the High Schools listed. The County will be responsible for their supervision. Typical tasks performed by the DPO's will include: participation in school-site safety planning and meetings with ESUHSD; attend monthly Associate Principal for Discipline meetings; coordinate prevention, intervention, and supervision services for minors and their family; participate in the ESUHSD multi-disciplinary team meetings; assist in the development and implementation of a multi-agency approach to provide supervision and care for high-risk youth; and work with ESUHSD and other community-based organizations to develop a continuum of services to build the capacity to reduce juvenile delinquency through prevention.

							<p>The ESUHSD will provide office, phone, mail services and access to basic office equipment at the school sites; provide coeds and ESUHSD's policies and procedures; allow DPOs to participate in weekly conferences, periodic unit meetings, and field and court work as directed by the County. Such participation of occur during regular working hours on a scheduled basis; work with probation to establish local measures that track the efficacy of the School Based Probation Program; an provide agreed upon data to probation for the purpose of tracking the efficacy of the School Based Probation Program.</p>
4	Education Trust - West	D. Moser D. Bertrand	July 1, 2011 – June 30, 2012	No Cost	District Wide Dan Moser, Superintendent	<p>To provide support to ESUHSD in our establishment of a college and career ready sequence of study for all high school students by conducting an analysis of transcripts, test scores and other pertinent information.</p>	
5	Greenhouse Academy	C. Hersom C. Giammona D. Bertrand	June 14, 2010 – August 31, 2011 (change in term)	\$6,000.00 (increase amount) Tuition	Education Center Special Services Carole Hersom, Coordinator	<p>Approve Change Order #1 to Purchase Order #102130 with Greenhouse Academy for the continued nonpublic school (NPS) services for ESUHSD's Special Education Students placed at this facility.</p> <p>Greenhouse Academy was selected due to Santa Clara County Mental Health placing this student in residential placement in Santa Rosa, CA. This is the school which provides the educational services for students with severe emotional disturbances. Since this student is a resident of our District, the District is responsible for the educational component. No solicitation process can take place for this contract.</p> <p>Original contract amount \$39,874.76 plus change order #1 \$6,000.00 for a new total Purchase Order amount of \$45,874.76.</p>	
6	Juan Serrano	T. Nguyen C. Giammona D. Bertrand	April 14, 2011	\$250.00 EIA	Education Center Tim Nguyen, Coordinator	<p>Request for Ratification.</p> <p>Provided entertainment for the Latino Student Achievement Awards Ceremony at Yerba Buena High School Gym on April 14, 2011.</p>	

7	Kevin Heyman	R. Ibarra C. Giammona D. Bertrand	June 20, 2011	\$300.00	Education Center Robert Ibarra, Coordinator	To provide in-service training for Librarians on the Follett Destiny online public access catalog/circulation system and cross training on the Follett Alliance Plus System (formerly used in our District).
8	National Student Clearinghouse	B. Lopez C. Giammona D. Bertrand	July 1, 2010 – June 30, 2011	\$425.00 Small Learning Communities	Andrew Hill H.S. Bettina Lopez, Principal	To provide follow-up study report on 2009 graduates.
9	Phillip Rodriguez	V. Chiala K. King C. Giammona D. Bertrand	July 16, 2011 – July 31, 2011	\$1,000.00 San Jose Best	W. C. Overfelt H.S. Vito Chiala, Principal	To provide 50 hours of gang mediation services which includes by not limited to: personal transformation/treatment plan, parent contacts, education/support groups, mentoring, participation on multi-service and gang intervention teams, and intervene with youth altercations and volatile conditions.
10	San Francisco State University	C. Giammona D. Bertrand	July 1, 2011 – June 30, 2014	No Cost	District Wide Cathy Giammona, Associate Superintendent	ESUHSD agrees to provide teaching or clinical or administrative experience through practice teaching or clinical experience or administrative internship in schools and classes of ESUHSD.
11	SEE College Prep	V. Chiala K. King C. Giammona D. Bertrand	July 1, 2011 – October 31, 2011	\$5,000.00 Applied Materials Foundations	W. C. Overfelt H.S. Vito Chiala, Principal	To provide an 80-hour SAT preparation program for approximately 25 students. Program will consist of: 4 weeks of 4 hours per day, 4 days per week study program that includes four diagnostic exams; tutors for every three to five students; proctors and graders for the program's four full-length SAT examinations; records students' SAT scores and other measures of performance in the program; and copies of SEE's curriculum booklet, The College Board's Official Study Guide for the SAT, and four full-length diagnostic SAT exams for all students
12	SmarteTools LLC	C. Vaeth D. Moser D. Bertrand	September 1, 2011 – August 31, 2012	\$29,500.00 \$19,500.00 Maintenance Agreement;	Adult Education Cari Vaeth, Director	Maintenance & Support Agreement for the Adult Education attendance and tracking system. No solicitation process took place for the professional services as they are the best to provide the integration services.

