

Agenda Item Details

Meeting May 09, 2013 - ESUHSD REGULAR BOARD MEETING - 4:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. CONSENT/ACTION CALENDAR

Subject 16.22 Approve Minutes of March 21, 2013, Regular Board Meeting

Access Public

Type Action (Consent)

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT**Item: 16.22**

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

SUBJECT: Approve Minutes of March 21, 2013, Regular Board Meeting

Attached are the minutes of the March 21, 2013, Regular Board Meeting for review and approval by the Board of Trustees.

FISCAL IMPACT:

None

FUNDING SOURCE:

None

RECOMMENDATION:

It is recommended that the Board of Trustees approve the March 21, 2013, Regular Board Meeting minutes as presented.

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED MAY 9 2013**


Executive Content

Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board

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

Meeting Held at Education Center

March 21, 2013

3:30 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 3:34 p.m. by President Biehl. Vice President Herrera, Clerk Le, Member Nguyen and Member Carrasco were present.

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 7:00 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-C

Student A:

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

Vote: 5/0

Student B:

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

Vote: 5/0

Student C:

Motion by Vice President Herrera, second by Clerk Le, to approve the expulsion of Student A.

Vote: 5/0

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

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

- *Senior Manager of Internal Controls*

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

Motion by President Biehl, second by Member Nguyen, the Board approved the issuance of notice of intent to dismiss and statement of charges to one certificated employee.

Vote: 5/0

Motion by Vice President Herrera, second by Member Nguyen, the Board approved to rescission of one notice from release of administrative position to one Principal pursuant to Education Code 44951.

Vote: 5/0

2.05 Conference with Labor Negotiators (Government Code Section 54957.6)

Agency Designated Representatives:

Chris D. Funk, Superintendent

Marcus Battle, Associate Superintendent of Business Services

Juan Cruz, Assistant Superintendent of Instructional Services

Cari Vaeth, Director of Human Resources

Vida Branner, Director of Compensation and Classified Employee Relations

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

Unrepresented Organizations:

Administrators

Managers

Confidentials

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

- *Claim for Damages of J. Roa*
- *Claim for Damages of Cal-Pacific Construction, Inc.*
- *One (1) Potential Case*

Motion by Vice President Herrera, second by Member Nguyen, the Board approved the rejection of claim for damages of Cal-Pacific Construction, Inc.

Vote: 5/0

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

- *One (1) Potential Case*

**2.08 Conference with Legal Counsel – Existing Litigation
Subdivision (a) of Government Code Section 54956.9**

- *Brian Cardenas v. East Side Union High School District, Tahoma Charter School and Alum Rock Elementary School District, OAH Case No. 2012110722*

Motion by President Biehl, second by Vice President Herrera, to approve the settlement agreement and general release in the matter of Cardenas vs. East Side Union High School District, et al.

Vote: 5/0

OPEN SESSION AT APPROXIMATELY 7:00 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.

Item 11.01 was pulled from the agenda. It will be placed on the April 16 Board Meeting agenda.

6. BOARD SPECIAL RECOGNITION(S)

No Items on Calendar Under this Section

7. **STUDENT BOARD LIAISONS**

7.01 **Oak Grove High School**

- **Stephanie Dang, Senior Class Senator & AFJROTC Commander**
- **Vi Tran, AFJROTC Support Commander**
- **Sarah Nguyen, AFJROTC Community Service Commander**

7.02 **Santa Teresa High School**

- **Kellie Melton, ASB President**

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

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

8.02 **Discussion and/or Action of Escuela Popular/Center for Training and Careers Charter Renewal Petition - Juan Cruz, Assistant Superintendent of Instructional Services and Kirsten King, Director of Instructional Services**

Motion by Member Nguyen, second by Vice President Herrera, to approve a five (5) year renewal to Escuela Popular/Center for Training and Careers, which will expire, June 30, 2018.

Vote: 5/0

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

9.01 **Hold Public Hearing at Approximately 7:05 p.m. Regarding the Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to California School Employees Association, Chapter 187 - Cari Vaeth, Director, Human Resources and Vida L. Branner, Director, Compensation and Classified Employee Relations**

Public hearing held

9.02 **Hold Public Hearing at Approximately 7:10 p.m. - Receive and Sunshine the Initial Proposal for Successor Contract: From California School Employees Association, Chapter 187 to East Side Union High School District - Cari Vaeth, Director, Human Resources and Vida L. Branner, Director, Compensation and Classified Employee Relations**

Public hearing held

9.03 **Hold Public Hearing at Approximately 6:30 p.m. - Receive and Sunshine the Initial Proposal for Successor Contract: From East Side Teachers Association to East Side Union High School District - Cari Vaeth, Director, Human Resources**

Public hearing held

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

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

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

Speakers:

- *Christopher Davis, SJFT President – Budget Information from California State Assembly*
- *Brian Uhler, Non-Reelects*
- *Alex Diep – Non-Reelects*
- *Marisa Hanson, ESTA President*

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

11.01 Discussion and/or Action to Approve Use of Board Discretionary, Measure I Bond Funds for Educare Facility – Chris D. Funk, Superintendent

Item pulled

11.02 Discussion and/or Action to Receive Second Reading and Adoption of New Board Policy #0105 Equity - Chris D. Funk, Superintendent, and Juan Cruz, Assistant Superintendent of Instructional Services

Motion by Member Nguyen, second by Vice President Herrera, to receive and adopt the second reading of new Board Policy #0105 Equity.

Vote: 5/0

11.03 Discussion and/or Action to Receive First Reading of Amended Board ByLaw #9250 Remuneration, Reimbursement and Other Benefits - Chris D. Funk, Superintendent

Motion by President Biehl, second by Vice President Herrera, to receive the first reading to amend Board ByLaw #9250 Remuneration, Reimbursement and Other Benefits. Additional changes to the proposed ByLaw will include:

- *Appropriate Board member registration and expenses, under \$100, for conferences and forums sponsored by the listed organizations and held within Santa Clara County are preauthorized.*
- *Add to list of preauthorized conferences and forums under \$100:*
 - *Silicon Valley Education Foundation*
 - *Silicon Valley Leadership Group*

- *The CSBA Annual Education Conference is preauthorized for Board member reimbursement of conference fees and travel expenses, except if a Board member loses their November election and the CSBA conference takes place after the election.*

Vote: 5/0

11.04 Discussion and/or Action to Receive First Reading of Amended Audit Committee Charter - Lan Nguyen, Audit Committee Chair, and Magdalena Carrasco, Audit Committee Vice Chair

Item received; no recommended changes.

