

Agenda Item Details

Meeting Feb 16, 2012 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. ATTACHMENT A - CONSENT CALENDAR

Subject 16.15 Approve Minutes of January 19, 2012, Regular Board Meeting

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the January 19, 2012, Regular Board Meeting minutes as presented.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT**Item: 16.15**

TO: Board of Trustees

FROM: Dan Moser, Superintendent

SUBJECT: Approve Minutes of January 19, 2012, Regular Board Meeting

Attached are the minutes of the January 19, 2012, 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 January 19, 2012, Regular Board Meeting minutes as presented.

[BA_20120119_Regular_Minutes.pdf \(3,625 KB\)](#)

Executive Content

**EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES
Meeting Held at Education Center
January 19, 2012
3:00 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 3:01 p.m. by President Biehl. Vice President Martinez-Roach, Clerk Herrera and Member Le were present. Member Nguyen arrived at 3:04 PM

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

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

There were no public speakers.

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

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

2. CLOSED SESSION

2.01 Expulsion(s): A- G

Student A:

Motion by Clerk Herrera, second by Member Nguyen, to approve the expulsion of Student A.

Vote: 5/0

Student B:

Motion by Member Nguyen, second by Member Le, to approve the modified expulsion of Student B.

Vote: 4/1, Vice President Martinez-Roach voted No

Student C:

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

Vote: 5/0

Student D:

Motion by President Biehl, second by Clerk Herrera, to approve the expulsion of Student D.

Vote: 5/0

Student E:

Motion by Vice President Martinez-Roach, second by Member Le, to approve the expulsion of Student E.

Vote: 5/0

Student F:

Motion by Vice President Martinez-Roach, second by Member Nguyen, to approve the modified expulsion of Student F.

Vote: 5/0

Student G:

Motion by Vice President Martinez-Roach, second by Member Nguyen, to approve the modified expulsion of Student G.

Vote: 5/0

**2.02 Request for Exemption of Student A
Pursuant to Education Code Section 51241**

Motion by Vice President Martinez-Roach, second by Member Le, to approve the request for exemption of Student A, pursuant to Education Code Section 51241.

Vote: 5/0

2.03 Public Employee Performance Evaluation (Government Code Section 54957)

- *Superintendent*

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

- *Substitute Director of Construction/Facilities*

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:

Dan Moser, Superintendent

Cathy Giammona, Associate Superintendent of Human Resources and Instruction

Marcus Battle, 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)

2.07 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*

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

5. **ADOPTION OF AGENDA**

For consideration by the Board of Trustees.

Motion by Member Le, second by Member Nguyen, to adopt the agenda as presented.

Vote: 5/0

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

6.01 **Martin Luther King, Jr. Grand Prize Contest Winners**

- **Art Grand Prize Winner: Indy Dang, Piedmont Hills High School**
- **Multi-Media Grand Prize Winner: Victoria Nunez, Wm. C. Overfelt High School**
- **Writing Grand Prize Winner: Christine Nguyen, Independence High School**

7. **STUDENT BOARD LIAISONS**

7.01 **Victor Sanchez, ASB President – Evergreen Valley High School**

7.02 **Sergio Cervantes, ASB President – Wm. C. Overfelt High School**

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

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.

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

9.01 **Hold Public Hearing at Approximately 6:00 PM Concerning D.L. Falk Construction, Inc. Re: Violations of Public Contract Code Sections 4104 and 4106; Consideration of Hearing Officer’s Findings and Recommendations and Additional Evidence; Discussion and/or Action Regarding Imposition of Remedies as Allowed by Law (Public Contract Code Section 4110) and Contract – Frank Biehl, Board President**

Public speakers:

- *Robert Blum, Attorney for D.L. Falk*
- *Rick Solis, Representative of Carpenters Local #405*

Board Vice President Martinez-Roach

I need, for the record, the Attorney to read which is the right code number so there is no confusion later in case it ever goes to litigation.

Counsel Ruiz

The correct code section is Public Contract Code Section 4110. What I would like to do is include as part of the record of this proceeding a copy of the Notice of Hearing, dated January 10, that was delivered to D.L. Falk.

Board President Biehl

For the record, the number I read, "4110," is the correct number?

Counsel Ruiz

That is correct.

Board Vice President Martinez-Roach

So, when you stated 4100, that was not the correct code?