							\$10,000 for professional services				
							Adult Education				

B. FACILITIES

	Contractor Name	Reviewed By	Contract Period	Cost/Funding	School/Dept. Manager	Purpose
1	Bruce Flynn & Associates, Inc	K. Lanford D. Moser J. Unger D. Bertrand	April 22, 2011 – July 15, 2011 Extension of completion date to September 30, 2011	\$18,000.00/(no t to exceed) Measure G (No change)	Education Center Facilities/Planning June Rono, PhD., Director	<p>Staff is requesting an extension of time due to unforeseen delays out of the control of the vendor and the District. Because these delays have occurred there could be not sufficient time to complete this project by the original completion date (7/15/2011). The extension of time, if allowed, should be adequate for what needs to be accomplished.</p> <p>Under the direction of DSA, Bruce Flynn & Associates will provide inspection and testing to relocatable classrooms throughout East Side Union High School District.</p> <p>After completing a District wide survey of the existing relocatable classrooms it was found that many relocatable classrooms had sustained damages to the electrical ground rods, conductor clamp, and bonding from the building to the ramp and landings. Contract Service Agreement includes inspection and testing of these grounding conductors and rods, install bonding lugs and straps and issuing reports to DSA for each DSA application number on each site. Mr. Flynn may need to purchase additional materials at a later date based upon further testing and inspection. If that amount exceeds this contract, administration will come back to the Board for approval.</p>
2	Cleary Consultants, Inc.	K. Lanford D. Moser D. Bertrand J. Unger	June 29, 2011 – October 31, 2012	\$12,600.00/(no t to exceed) Measure E	James Lick H.S. Facilities Glenn VanderZee, Principal	<p>Provide soil engineering observation and testing services during the construction of the James Lick High School New Two Story Building 500 Project No.: E-030-001.</p> <p>Due to the need to meet established timelines, there was not</p>

3	Cleary Consultants, Inc.	K. Lanford D. Moser D. Bertrand J. Unger	June 29, 2011 – June 14, 2012	\$15,000.00 (not to exceed) Measure E	Mt. Pleasant H.S. Facilities Teresa Marquez, Principal June Rono, Ph.D., Director	June Rono, Ph.D., Director	<p>sufficient time for Purchasing Department to perform the solicitation process. Cleary Consultants, Inc. has performed the preliminary geotechnical investigation submitted on September 22, 2009 for the project; therefore it is recommended that Cleary Consultants, Inc. continue with performing the remaining services on this project.</p> <p>Provide soil engineering observation and testing services during the construction of the Mount Pleasant High School New Multi-Purpose/Classroom Building Project No.: E-035-003.</p> <p>Due to the need to meet established timelines, there was not sufficient time for Purchasing Department to perform the solicitation process. Cleary Consultants, Inc. has performed the preliminary geotechnical and geohazard investigation submitted on February 17, 2005 for the project; therefore it is recommended that Cleary Consultants, Inc. continue with performing the remaining services on this project.</p> <p>REQUEST FOR RATIFICATION</p> <p>Provide soil engineering observation and testing services during the construction of the Mount Pleasant High School New Multi-Purpose/Classroom Building Project No.: E-035-003.</p> <p>Due to the need to meet established timelines, there was not sufficient time for Purchasing Department to go to the Board prior to the date the services needed to start performing the service. Based on the information provided, the Business office granted this request and is asking the Board ratify this decision by approving this contract. Cleary Consultants, Inc. has performed the preliminary geotechnical investigation submitted on November 20, 2009 for the project; therefore it is recommended that Cleary Consultants, Inc. continue with performing the remaining services required for this project.</p>
4	Cleary Consultants, Inc.	K. Lanford D. Moser D. Bertrand J. Unger	June 20, 2011 – July 07, 2012	\$15,300.00 (not to exceed) Measure E	Piedmont Hills H.S. Facilities Traci William, Principal June Rono, Ph.D., Director	June Rono, Ph.D., Director	<p>REQUEST FOR RATIFICATION</p> <p>Perform an environmental screening study of the on-site soils located at the New Auxiliary Gymnasium Project at Piedmont Hills High School Project No.: E-035-003.</p>
5	Cleary Consultants, Inc.	K. Lanford D. Moser D. Bertrand J. Unger	June 20, 2011 – July 07, 2012	\$2,800.00 (not to exceed) Measure E	Piedmont Hills H.S. Facilities Traci William, Principal	Traci William, Principal	<p>REQUEST FOR RATIFICATION</p> <p>Perform an environmental screening study of the on-site soils located at the New Auxiliary Gymnasium Project at Piedmont Hills High School Project No.: E-035-003.</p>