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

12.01 Presentation and Discussion on the Science and Physical Education Collaboration - Juan Cruz, Assistant Superintendent of Instructional Services, and Eric Luescher, Physical Education Teacher

Presentation item

Speakers:

- *Steve Nelson*
- *Michelle Sunseri Layton*
- *Anthony McBride*
- *Jennifer Harris*
- *Jerimiah Loree*
- *Andrew Wolverton*
- *Sabrina Santa Cruz*
- *Kanoelani Roberts*
- *Karen Johnson*
- *Kristi Townsend*
- *Eric Seward*
- *Ignacio Nunez*
- *Kristine Hulse*
- *Andrea Bata Iniguez*
- *Lisa Baker*
- *Urla Hill*
- *Cathy Sarto*
- *Marisa Hanson*
- *Epifanie Fenton*
- *Ronald Graves*
- *Sue Rembao*
- *Camie Nicholson*
- *Bob Poynter*
- *Kellye Dodd*
- *Jose Betancourt*
- *Susan Williams*
- *Trisha Graves*

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

13.01 Discussion and/or Action Regarding Proposed Adoption of the Amended Initial Proposal for Successor Contract - East Side Union High School District to East Side Teachers Association - Cari Vaeth, Director, Human Resources

Motion by Vice President Herrera, second by Member Nguyen, to adopt the District's amended initial proposal to the East Side Teachers Association.

Vote: 5/0

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

14.01 Discussion and/or Action to Approve Final Proposition 39 Facilities Offer and Facilities Use Agreement with Summit Public Schools: Rainier Charter School - Marcus Battle, Associate Superintendent of Business Services, and Rogelio M. Ruiz, Esq., Legal Counsel

Motion by Vice President Herrera, second by Member Nguyen, to authorize Administration to negotiate with and submit to Rainier a final facilities offer for facilities at the Mt. Pleasant High School site, including a proposed Facilities Use Agreement in accordance with the District's standard form subject to subsequent ratification by the Board.

Vote: 5/0

14.02 Discussion and/or Action to Approve Final Proposition 39 Facilities Offer and Facilities Use Agreement with Downtown College Prep Charter School - Marcus Battle, Associate Superintendent of Business Services, and Rogelio M. Ruiz, Esq., Legal Counsel

Motion by Clerk Le, second by President Biehl, to authorize Administration to negotiate with and submit to DCP a final facilities offer for facilities at the Yerba Buena High School site, including a proposed Facilities Use Agreement in accordance with the District's standard form subject to subsequent ratification by the Board.

Vote: 5/0

14.03 Adopt Resolution #2012-2013-25 Authorizing the Application Submission for the 2013 Lower Emission School Bus Replacement Program - Marcus Battle, Associate Superintendent of Business Services, and Julie Kasberger, Director of General Services

Motion by President Biehl, second by Vice President Herrera, to adopt Resolution #2011-2013-25 Authorizing the Application for submission for the 2013 Lower Emission School Bus Replacement Program.

Vote: 5/0

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

15.01 Discussion and/or Action of Bond/Capital Projects Contracts Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Janice Unger, Capital Projects Purchasing Manager

Motion by Member Nguyen, second by Clerk Le, to approve the Bond/Capitol Projects Contracts over \$50,000 (copy attached).

Vote: 5/0

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

Speakers:

- *Mark Delgado*
- *Susan Williams*

Motion by President Biehl, second by Vice President Herrera, to approve staff recommendation that, after reviewing the guidelines developed pursuant to Education Code §17250.40, approve the determination, the design-build delivery for the Swimming Pool Modernization Project will reduce project costs, expedite the project's completion, or provide features not achievable through the design-bid-build process.

Vote: 5/0

15.03 Adopt Resolution #2012/2013-26 Approving Use of Design-Build Delivery Method for the Swimming Pool Modernization Project - Marcus Battle, Associate Superintendent of Business Services and Linda da Silva, Director of Construction, Maintenance and Facilities

Motion by Vice President Herrera, second by President Biehl, to adopt Resolution #2012/2013-26 Approving Use of Design-Build Delivery Method for the Swimming Pool Modernization Project as amended. Amendments to the Resolution are:

"Whereas, the Board determines and finds that the use of the design build process, pursuant to the Education Code, is in the best interest of the District because it will accomplish one or more of the following objectives:

- 1. Reduce project costs;*
- 2. Expedite the project's completion; or*
- 3. Provide features not achievable that traditional design bid build methods would achieve*

Vote: 5/0

16. ATTACHMENT A – CONSENT CALENDAR ITEMS

Motion by Clerk Le, second by Member Nguyen, to approve the entire consent calendar as presented.

Vote: 5/0

- 16.01 Ratify/Approve Classified Personnel Actions Presented March 21, 2013**
- 16.02 Ratify/Approve Certificated Personnel Actions Presented March 21, 2013**
- 16.03 Ratify/Approve Student Aide Personnel Actions Presented March 21, 2013**
- 16.04 Approve School Field Trips**
- 16.05 Approve Award of Bids**
- 16.06 Approve Contracts for Professional Services Under \$50,000**
- 16.07 Approve Memoranda of Understanding**
- 16.08 Approve Budget Transfers**
- 16.09 Approve Purchase Orders**

- 16.10 Approve Change Orders to Purchase Orders**
- 16.11 Accept Report of Credit Card Expenses for Statements Dated February 22, 2013**
- 16.12 Adopt Resolution #2012/2013-27 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546**
- 16.13 Accept Warrant Register for the Month of February 2013**
- 16.14 Approve Award of Bids for Bond/Capital Projects**
- 16.15 Approve Bond/Capital Projects Contracts for Professional Services At or Below \$50,000**
- 16.16 Approve Final Change Order #1 for the W.C. Overfelt High School New Security Cameras in Building C & E Project, E-040-006 (Angotti & Reilly, Inc.)**
- 16.17 Approve Notice of Completion for the W.C. Overfelt High School New Security Cameras in Building C & E Project, E-040-006 (Angotti & Reilly, Inc.)**
- 16.18 Approve Final Change Order #2 for the Athletic Facility Improvement Project at Independence, Mt. Pleasant, W.C. Overfelt, and Silver Creek High Schools, G-065-201, G-035-201, G-040-201, and G-055-201 (O.C. Jones & Sons, Inc.)**

- 16.19 Approve Notice of Completion for the Athletic Facility Improvement Project at Independence, Mt. Pleasant, W.C. Overfelt, and Silver Creek High Schools, G-065-201, G-035-201, G-040-201, and G-055-201 (O.C. Jones & Sons, Inc.)
- 16.20 Approve Final Change Order #1 for the Evergreen Valley High School Synthetic Turf & All-Weather Track Resurfacing Project, FD35-075-001 (O.C. Jones & Sons, Inc.)
- 16.21 Approve Notice of Completion for the Evergreen Valley High School Synthetic Turf & All Weather Track Resurfacing Project, FD35-075-001 (O.C. Jones & Sons, Inc.)
- 16.22 Approve Notice of Completion for the Independence, Mt. Pleasant, W.C. Overfelt, Silver Creek and Evergreen Valley High Schools Synthetic Turf & All Weather Track Resurfacing Project, G-065-201, G-035-201, G-040-201, G-055-201 and FD35-075-001 (Fieldturf USA, Inc.)
- 16.23 Approve Board Members Attendance to SVEF Grade 8 Algebra and the New Common Core Standards: Getting the Facts Straight! Forum
- 16.24 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/Workshops/Meetings
- 16.25 Approve Minutes of February 2, 2013, Special Board Meeting/Retreat
- 16.26 Approve Minutes of February 14, 2013, Special Board Meeting
- 16.27 Approve Minutes of February 14, 2013, Regular Board Meeting