Counsel Ruiz

The Subcontractors Fair Practices Act begins at Section 4100. The public hearing requirement is contained in Section 4110. They both are a part of the same set of laws.

Board Vice President Martinez-Roach

Let the record show then.

I am not persuaded or intimidated by the fact that there might be a possible lawsuit against us if we take any kind of action or sanctions. I think we have the duty and responsibility as elected officials to follow the law and to make sure the policies and procedures that we establish are followed in this District and, by not doing so and by prolonging this, I believe that it is only going to cost us more money because we are paying attorney fees, we are continuing to pay attorney fees, and this is a matter that should have been taken care of months ago in my opinion. There is no question about it in my mind and I think it is a shame that we are going to continue to prolong it. I want this on the record.

Motion by President Biehl, second by Member Nguyen, to continue the hearing at the February 19 Board Meeting and that the Board render its decision at that time.

Vote: 4/1, Vice President Martinez voted No for reasons stated (above)

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 .3) preclude any action. As an unagendized item, no response is required from the Board or District staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.

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

There were no public speakers under this section.

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

- 11.01 Educare of California at Silicon Valley Presentation - Jolene Smith, CEO of First 5 Santa Clara County, Yolanda Garcia, Executive Director West Ed E3 Institute, and Cathy Giammona, Associate Superintendent, Human Resources and Instruction**

Presentation item; no action taken

- 11.02 Presentation regarding AT&T Aspire High School Success Grant - Randy Okamura, AT&T External Affairs Area Manager**

Presentation item; no action taken

- 11.03 Present and Accept Annual Financial Report - Ending June 30, 2011 - Marcus Battle, Associate Superintendent of Business Services, and Ahmad Gharaibeh, CPA from Vavrinek, Trine, Day & Co., LLP**

Motion by Member Nguyen, second by Clerk Herrera, to accept the Annual Financial Report for fiscal year ending June 30, 2011.

Vote: 5/0

- 11.04 Discussion and/or Action regarding FCMAT Close-Out Letter from the Santa Clara Present and Accept Annual Financial and Performance Audit for Measure G and Measure E - Ending June 30, 2011 - Marcus Battle, Associate Superintendent of Business Services, Ahmad Gharaibeh, CPA from Vavrinek, Trine, Day & Co., LLP**

Motion by Member Le, second by Vice President Martinez-Roach, to accept the Audit Reports for Measure G and Measure E General Obligation Bond Funds for fiscal year ending June 30, 2011.

Vote: 4/0, Clerk Herrera out of room

- 11.05 Presentation/Report Regarding the Architectural Window Testing at Evergreen Valley High School - Marcus Battle, Associate Superintendent of Business Services, and In coordination with Architectural Testing, Inc. and SGI**

Presentation item; no action taken

- 11.06 Approve Repair/Replacement of Defective Windows at Evergreen Valley High School - Marcus Battle, Associate Superintendent of Business Services, and in Consultation with SGI**

Motion by Vice President Martinez-Roach, second by Clerk Herrera, to approve and direct staff to proceed with the replacement of defective windows at the Evergreen Valley High School as soon as possible, using the design-build approach as outlined, with an overall project budget not to exceed \$256,000, and funding directed from Fund 35.

11.07 Extension of Contract for Substitute Director of Construction/Facilities - Cathy Giammona, Associate Superintendent of Human Resources and Instruction, and Dan Moser, Superintendent

Motion by Clerk Herrera, second by Member Nguyen, to approve a one-month extension of the contract for Thomas J. Herrington as "Substitute Director of Construction/Facilities" and at the same compensation rate as previously approved.

Vote: 5/0

11.08 Develop and Approve Schedule of Regular Board Meetings and Annual Organizational Meeting for 2012 - Dan Moser, Superintendent

Motion by President Biehl, second by Member Le, to approve as amended the schedule of Regular Board Meetings for 2012. Amendment is as follows:

- *Change March 15 to March 13*

Vote: 5/0

11.09 Adopt Resolution #2011/2012-17 California Cancer Research Act - Frank Biehl, Board President

Public Speaker:

- *Boyce Sanders*

Motion by Member Nguyen, second by Vice President Martinez-Roach, to adopt Resolution #2011/2012-17 California Cancer Research Act