<p>Due to the need to meet established timelines, and the necessity to test for a composite sample of all material collected after the site/sampling locations selected have been stripped and cleared of existing asphalt and concrete pavements. This is in accordance with generally accepted geotechnical and environmental engineering principles and practices. There was not sufficient time for Purchasing to go to the Board prior to the date the services needed to be performed. Based on the information provided, the Business office granted this request and is asking the Board ratify this decision by approving this contract. Cleary Consultants, Inc. is the current testing inspector assigned to the project; therefore it is recommended that Cleary Consultants, Inc. continue with performing the service on this project.</p>	<p>June Rono, PhD., Director</p>					<p>6</p>
<p>Perform special testing and inspection services for the Title IX Interior Modernization at Yerba Buena High School, Project #E-060-003.</p> <p>Facilities Management Planning and Operations, Inc., the Construction Manager of the Yerba Buena High School Title IX Interior Modernization Project #E-060-003 solicited proposals from seven vendors and Matriscopo Engineering Laboratories, Inc. was selected based on them being the lowest responsible proposal. This is based on they have the lowest combined rates of all the proposers for the services needed for this project. Staff recommends the project be awarded to Matriscopo Engineering Laboratories, Inc. Services will be billed at the unit prices outlined in the proposal.</p>	<p>Yerba Buena H.S. Facilities Juan Cruz, Principal June Rono, PhD., Director</p>	<p>\$7,630.00(not to exceed) Measure E</p>	<p>June 29, 2011 – December 16, 2011</p>	<p>K. Lanford D. Moser D. Bertrand J. Unger</p>	<p>Matriscopo Engineering Laboratories, Inc.</p>	<p>7</p>
<p>Approve a contract service agreement for moving furniture and personal items out of Wing E from eleven classrooms to Independence Old Library for the W.C. Overfelt High School Classroom Wing C & E Modernization Project No.: E-040-001.</p> <p>Facilities Management Planning and Operations, Inc., the Construction Manager of the W.C. Overfelt High School Classroom Modernization Wing C & E Project #E-040-001 solicited proposals from four vendors and Piedmont Moving Systems was selected based on them being the lowest responsible proposal.</p>	<p>W.C. Overfelt H.S. Facilities Chiala Vito, Principal June Rono, PhD., Director</p>	<p>\$5,000.00(not to exceed) Measure E</p>	<p>June 29, 2011 – December 31, 2011</p>	<p>K. Lanford D. Moser D. Bertrand J. Unger</p>	<p>Piedmont Moving Systems</p>	<p>7</p>

8	RMA Group/Terrace arch, Inc.	K. Lamford D. Moser D. Bertrand J. Unger	March 20, 2009 - March 31, 2010 (no change)	\$3,040.00 (not to exceed) Measure G	Yerba Buena H.S. Facilities Juan Cruz, Principal W.C. Overfelt H. S. Facilities Chiala Vito, Principal June Rono, PhD., Director	To issue change order #1 to purchase order #905217. Change Order #1 is issued for the completed additional testing services required during the construction for the Nutritional Services Modernization Projects at Yerba Buena and W.C. Overfelt High Schools, Project No's: G-060-020 and G-040-012. Services were performed during June/July, 2009. Original Purchase Order \$3,310.00 + Change Order #1 \$3,040.00 = new Purchase Order Total \$6350.00.
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