17. **WRITTEN REPORTS/RECOMMENDATIONS**

- 17.01 Receive Update to Previously Approved Change Orders for Current Bond Projects Which Exceed the 10% Allowance

Item received

- 17.02 Receive Quarterly Report on Santa Clara County Treasury Investment Portfolio Status as of December 31, 2012

Item received

- 17.03 Receive Santa Clara County Office of Education First Interim Certification Letter

Item received

- 17.04 Receive 2013 Summer School Program Report

Item received

- 17.05 Receive District Parent Involvement Plan Report

Item received

18. FUTURE AGENDA ITEMS

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

Request(s):

<i>Item</i>	<i>Requestor</i>
<i>Public Relations Budget</i>	<i>Board Clerk Van Le</i>

18.02 Future Items:

Board Vice President J. Manuel Herrera:

Item	Date (tentative)	Type
School Supplies	April 16, 2013	Discussion

Board Clerk Van Le:

Item	Date (tentative)	Type
Review of Safety Procedures	April 16, 2013	Board Policy

Board Member Lan Nguyen:

Item	Date (tentative)	Type
Review on Procurement and Bidding Process	April 16, 2013	Presentation

19. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

19.01 Board of Trustees

Van Le, Board Clerk

Last month, I attended the first Masters in Governance class in San Diego. I learned a lot regarding the roles and responsibilities of a trustee. I brought back the sample school governance calendar. I will give it to Chris. It is an overall calendar, January to December.

Also, I was on the Work to Future Board. I want to focus on the youth. They would like to focus on at-risk youth so that they can help them. They are still in the strategy planning phase. I told them when the plan is done, they can work in collaboration with East Side so that we can help our youth.

J. Manuel Herrera, Board Vice President

Yesterday, the key assembly committee that has jurisdiction over part of the Governor's proposal for transfer of adult education over to community college took an overwhelming action to reject that proposal from the Governor stipulating that they believe adult education is best served and strengthened where it currently is structured in relation to high school

districts. In fact, it would be losing ground if it were to be moved to the community college system. That was based on a testimony from a number of stakeholders in different areas, including community colleges, which are not jumping at the joy of having an adult education function. Everything remains to be seen. It is an action by a committee, but it is significant because committees tend to lead in their area of expertise.

Frank Biehl, Board President

I have completed all my visits to the regular high schools. The last one was a Santa Teresa High School. Before that, I was at Independence. Just to make it clear to everyone, when I was at Independence, I went to the auditorium. There is an issue about construction and reconstruction on the backside of the auditorium. I asked the Principal to take me inside. I said, "Oh my gosh, there is a studio at the back. I didn't know there was a dance studio at the back." There was teacher teaching dance and I went up to her and said, "In a perfect world, what would you like?" I was asking her a question of what would you like on the facilities. What she said, "In a perfect world, I would like to have P.E. credit for dance again." That is what she said to me. What I said to her is, "There is an item on the agenda. You certainly are welcome to come to our Board meeting and take 2-3 minutes to make your request to the Board and the Superintendent and that is the extent of it. It certainly was not any effort to split ESTA. It certainly wasn't any diabolical thing. It is simply just visiting a high school and listening to teachers that are Union represented at that school and providing them the opportunity to make their presentation before this Board. I welcome anyone to do that. I didn't take a position on it. It is a complicated issue. I don't know the details of it, but I think she had the right to come here and she had a lot of courage because a lot of people told her not to speak tonight, but yet she did speak. I really commend her for having the courage to do that.

19.02 Chris D. Funk, Superintendent

Last Saturday, I had the opportunity to hold a community conversation at Yerba Buena for our Vietnamese community. We had over 150 parents show up to that conversation. Last night, a community conversation was held at Independence High School and had 167 parents, teachers and students attend. This morning, I held a focus group with Mt. Pleasant High School with their faculty around our strategic planning process, as well as a student focus group at Overfelt.

I am more than half-way through my community conversations and anxious to tally up all the information that we have received. I am looking forward to the Board workshop on the 25th to begin the conversation around developing our new vision and mission for the district as the first step towards our new strategic plan.

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.

The meeting was adjourned at 9:47 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Vanda", is written above a horizontal line.

Board Clerk

Agenda Item Details

Meeting Mar 21, 2013 - ESUHSD REGULAR BOARD MEETING - 3:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

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

Subject 15.01 Discussion and/or Action of Bond/Capital Projects Contracts Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Janice Unger, Capital Projects Purchasing Manager

Access Public

Type Action, Discussion

Recommended Action It is recommended that the Board of Trustees approve the Bond/Capital Projects contracts as recommended on the attachment.

Public Content**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 15.01**

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

SUBJECT: Discussion and/or Action of Bond/Capital Projects Contracts Over \$50,000

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

FISCAL IMPACT:
As indicated in the attachment

FUNDING SOURCE:
As indicated in the attachment

RECOMMENDATION:
It is recommended that the Board of Trustees approve the Bond/Capital Projects contracts as recommended on the attachment.

[Bond Capital Projects Contracts Over \\$50k.pdf \(41 KB\)](#)

[Item 2 Bd Mtg of 06282011 CTS Contract Award.pdf \(8,773 KB\)](#)

[Item 3a Bd Mtg of 08192010 M. Henley Contract Award.pdf \(8,599 KB\)](#)

[Item 3b Bd Mtg of 11172011 M. Henley CO #1.pdf \(4,355 KB\)](#)

[Item 3c Bd Mtg of 02162012 M. Henley CO #2.pdf \(9,918 KB\)](#)

[Item 4 Bd Mtg of 10182012 SCVCI Contract Award.pdf \(2,214 KB\)](#)

Executive Content

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED MARCH 21, 2013**



M. Miller

Last Modified by Vangie Avila on March 8, 2013

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contracts for Services over \$50,000
Board Meeting of March 21, 2013

1. Construction Inspection Services, (CIS, Inc.)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger Marcus Battle	March 22, 2013 through project closeout	\$134,887.00 (not to exceed amount) Measure E	Andrew Hill High School/ Facilities Bettina Lopez, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into an agreement for Class-1 and Class-2 DSA required project inspection services with **Construction Inspection Services, Inc.** for Andrew Hill High School Campus Addition/New Science Building and Temporary Portable Utilities Projects, (Project No.: E-025-003).

Selection Process

The Construction Management Consultant for these projects solicited the firms on the "Measure E & G Pre-Approved Inspector of Record Firms (IOR) List" which was approved by the Board of Trustees on June 21, 2012 (RFQ-18-11-12). The District received five (5) proposals from consultants in the pool. After careful review of each proposal submitted, District staff based their recommendation on demonstrated competence and qualifications to perform the service and achieve fair and reasonable fees.