Vote: 4/0, Clerk Herrera abstained from vote

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

12.01 Update, Discussion and/or Action regarding Chinese Language as an Elective - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Kirsten King, Director of Instructional Services

Discussion/update on item; no action taken

12.02 Receive the Fourth Valenzuela/CAHSEE and Williams Settlement Uniform Complaints Quarterly Report for Period Covering October 1st through December 31, 2011 as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727) - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Robert Ibarra, Coordinator of Professional Development/Migrant Education

Motion by Clerk Herrera, second by Vice President Martinez-Roach, to receive the Fourth Quarterly Valenzuela/CASHEE and Williams Settlement Uniform Complaint Report for the period covering October 1, 2011, through December 31 2011, as required by Education Code 35186 (Williams Settlement Legislation SB550 and AB2727).

Vote: 5/0

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

No items on calendar under this section.

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

14.01 **Discussion/Report on Governor's Budget Update - Marcus Battle, Associate Superintendent of Business Services**

Administration to come back in February with a recommended process and timeline, which will include participation by the public.

14.02 **Adopt Resolution #2011/2012-16 Authorizing the Issuance and Sale of General Obligation Bonds, 2008 Election, Series D, in the Principal Amount of Not to Exceed \$100,000,000 - Marcus Battle, Associate Superintendent of Business Services**

Associate Superintendent Battle

For the record, we are issuing \$100 million because that is the amount that will take to finish up the Measure E Bond Program of Phase II.

Motion by Clerk Herrera, second by Member Nguyen, to approve and adopt Resolution #2011/2012-16 Authorizing the Issuance and Sale of General Obligation Bonds, 2008 Election Series D, in the principal amount of not to exceed \$100,000,000 and to allow administration the discretion to have either a competitive or negotiated sale of bonds.

Vote: 5/0

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

Motion by Vice President Martinez-Roach, second by Clerk Herrera, to approve contracts for professional services over \$50,000 (attached).

Vote: 5/0

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

No items on calendar under this section.

16. ATTACHMENT A – CONSENT CALENDAR ITEMS

Items 16.06 and 16.07 were pulled from the consent calendar for discussion. Motion by Clerk Herrera, second by Member Le, to approve the remainder of the consent calendar.

Vote: 5/0

- 16.01 Ratify/Approve Classified Personnel Actions Presented January 19, 2012**
- 16.02 Ratify/Approve Certificated Personnel Actions Presented January 19, 2012**
- 16.03 Ratify/Approve Student Aide Personnel Actions Presented January 19, 2012**
- 16.04 Approve School Field Trips**
- 16.05 Approve Award of Bids**
- 16.08 Approve Budget Transfers Presented January 19, 2012**
- 16.09 Approve Purchase Orders Presented January 19, 2012**
- 16.10 Approve Change Orders to Purchase Orders Presented January 19, 2012**
- 16.11 Accept Donations, Grants and Awards**
- 16.12 Accept Warrant Register for the Month of December 2011**
- 16.13 Approve Minutes of December 8, 2011, Annual Organizational/Regular Board Meeting**

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

- 16.06 Approve Contracts for Professional Services At or Below \$50,000**

Speaker:

- *Julio Pardo*

Motion by Vice President Martinez-Roach, second by Member Le, to approve the Contracts for Professional Services at or below \$50,000 (attached).

Vote: 5/0

16.07 Approve Memoranda of Understanding

Speaker:

- *Julio Pardo*

Motion by Member Le, second by Vice President Martinez-Roach, to approve the Memoranda of Understanding.

Vote: 5/0

17. WRITTEN REPORTS/RECOMMENDATIONS

No items on calendar under this section.

18. FUTURE AGENDA ITEMS

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

18.01 Evergreen Valley High School Presentation

18.02 Review of Physical Education (PE) Exemption Policies

Items requested by Board of Trustees:

Update on Solar Project – Patricia Martinez-Roach, Board Vice President

Audit Committee Updates – Lan Nguyen, Board Audit Committee President / Board Member

19. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

19.01 Board of Trustees

Van Le, Member

I would like to commend Silicon Valley Faces for organizing the MLK contest each year.

I visited the Escuela Popular Charter School. They have a lot of programs in the Charter School. They have a very good program. The results on the achievement gap are not as sufficient, but I think we can take a look at those things later.