RECOMMENDATION

It is recommended that the Board of Trustees enter into and approve an Agreement with **Construction Inspection Services, Inc.** in an amount not to exceed \$134,887.00 for the provision of Class-1 and Class-2 DSA required project inspection services for Andrew Hill High School Campus Addition/New Science Building and Temporary Portable Utilities Projects, (Project No.: E-025-003).

2. Construction Testing Services, Inc. (CTS) - Ratification

Reviewed by:	Project Name and Number	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger Marcus Battle	Piedmont Hill High School New Auxiliary Gymnasium Building E-045-002	\$11,103.72 (not to exceed increased amount) Measure E	Piedmont Hills High School/ Facilities Traci Williams, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board ratify Amendment #1 and Change Order #1 to Purchase Order #103298 for the 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.

On June 28, 2011 (Board Item 12.03), the Board awarded a contract services agreement in the amount of \$74,438.00 to Construction Testing Services, Inc. (CTS) (see attachment Item 2).

This change order #1 is for additional service fee for continuous inspection during installation of the concrete masonry units (CMU block) as required by Division of the State Architect (DSA), although not initially required at the time of DSA approval of the project. It also covers performance inefficiencies caused by the extended construction duration of the project. Contract term has expired (June 29, 2011 through July 14, 2012) and Administration is requesting an extension of term through project completion.

Original Contract Amount	\$74,438.00
Previously Authorized Change Order #	\$0.00
Contract Amount Prior to This Change Order	\$74,438.00
Requested Change Order #1	\$11,103.72
Revised Contract Amount	\$85,541.72

RECOMMENDATION

It is recommended that the Board of Trustees ratify Amendment #1 and Change Order #1 to Purchase Order #103298 for the Contract Services Agreement with Construction Testing Services, Inc., and extend the contract term through and including project closeout for the provision of special inspections and material testing services for the Piedmont Hills High School New Auxiliary Gymnasium Building, (Project No.: E-045-002).

3. Michael Henley & Company

Reviewed by:	Project Name and Number	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger Marcus Battle	Piedmont Hills High School New Auxiliary Gymnasium E-045-002	\$25,000.00 (not to exceed increased amount) Measure E	Andrew Hill, James Lick, W. C. Overfelt, Piedmont Hills , Oak Grove, Silver Creek, Independence, Yerba Buena, Santa Teresa High Schools/Facilities Traci Williams, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board approve Amendment #3 and Change Order #3 to Purchase Order #100620 for the Title IX Interior Modernization Projects for Andrew Hill, James Lick, W.C. Overfelt, Piedmont Hills, Oak Grove, Silver Creek, Independence, Yerba Buena, Santa Teresa High Schools, James Lick Fire Service Center and Piedmont Hills New Auxiliary Gymnasium Projects, There are multiple projects on this purchase order.

On August 19, 2010, (Board Item 13.08), the Board awarded an Agreement in the amount of \$341,000.00 (including expenses) to Michael Henley & Company (see attachment Item 3a).

The change order #3 is issued to increase the purchase order due to the construction period is anticipated to extend over ten (10) months beyond the original completion date, (July 7, 2012). As a result, the inspector is required to produce 198 additional site visits with associated daily inspections and reports, 19 additional semi-month reports, 40 additional weekly meetings, 2 additional DSA engineer site visits, 10 additional months of administrative activities including special testing lab coordination and

invoice reviews and contractor invoice reviews. There is no change to contract term, (August 20, 2010 through July 1, 2013). Below is reconciliation of this agreement:

	AHHS Title IX	JLHS Title IX	JLHS FSC	WCO Title IX	PHHS New Gym
	(E-025-001)	(E-030-003)	(G-030-026)	(E-040-003)	(E-045.002)
Original	\$ 20,000.00	\$25,000.00	\$75,000.00	\$20,000.00	\$112,000.00
C/O #1	\$8,000.00	-	-	\$6,000.00	-
C/O #2	-	-	-	-	-
C/O #3	-	-	-	-	\$25,000.00
Total	\$ 28,000.00	\$ 25,000.00	\$75,000.00	\$26,000.00	\$ 137,000.00

	OGHS Title IX	SCHS Title IX	IHS Title IX	YBHS Title IX	STHS Title IX
	(E-050-003)	(E-055-003)	(E-065-002)	(E-060-003)	(E-070-002)
Original	\$ 17,000.00	\$14,000.00	\$20,000.00	\$20,000.00	\$18,000.00
C/O #1	-	-	-	-	\$6,000.00
C/O #2	-	-	-	\$12,000.00	-
C/O #3	-	-	-	-	-
Total	\$ 17,000.00	\$ 14,000.00	\$20,000.00	\$32,000.00	\$24,000.00

Previous Change Order Requests:

C/O #1 (Board Approved 11/17/11) (see attachment Item 3b) Additional scope of work added & change in project schedules

C/O #2 (Board Approved 2/16/12) (see attachment Item 3c) Increase scope and delays due to unforeseen conditions

Revised Contract Amount = \$398,000.00

RECOMMENDATION

It is recommended that the Board of Trustees approve Amendment #3 and Change Order #3 to Purchase Order #100620 with Michael Henley & Company for Piedmont Hills High School New Auxiliary Gymnasium Project, (Project No.: E-045-002).

4. Santa Clara Valley Construction Inspections (SCVCI) - Ratification

Reviewed by:	Project Name and Number	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger Marcus Battle	Mt. Pleasant High School Gymnasium Modernization – Increment 2 E-035-002	\$34,528.00 (not to exceed increased amount) Measure E	Mt. Pleasant High School/ Facilities Teresa Marquez, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board ratify Amendment #1 and Change Order #1 to Purchase Order #301540 for the Professional Inspections Services Agreement with Santa Clara Valley Construction Inspections (SCVCI) for the provision of required Division of State Architect (DSA) project inspection services for the Mt. Pleasant High School Gymnasium Modernization – Increment 2 Project.

On October 18, 2012 (Board Item 16.10), the Board awarded a Professional Inspections Services Agreement in the amount of \$22,849.00 to Santa Clara Valley Construction Inspections (SCVCI) (see attachment Item 4). Duration time was to be from October 19, 2012 through December 14, 2012.

This change order #1 is for additional service fee for continuous project inspection/management between time periods December 15, 2012 through April 15, 2013. This represents an average of four hours of project inspection/management time per day (336 hours) based on regular time for (84) days of construction and the process of closeout. Administration is requesting an additional allowance of \$10,000.00 to be managed by the District should unforeseen conditions arise which would require further inspection time service fees.

Original Contract Amount	\$22,849.00
Previously Authorized Change Order #	\$0.00
Contract Amount Prior to This Change Order	\$22,849.00
Requested Change Order #1	\$34,528.00
Revised Contract Amount	\$57,377.00

RECOMMENDATION

It is recommended that the Board of Trustees ratify Amendment #1 and Change Order #1 to Purchase Order #301540 for the Professional Inspections Services Agreement with Santa Clara Valley Construction Inspections (SCVCI) for the provision of required Division of State Architect (DSA) project inspection services for the Mt. Pleasant High School Gymnasium Modernization – Increment 2 Project , (Project No.: E-035-002).

Agenda Item Details

Meeting Jun 28, 2011 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 838 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. G. [Signature]

Item: 12.03 Amended

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-043-002.

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 Cari 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 #102001 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, Ph.D., 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 for it to 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 ½" 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	\$3,163.00
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 (OFCI) Life Skills Kitchen Appliances to Contractor Furnished Contractor Installed (CFCI)	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 Aug 19, 2010 - ESUHSO REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

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

Subject 13.08 Approve Contracts for Professional Services over \$50,000 - Jerry Kurr, Associate Superintendent of Administration and Business Services

Access Public

Type Action, Discussion

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

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 13.08

TO: Board of Trustees

FROM: Dan Moser, Interim Superintendent

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

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

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

FISCAL IMPACT:
Various

FUNDING SOURCE:
Various

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

[13.08 Over 50k Contracts.pdf \(80 KB\)](#)

East Side Union High School District

Approved

Board of Trustees

August 19, 2010 *M. Moser*

Item: 13.08

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contracts for Professional Services over \$50,000

1. AchieveKids

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Carole Hersom Donna Bertrand	September 1, 2010 through and including August 31, 2011	\$371,500 (estimated annual expenditures) Tuition - Special Education	Carole Hersom, Coordinator of Special Services

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with AchieveKids for the provision of non-public school services for special education students. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP) plan.

Reason for the Purchase of Outside Services

Due to the specialized educational services required to appropriately serve students who are presented with severe, unique emotional and/or developmental disabilities including mental retardation, autistic spectrum disorder, mood, disruptive behavior, anxiety and psychotic disorders residing in the ESUHSD, AchieveKids is a Non-Public School (NPS) offering such services that meet the widely, varying needs of this unique group of students.

Selection Process

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

There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students' educational needs. Recommendations are then presented at the students' IEP meeting. Referrals to AchieveKids were made at the students' IEP meeting by a District Program Specialist after consultation with the District's Special Services Coordinator.

AchieveKids is a NPS that offers specialized educational services for this unique group of ESUHSD students. The vendor pool for these specialized services is very small especially locally.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Achieve Kids for the contract term September 1, 2010, through and including August 31, 2011, for the provision of non-public school services for special education students, and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract on an as needed basis, including funding.

2. Bay School

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Carole Hersom Donna Bertrand	September 1, 2010 through and including August 31, 2011	\$251,460.00 (estimated annual expenditure services) \$87,348.00 (estimated annual expenditure transportation) Tuition - Special Education	Carole Hersom, Coordinator of Special Services

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Bay School for the provision of non-public school services

for special education students. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP) plan.

Reason for the Purchase of Outside Services

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

Selection Process

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

There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students' educational needs. Recommendations are then presented at the students' IEP meeting. Referrals to Bay School were made at the students' IEP meeting by a District Program Specialist after consultation with the District's Special Services Coordinator.

Bay School is a NPS that offers specialized educational services for this unique group of ESUHSD students. Bay School is one of two local NPS's that offer these unique services and ESUHSD contracts with both vendors.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Bay School for the contract term September 1, 2010, through and including August 31, 2011, for the provision of non-public school services for special education students, and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract on an as needed basis, including funding.

3. Beacon School

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Carole Hersom Donna Bertrand	September 1, 2010 through and including August 31, 2011	\$1,180,340.00 (estimated annual expenditure) Tuition – Special Education	Carole Hersom, Coordinator of Special Services

The District is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Beacon School for the provision of non-public school services for special education students. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP) plan.

Reason for the Purchase of Outside Services

ESUHSD's relationship with this Non Public School (NPS) goes back many years. In the ESUHSD's attempts to offer services to a growing population of Emotionally Disturbed (ED) classified students, Beacon worked with the ESUHSD on first establishing the transitional ED classroom and then therapeutic classrooms on our comprehensive sites starting at Oak Grove High School and eventually expanding to Independence, Mt. Pleasant and Andrew Hill High Schools. Having this established relationship facilitates giving ED students the appropriate continuum of services both in the comprehensive setting and in the more restrictive off campus setting of an NPS.

Beacon is extremely proactive in returning students to the comprehensive campus when appropriate. Approximately ten (10) students were returned to ESUHSD schools during the 2008-09 school year from Beacon School.

Selection Process

ESUHSD has single sourced this vendor based on the complexity of building a long term relationship that benefits both ESUHSD and the students.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Beacon School for the contract term September 1, 2010, through and including August 31, 2011, for the provision of non-public school services for special education students, and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract on an as needed basis, including funding.

4. Beacon School for the provision of Therapeutic Services for Programs

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Carole Hersom Donna Bertrand	September 1, 2010 through and including June 30, 2011	\$723,911.00 (estimated annual expenditure) Tuition – Special Education	Carole Hersom, Coordinator of Special Services

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Beacon School for the provision of non-public school services for special education students. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP) plan.

Reason for the Purchase of Outside Services

ESUHSD's relationship with this Non Public School (NPS) goes back many years. In the ESUHSD's attempts to offer services to a growing population of Emotionally Disturbed (ED) classified Students, Beacon worked with the ESUHSD on first establishing the transitional ED classroom and then therapeutic classrooms on our comprehensive sites starting at Oak Grove High School and eventually expanding to Independence, Mt. Pleasant and Andrew Hill High Schools. Having this established relationship facilitates giving ED students the appropriate continuum of services both in the comprehensive setting and in the more restrictive off campus setting of an NPS.

Beacon is extremely proactive in returning students to the comprehensive campus when appropriate. Approximately ten (10) students were returned to ESUHSD schools during the 2008-09 school year from Beacon School.

Selection Process

ESUHSD has single sourced this vendor based on the complexity of building a long term relationship that benefits both ESUHSD and the students.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Beacon School for the contract term September 1, 2010, through and including June 30, 2011, for Therapeutic Services for Programs at Mt. Pleasant, Andrew Hill, Independence, and Oak Grove High Schools, and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract on an as needed basis, including funding.

5. Bruce Flyn & Associate, Inc. - James Lick High School Building 500

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
June Rono, Ph.D Donna Bertrand	August 19, 2010 through and including July 30, 2013	\$159,300.00 (includes expenses) Measure E	June Francis Rono, Ph.D., Director

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract for DSA required project inspection services for James Lick High School New Two Story Classroom Building 500.

Reason for the Purchase of Outside Services

N/A

Selection Process

The District completed a formal Request for Qualifications (RFQ), RFQ-03-08-09 which went to the Board for approval of the recommended "Measure E & G Pre-Approved Inspector of Record Firms (IOR) List" on March 10, 2009. With this list in place, the District requested proposals from all three of the pre-approved to submit a "Project Inspector Selection Questionnaire (PISQ)" which included their proposed costs and project team. In this case, Facilities requested PISQ's from the three approved firms.

After careful review of each proposal submitted it was concluded that ESUHSD would move forward with the recommendation to the Board of Trustees to award the contract to Bruce Flynn & Associates was selected based on their proposed costs and project team.