I attended the CCPY celebration two days ago. One of the stories from an at-risk youth really moved me. We should continue to support this program and the facility. It helped me to understand that there are a lot of community volunteers out there that are putting their time and effort to help out our at-risk youth.

Patricia Martinez-Roach, Vice President

I wanted to share a small story. As you know, I teach kindergarten. I've been teaching a little about Dr. Martin Luther King, Jr. and we are also learning about the Vietnamese and Chinese New Year. Today an amazing thing happened; I asked the students how many Vietnamese students do we have in the classroom and they all raised their hand. It was just beautiful because the children do not see racial lines. It just reminded me of the meaning of Dr. Martin Luther King. I wanted to end on that note because it is an important message.

Lan Nguyen, Member

I had a chance to visit Foothill High School. The last time I visited Foothill was before the Library burned down. It is a nicely built Library. I had a chance to visit a few classrooms that were renovated with the Measure E allocation monies. I had a chance to sit in the classroom with the students. I appreciated that there was a Martin Luther King, Jr. event and rally there for all students, including the competition awards. It really meant a lot to the students to receive an award. That was a very moving experience.

Thank you Madame Vice President for mentioning the Vietnamese and Chinese New Year. Most people only mention Chinese New Year, but there is also a Vietnamese New Year. There is a big Vietnamese New Year festival at the Fairgrounds this weekend, Saturday and Sunday. Saturday is a big day for the celebration at the Fairgrounds.

J. Manuel Herrera, Clerk

Yesterday was my first official meeting at MetroED as the District's representative to MetroED. There are no pertinent issues to report.

Frank Biehl, President

I would like to announce that there will be a Special Meeting of the Board next Tuesday at 6 PM to meet with the consultants that we have hired to assist us on the Superintendent search. It is a public meeting. The purpose of the meeting is to discuss and take action on the timeline and the procedures that will be followed in this search. I want to make sure that all is open and above-board on the decisions that the Board needs to make about how we are going to approach this and with the guidance of the consultants that we've hired. It is here at 6 PM in this room. I am not sure exactly how we are going to set the room up. We may set it up a little differently to make it more like a workshop type, but we will be taking some action that night. You are welcome to attend. It is a publicly noticed meeting. It is a Special Meeting and will be noticed today.

19.02 Dan Moser, Superintendent

We are blessed with a large number of talented students – whether it be in art, writing or multimedia. Also, we have talented students in the math area through the Intel Competition. Behind every student is a teacher who is there to mentor those youngsters. I want to acknowledge the teacher's role in help our students achieve success and be recognized. Congratulations to the students and also congratulations to the teachers behind each one of them.

20. REPORT CLOSED SESSION ACTION(S)

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

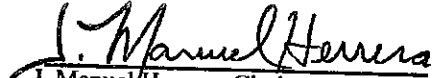
See section 2.0 for reporting out of Closed Session items.

21. ADJOURNMENT

President adjourns the meeting.

President Biehl adjourned the meeting at 10:06 p.m.

Respectfully submitted,


J. Manuel Herrera, Clerk
East Side Union High School District

Agenda Item Details

Meeting Jan 19, 2012 - ESUHSD REGULAR BOARD MEETING - 3:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

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

Subject 14.03 Approve Contracts for Professional Services over \$50,000 - Marcus Battle, Associate Superintendent, Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Access Public

Type Action

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

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 14.03

TO: Board of Trustees

FROM: Dan Moser, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services

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

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

FISCAL IMPACT:
As indicated in the attachment

FUNDING SOURCE:
As indicated in the attachment

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

[14_03 Contracts Over \\$50K.pdf \(23 KB\)](#)

Executive Content

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

APPROVED January 19, 2012
Maryann M. Sullivan

Last Modified by Betty Banderas on January 11, 2012

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

1. Bruce Flynn & Associates, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 10, 2009 – October 21, 2013 (no change)	\$41,203.00 (increased amount) Measure E	Silver Creek High School/Facilities Adolfo Laguna, Principal Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #3 to Purchase Order # 000208 for the New Multi-Purpose Classroom Building Project at Silver Creek High School, (Project No.: E-055-001).

This change order is issued to increase the purchase order due to the original proposal that was Board Approved on April 09, 2009 was based on an estimated amount.