RECOMMENDATION

It is recommended that the Board of Trustees enter into an approve an agreement with Bruce Flynn & Associate, Inc. in an amount of \$159,300.00, which includes expenses, for the term August 19, 2010, through and including July 30, 2013, for the provision of DSA required project inspection services for James Lick New Two Story Classroom Building 500.

6. Bruce Flynn & Associate, Inc. - James Lick Child Development Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
June Rono, Ph.D Donna Bertrand	April 10, 2010 through and including October 31, 2012	\$156,800.00 (includes expenses) Measure G	June Francis Rono, Ph.D., Director

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve Change Order #2, to Purchase Order #000208, with Bruce Flynn & Associate, Inc. in an increased amount of \$84,800.00, including expenses for the term of April 10, 2010, through and including October 31, 2012, for the provision of DSA required project inspection services for multiple sites.

Reason for the Change Order

Change Order #2, is issued for additional required DSA project inspection services at the James Lick Child Development Center (line 3 of the original PO). Originally the proposals for this particular project were based on a specific level of inspection services required for this type of project. However, after the project went through DSA review, DSA issued a requirement that the inspection services needed to be full time rather than what was previously proposed. Based on the fact that Bruce Flynn & Associate has already begun working on this project it would not be in the best interest of the District to send the project back out for solicitation.

The typical 10% rule does not apply to professional services.

Selection Process

The solicitation process took place during the original contract award (April 9, 2009 Board Meeting)

RECOMMENDATION

It is recommended that the Board of Trustees enter into an approve Change Order #2, to Purchase Order #000208, with Bruce Flynn & Associate, Inc. in an increased amount of \$84,800.00, including expenses for the term of April 10, 2010, through and including October 31, 2012, for the provision of DSA required project inspection services for multiple sites.

7. Michael Henley & Co.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
June Rono, Ph.D Donna Bertrand	August 19, 2010 through and including July 30, 2013	\$341,000.00 (includes expenses) Measure E	June Francis Rono, Ph.D., Director

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into an agreement with Michael Henley & Co. in an amount of \$341,000.00, including expenses for the term of August 19, 2010, through and including July 30, 2013, for the provision of DSA required project inspection services for Title IX Interior at Andrew Hill, James Lick, W. C. Overfelt, Piedmont Hills, Oak Grove, Silver Creek, Independence, Yerba Buena, Santa Teresa, James Lick Fire Science Academy, and Piedmont Hills New Gym Projects.

Reason for the Purchase of Outside Services

N/A

Selection Process

The District completed a formal Request for Qualifications (RFQ), RFQ-03-08-09, which went to the Board for approval of the recommended "Measure E & G Pre-Approved Inspector of Record Firms (IOR) List" on March 10, 2009. With this list in place, the District requested proposals from all three of the pre-approved to submit a "Project Inspector Selection Questionnaire (PISQ)" which included their proposed costs and project team. In this case, Facilities requested PISQ's from the three approved firms.

After careful review of each proposal submitted it was concluded that ESUHSD would move forward with the recommendation to the Board of Trustees to award the contract to Michael Henley & Co. who was selected based on their proposed costs and project team.

RECOMMENDATION

It is recommended that the Board of Trustees approve an agreement with Michael Henley & Co., in an amount of \$341,000.00, which includes expenses, for the term August 19, 2010, through and including July 30, 2013, for the provision of DSA required project inspection services for Title IX Interior at Andrew Hill, James Lick, W. C. Overfelt, Piedmont Hills, Oak Grove, Silver Creek, Independence, Yerba Buena, Santa Teresa, James Lick Fire Science Academy, and Piedmont Hills New Gym Projects.

8. Morgan Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
June Rono, Ph.D Donna Bertrand	September 1, 2010 through and including August 31, 2011	\$251,460.00 (estimated annual expenditure services) \$87,348.00 (estimated annual expenditure transportation) Tuition – Special Education	Carole Hersom, Coordinator of Special Services

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Morgan Center for the provision of non-public school services for special education students. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP) plan.

Reason for the Purchase of Outside Services

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

Selection Process

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

There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students' educational needs. Recommendations are then presented at the students' IEP meeting. Referrals to Morgan Center were made at the students' IEP meeting by a District Program Specialist after consultation with the District's Special Services Coordinator.

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 a Contract Services Agreement with Morgan Center School for the contract term September 1, 2010, through and including August 31, 2011, for the provision of non-public school services for special education students, and to delegate authority to the Interim Superintendent/ Superintendent or designee to amend said contract on an as needed basis, including funding.

9. Nascent Group, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Tim Nguyen Donna Bertrand	August 19, 2010 through and including June 30, 2011	\$98,500.00 NCLB/Title I	Tim Nguyen, Coordinator

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve an Agreement with Nascent Group, Inc. for the term August 19, 2010, through and including June 30, 2011, for District Assistance Intervention Team (DAIT) Services in an amount not-to-exceed \$98,500, to declare this vendor as a Single Source Vendor; and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract on an as needed basis, including funding.

Reason for Purchase of Outside Services

The No Child Left Behind legislation requires every district in program improvement to hire and work with a State approved outside evaluator as long as the district is in program improvement.

Selection Process

No solicitation process was done for this service.

The ESUHSD is requesting the Board to Single Source this vendor since Nascent is a state approved outside evaluator and has worked with ESUHSD for the past 4 years. Nascent has worked with ESUHSD leadership team and site leadership teams to implement the state mandated curriculum, programs and evaluation tools to guide the ESUHSD out of program improvement. Nascent continues to help ESUHSD reflect on our implementation and give ESUHSD an outside view of ESUHSD's practices which leads to ESUHSD improvement and it is largely due to Nascent's work that the ESUHSD has not progressed to more severe program improvement sanctions. Allowing ESUHSD to continue with Nascent will allow ESUHSD to move forward in our work which will lead to greater improvement in ESUHSD AYP performance.

Therefore, to try and bid out this service amongst other state approved vendors would not be in the best interest of the ESUHSD because we would have to re-establish relationships, trust, processes, and programs that we have already accomplished over the past 4 years with Nascent. This process would halt any progress that we are currently making and could possibly stall ESUHSD's growth and improvement that we have been making over the past 4 years.

RECOMMENDATION

Approve an Agreement with Nascent Group, Inc. for the Term August 19, 2010, through and including June 30, 2011, for District Assistance Intervention Team (DAIT) Services in an amount not-to-exceed \$98,500, to declare this vendor as a Single Source Vendor, and to delegate authority to the Interim Superintendent/ Superintendent or designee to amend said contract on an as needed basis, including funding.

10. Pacific Autism Center for Education (PACE)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Carole Hersom Donna Bertrand	September 1, 2010 through and including August 31, 2011	\$239,040.00 (estimated annual expenditure) Tuition – Special Education	Carole Hersom, Coordinator of Special Services

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Pacific Autism Center for Education (PACE) for the provision of non-public school services for special education students. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program plan (IEP).

Reason for the Purchase of Outside Services

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

Selection Process

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

There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students' educational needs. Recommendations are then presented at the students' IEP meeting. Referrals to PACE were made at the students' IEP meeting by a District Program Specialist after consultation with the District's Special Services Coordinator.