At the April 09, 2009 Board Meeting the Board approved a contract with Bruce Flynn & Associates, Inc. to provide DSA Project Inspection Services for Construction/Modernization projects for Mt. Pleasant, Silver Creek, James Lick and W.C. Overfelt High Schools.

Original Purchase Order was approved for \$340,955.00 + Change Order #1 \$84,800.00 + Change Order # 2 \$377,517 + Change Order #3 \$41,203.00 = the new Purchase Order total of \$ 803,272.00.

Selection Process
N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #3 to Purchase Order No. 000208 with Bruce Flynn & Associates, Inc. in the amount of \$41,203.00 for Silver Creek High School New Multi-Purpose Classroom Building Project.

2. Sugimura Finney Architects

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 10, 2009 – October 21, 2012 (no change)	\$29,250.00 (not to exceed increased amount) Measure E	Santa Teresa High School/Facilities Juan Cruz, Principal Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #2 to Purchase Order # 905231 for the Title IX Interior Modernization Project for Andrew Hill, James Lick, Santa Teresa, W.C. Overfelt and Yerba Buena High Schools, (Project No.: E-025-001, E-030-003, E-070-002, E-055-002, E-060-003).

This change order is issued to increase the purchase order due to additional design services requested to the HVAC package units for the girls and boys locker rooms for Santa Teresa High School.

Original Purchase Order was approved for \$663,339.00 + Change Order #1 \$66,333.90 + Change Order # 2 \$29,250.00 = the new Purchase Order total of \$758,922.90

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #2 to Purchase Order No. 905231 with Sugimura Finney Architects in the amount of \$29,250.00 for the Title IX Interior Modernization Projects for Andrew Hill, James Lick, Santa Teresa, W.C. Overfelt and Yerba Buena High Schools, (Project No's.: E-025-001, E-030-003, E-070-002, E-055-002, E-060-003).

Agenda Item Details

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

Category 16. ATTACHMENT A - CONSENT CALENDAR

Subject 16.06 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: 16.06

TO: Board of Trustees

FROM: Dan Moser, Superintendent

PREPARED BY: Marcus Battle, 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.

[16_06 Contract under \\$50k.pdf \(38 KB\)](#)

Executive Content

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


Item: 16.06

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

Board Meeting of January 19, 2012

A. SCHOOL SITES/EDUCATION CENTER

	Contractor Name	Reviewed By	Contract Period	Cost/Funding	School/Dept. Manager	Purpose
1	California Department of Education (CDE)	D. Barnes C. Vaeth D. Moser	July 01, 2011 – June 30, 2014	\$50,000.00 (REVENUE)	Santa Teresa Children's Center Andrew Hill Children's Center Overfelt Children's Center Evergreen Valley Child Development Center	To receive State Facilities Renovations Repair Funds. These funds provide assistance to maintain healthy, safe, and accessible environments for children in CDE subsidized child care and development programs.
2	Educational Empowerment	D. Moser D. Bertrand	January 20, 2012 – March 31, 2012	\$4,000.00 Board Expense	Education Center Dan Moser, Superintendent	To provide preparation, facilitation and summary for the Board Retreat to be held on the date to be approved by the Board of Trustees at the January 19, 2012 board meeting.
3	Foothill Community Clinic	J. Klassen C. Giammona D. Bertrand	January 23, 2012 – June 30, 2012	\$30,000.00 (not-to-exceed) Mental Health Grant	Yerba Buena High School Tom Huynh, Principal Jennifer Klassen	To provide mental health support services for the SOAR Independent Study Program.
4	Goodwill Industries of Silicon Valley	D. Moser D. Bertrand	To be determined if the grant is funded	\$37,000.00 estimated annually (In-Kind ESUHSD Support Services)	Independence, Oak Grove, and Silver Creek High Schools Dan Moser	Goodwill is applying for a grant that will support ESUHSD's Title I High School Students in increasing their CASHEE scores, graduation rates, homework completion rates, STAR performance and skill development. ESUHSD agrees to provide support and services to the proposed ASSETS program should the program be funded. In order to expedite this matter, the District signed an Memorandum of Understanding for the grant but will do a more formal contract upon grant award.