PACE is a NPS that offers specialized educational services for this unique group of ESUHSD students. PACE 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 a Contract Services Agreement with Pacific Autism Center for Education (PACE) for the contract term September 1, 2010, through and including August 31, 2011, for the provision of non-public school services for special education students, and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract on an as needed basis, including funding.

11. Pine Hill School

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Carole Hersom Donna Bertrand	September 1, 2010 through and including August 31, 2011	\$700,667.00 (estimated annual expenditure) Tuition – Special Education	Carole Hersom, Coordinator of Special Services

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Pine Hill School for the provision of non-public school services for special education students. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP) plan.

Reason for the Purchase of Outside Services

Due to the specialized educational services required to appropriately serve students who present with severe, unique emotional and/or developmental disabilities including mental retardation, autistic spectrum disorder, mood, disruptive behavior, anxiety and psychotic disorders residing in the ESUHSD, Pine Hill is a Non Public School (NPS) offering such services that meet the widely, varying needs of this unique group of students.

Selection Process

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

There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students' educational needs. Recommendations are then presented at the students' IEP meeting. Referrals to Pine Hill School were made at the students' IEP meeting by a District Program Specialist after consultation with the District's Special Services Coordinator.

Pine Hill School is a NPS that offers specialized educational services for this unique group of ESUHSD students. The vendor pool for these specialized services is very small especially locally.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Pine Hill School for the contract term September 1, 2010, through and including August 31, 2011, for the provision of non-public school services for special education students, and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract on an as needed basis, including funding.

12. San Jose/Evergreen Community College District

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
June Rono, Ph.D Donna Bertrand	August 15, 2009 through and including August 14, 2010	\$221,197.00 Capital Facilities Fund	June Francis Rono, Ph.D., Director
	August 15, 2010 through and including August 14, 2011		

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve the Lease Agreements with San Jose/Evergreen Community College District for the term of August 15, 2009, through and including August 14, 2010, for the provision of ten (10) portable units and any applicable easements for access to the property in the amount of \$109,863.00; a Lease Agreement for the term of August 15, 2010, through and including August 14, 2011, for the provision of ten (10) portable units and any applicable easements for access to the property in the amount of \$111,334.00, with annual rent increase.

Reason for the Lease Agreement

ESUHSD has been using these rented portables for approximately six years for the Accel, Genesis and Post Senior Transition Classes. The 2009-10 rent distribution is as follows: Accel \$16,883, Genesis \$33,765 and Post Senior Transitions \$7,878.

The ESUHSD intends to continue with these programs or similar programs on the campus of San Jose/Evergreen College and recommends the Board to approve this lease.

Selection Process

No solicitation process required for this lease agreement.

RECOMMENDATION

It is recommended that the Board of Trustees approve Lease Agreements with San Jose/Evergreen Community College District for the term of August 15, 2009, through and including August 14, 2010, for the provision of ten (10) portable units and any applicable easements for access to the property in the amount of \$109,863.00; a Lease Agreement for the term of August 15, 2010, through and including August 14, 2011, for the provision of ten (10) portable units and any applicable easements for access to the property in the amount of \$111,334.00, with annual rent increase.

13. Spectrum Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Carole Hersom Donna Bertrand	September 1, 2010 through and including August 31, 2011	\$687,378.00 (estimated annual expenditure) Tuition – Special Education	Carole Hersom, Coordinator of Special Services

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Spectrum Center for the provision of non-public school services for special education students. Educational services shall be consistent with the master contract and specified services per the students Individual Education Program (IEP) plan.

Reason for the Purchase of Outside Services

Due to the specialized educational services required to appropriately serve students who present with severe, unique emotional and/or developmental disabilities including mental retardation, autistic spectrum disorder, mood, disruptive behavior, anxiety and psychotic disorders residing in the ESUHSD, Spectrum Center is a Non Public School (NPS) offering such services that meet the widely, varying needs of this unique group of students.

Selection Process

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

There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students' educational needs. Recommendations are then presented at the students' IEP meeting. Referrals to Spectrum Center were made at the students' IEP meeting by a District Program Specialist after consultation with the District's Special Services Coordinator.

Spectrum Center is a NPS that offers specialized educational services for this unique group of ESUHSD students. The vendor pool for these specialized services is very small especially locally.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with Spectrum Center for the contract term September 1, 2010, through and including August 31, 2011, for the provision of non-public school services for special education students, and to delegate authority to the Interim Superintendent/Superintendent or designee to amend said contract on an as needed basis, including funding.

Agenda Item Details

Meeting Nov 17, 2011 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

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

Subject 12.03 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, 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**

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.

[12.03 Contracts Over 50k 11-17-11.pdf \(67 KB\)](#)

Executive Content

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED November 17, 2011**
M. Battle

Last Modified by Betty Banderas on November 10, 2011

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contracts for Professional Services over \$50,000
Board Meeting of November 17, 2011

1. ENVIROPLEX, INC.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	N/A	\$10,974.00 (not to exceed) Measure G	KIPP Charter at Independence High School/ Facilities & Planning Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #1 to Purchase Order # 102910 for the Science Lab Classroom modular building for the KIPP Charter Project at Independence High School, (Project # MG2011-001).

This change order is issued for the additional purchase of (3) Epoxy Sinks, add rough plumbing and added Delusion Tanks requested by KIPP. KIPP has agreed to reimburse ESUHSD for this additional expense.

Original Purchase Order was approved for \$582,047.00 + Change Order #1 \$10,974.00 = the new Purchase Order total of \$ 593,021.00.

Selection Process
N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order #102910 with Enviroplex, Inc., in the amount of \$10,974.00 for the Science Lab Classroom modular building for the KIPP Charter Project at Independence High School.

2. Michael Henley & Company

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	August 19, 2010 – July 30, 2013 (no change)	\$ 20,000.00 (increased amount) Measure E	Andrew Hill, W. C. Overfelt , Santa Teresa Bettina Lopez, Vito Chiala, Juan Cruz, Principals Facilities and Planning, Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #1 to Purchase Order # 100620 and Amendment #1 to contract agreement for DSA required project inspection services in the amount of \$20,000.00 for the Title IX Interior Modernization at Andrew Hill, W. C. Overfelt, and Santa Teresa High School, (Project #'s E-025-001, E-040-003 and E-070-002).

Original Purchase Order was approved for \$341,000.00 + Change Order #1 \$20,000.00 = the new Purchase Order total of \$ 361,000.00.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order #100620 and Amendment #1 to the Agreement with Michael Henley & Company in the amount of \$20,000.00 for the Andrew Hill, W.C. Overfelt and Santa Teresa High School Title IX Interior Modernization Projects, (Project Nos.: E025-001, E-040-003 and E-070-002).

3. The Seville Group, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 10, 2009 – October 31, 2012 (no change)	\$206,721.10 (increased amount) Measure E	Independence High School; Grettel Castro- Stanley, Principal Oak Grove High School; Martha Brazil, Principal Silver Creek High School; Adolfo Laguna, Principal Facilities and Planning, 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 #905346 and Amendment #2 to contract agreement in the amount of \$206,721.10 for the Independence, Oak Grove, and Silver Creek Title IX Interior Modernization projects, (Project #'s E-065-002, E-050-004, E-055-002).