	Keenan Associates	H. Childers	July 1, 2011 – June 30, 2013	\$18,500.00 Property Liability	District Wide Marcus Battle, Associate Superintendent	REQUEST FOR RATIFICATION To provide Loss Control Services to ESUHSD for the term of July 1, 2011 – June 30, 2013 for an amount of \$9,250.00 per year.
5	Keenan Associates	H. Childers	July 1, 2011 – June 30, 2013	\$18,500.00 Property Liability	District Wide Marcus Battle, Associate Superintendent	To provide Loss Control Services to ESUHSD for the term of July 1, 2011 – June 30, 2013 for an amount of \$9,250.00 per year.
6	Patten University	C. Giammona D. Bertrand	November 29, 2011 – May 23, 2012	\$30.00 for each semester unit of practice teaching (REVENUE)	Education Center/ Instruction Cathy Giammona, Associate Superintendent	Patten University provides teaching experience through practice teaching to students enrolled in teacher training curricula. They currently have students interested in performing their training at East Side. Patten does offer a small stipend to the District for this opportunity.
7	Santa Clara County Office of Education	R. Ibarra C. Giammona D. Bertrand	January 24, 2012	\$1,200.00 Professional Development Program	Education Center/ Professional Development Robert Ibarra, Coordinator	To develop and facilitate the Administrator Leadership Retreat on January 24, 2012. Consultant will provide all written materials (handouts) and PowerPoint slide with facilitator notes for use as a resource.
8	SEE College Prep	V. Chiala K. King C. Giammona D. Bertrand	June 25, 2012 – July 27, 2012	\$4,500.00 The California Academic Partnership Program (CAPP)	W. C. Overfelt High School Vito Chiala, Principal	To provide an 80-hour SAT preparation program for approximately 25 students. Program will consist of: 5 weeks of 3 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
9	Silicon Valley Community Foundation	V. Chiala D. Moser D. Bertrand	N/A	\$50,000.00 (REVENUE)	W. C. Overfelt High School Vito Chiala, Principal	To authorize Administration to sign a grant agreement with the Silicon Valley Community Foundation for the acceptance of a \$50,000.00 grant award. The grant is to support W. C. Overfelt's Camel Camelot Summer Institute (CSI) a summer bridge program. This grant will provide funding to accelerate 90 incoming 9 th graders into Geometry and 90 into Algebra II to increase four-year college attendance and college readiness.
10	Team San Jose	B. Lopez C. Giammona D. Bertrand	To Be Determined	\$15,000.00 (not-to-exceed) General Fund	Andrew Hill High School Bettina Lopez, Principal	To enter into a Facility Use Agreement with Team San Jose for the rental of space within the San Jose Convention Center for Andrew Hill's 2012 Graduation Ceremony.

11	Team San Jose	T. Marquez C. Giammona D. Bertrand	May 24, 2012	\$12,329.75 General Fund	Mt. Pleasant High School Teresa Marquez, Principal	To enter into a Facility Use Agreement with Team San Jose for the rental of the Performing Arts Center for Mt. Pleasant's 2012 Graduation Ceremony.
12	Team San Jose	J. Cruz G. Louie C. Giammona D. Bertrand	May 22, 2012	\$14,500.00 General Fund	Santa Teresa High School Juan Cruz, Principal	To enter into a Facility Use Agreement with Team San Jose for the rental of space within the San Jose Convention Center for Santa Teresa's 2012 Graduation Ceremony.

B. FACILITIES

	Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1	Bagg Engineers	K. Lanford M. Battle D. Bertrand J. Unger	December 16, 2011 – January 31, 2012	\$4,000.00 (not to exceed) Measure E	Silver Creek High School/Facilities Adolfo Laguna, Principal Kathy Lanford, Assistant Director	REQUEST FOR RATIFICATION Provide special inspections and testing, coring of existing columns for Compressive Strength for the New Multi-Purpose Building at Silver Creek High School, (Project No.: E-055-001).
2	Carroll Engineering, Inc.	K. Lanford M. Battle D. Bertrand J. Unger	January 09, 2012 – March 30, 2012	\$3,600.00 (not to exceed) Measure E	Silver Creek High School/Facilities Adolfo Laguna, Principal Kathy Lanford, Assistant Director	REQUEST FOR RATIFICATION Provide Topographic and Underground Utility Surveys for the Silver Creek Modernize/Add Restroom Renovation, (Project No.: E-055-004).