This change order is issued to add funds to cover the actual construction cost and add 15% for Move Management Services as outlined in the Construction Management Master Agreement.

Original Purchase Order was approved for \$435,337.50.00 + Change Order #1- \$43,533.76.00 + Change Order #2 - \$206,721.10 = the new Purchase Order total of \$685,592.36

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #2 to Purchase Order #905346 and Amendment #2 to the Agreement with The Seville Group, Inc. in the amount of \$206,721.10 for the Independence, Oak Grove, and Silver Creek Title IX Interior Modernization projects,

4. 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 31, 2012 (no change)	\$9,170.00 (increased amount) Measure E	Mt. Pleasant High School; Teresa Marquez, Principal Facilities and Planning, 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 #905117 in the amount of \$9,170.00 for the Mt. Pleasant High School New Multi-Purpose Building and Classrooms Project, (Project No.: E-065-035-003)

This change order is issued to provide the design and construction documents necessary for a complete re-design of the campus gas distribution system from the existing gas meter to the main campus core buildings (100-900), as well as construction administration services related to the construction of this new system.

Original Purchase Order was approved for \$535,938.00 + Change Order #1- \$53,593.80 + Change Order #2 - \$39,996.00 + Change #3 - \$9,170.00 = the new Purchase Order total of \$638,697.80

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #3 to Purchase Order #905117 Sugimura Finney Architects in the amount of \$9,170.00 for the Mount Pleasant High School New Multi-Purpose Building and Classrooms Project

4. YWCA of Silicon Valley's Project Inspire

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
D. Moser D. Bertrand	July 1, 2012 – June 30, 2013	\$ 148,800.00 (REVENUE) 21 ST Century Grant	Dan Moser, Superintendent James Lick High School; Glenn VanderZee, Principal Andrew Hill High School, Bettina Lopez, Principal Yerba Buena High School, Tom Huynh, Principal W.C. Overfelt High School, Vito Chiala, Principal

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve a Contract Services Agreement with YWCA of Silicon Valley's *Project Inspire* for the submission of a Grant Application for the Term of July 1, 2012 through and including June 30, 2013 for the provision of implementing *Project Inspire* After-School Program under the 21st Century High School ASSETs Program (Chchort7) at Andrew Hill, James Lick, W. C. Overfelt, and Yerba Buena High Schools.

This contract is being submitted a part of a grant application by the YWCA of Silicon Valley for the 21st Century Grant. If they are awarded the grant then the contract will be funded and services will be provided.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with YWCA of Silicon Valley's *Project Inspire* for the submission of a Grant Application for the Term of July 1, 2012 through and including June 30, 2013 for the provision of implementing *Project Inspire* After-School Program under the 21st Century High School ASSETS Program (Chohort7) at Andrew Hill, James Lick, W. C. Overfelt, and Yerba Buena High Schools.

6. BRCO

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
D. Bertrand J. Unger K. Lanford M. Battle	N/A	\$91,000.00 (not to exceed) (Increased Amount) Measure E	James Lick High School/Facilities Glenn VanderZee, Principal Kathy Lanford, Assistant Director

The James Lick High School Title IX Modernization Project has encountered some conditions that necessitate the addition of scope to the project. Below is a summary of the preliminary reconciliation of the 10% allowance currently in the purchase order for the general contractor. However, it is projected the construction will exceed the original 10% allowance and is expected to need approximately another 10% allowance to complete the project. Administration is requesting approval of this action and will report back to the Board monthly as to the status of this project including funding.

Bid #	Purchase Order #	DSA #	Project #
B-13-10-11	102914	01-111670	E-030-003

PCO #	Description / Reason	Amount
1	Adjust completion date to match schedule provided in Notice to Bidders and postpone start as requested by site. No Cost time extension of 45 days	\$0.00
2	VOID	\$0.00
3	RFI #3 - Credit back labor and materials for (12) existing type "F" fixtures and install (4) new light fixtures to match (E) (2 at each end of the Gym)	Pending (\$4,606.00)
4	RFI 9 - Replace Fire Alarm booster panel damaged during previous construction.	\$834.00
5	RFI 14 - demo and rebuild wall between coaches office and wrestling room due to termite damage	\$9,037.00
6	RFI #20 - Furring strips & drywall in Lobby due to unforeseen condition of concrete under existing finishes removed	Pending \$9,009.00
7	RFI 13 - Remove ceramic/cementitious overlay discovered under existing flooring & float floor for new flooring	\$1,339.00
8	Dry rot wood framing removed in Girl's restroom	\$264.00
9	Skipped by Contractor	-
10	VOID	\$0.00
11	RFI 25 - Installation of new wire, 12ga, 2 conductor, stranded w/ speaker connectors along the eve of the gym for the sound system.	\$1,900.00
12	RFI 15 & 18 - Installation of 1 1/4" conduit along the south side wall due to (E) chase being demolished security conduit needs to be re-run and attached properly to feed the southwest side of the gym.	\$985.00
13	RFI 28 - (N) excavation for the (E) 4" SS line outside of the NW corner of the gym due to line not being in the location shown on the contract documents or as-builts.	\$3,160.00
14	RFI 30 - Install (N) pipe supports for (E) improperly supported piping discovered above the ceiling	\$2,194.00
15	Add support wires to (E) gym light fixtures which are not properly supported. - OPTION 1 Selected	\$3,130.00
16	RFI 31 - Add floor sink for ice machine in coaches office not shown on the plans	\$2,227.00
17	Skipped by Contractor	-

18	RFI 15 & 18 - Pull back security cables, reinstalling & terminating to their pre-existing functional state. Pulling wire was excluded on previous Bahia CCO#2 because RFI's stated to run conduit only in new chase	Pending \$1,338.00
19	RFI 38 - Cost to plaster the plaster panels within the glazing system on the interior side. Addenda #1 only shows on the exterior.	Pending \$1,347.04
20	Skipped by contractor	-
21	RFI #47 - Remove and relocate scoreboard as requested by the site	\$1,892.00
22	Skipped by Contractor	-
23	Costs for storage container to store bleachers until they are able to be installed due to project delays	Pending \$1,430.00
24	FCD #3 - Change IDF Room layout as directed by District IT The contractors claimed extended overhead costs associated with this PCO is being addressed under PCO 24.1 and time extension of 51 days.	Pending \$17,201.81
24.1	FCD #3 - Extended overhead costs associated with time extension under PCO 24	Pending \$38,250.00
25	RFI 65 - Provide hand dryers in lieu of paper towel dispensers in student restrooms to conform with District standards	Pending \$2,602.00
26	Skipped by Contractor	-
27	Skipped by Contractor	-
28	RFI 52 - Provide & install 4x8 chase wall in lieu of 3x ledger material to accommodate the size of the (E) piping	\$3,512.00
29	Skipped by Contractor	-
30	Not to exceed amount to accelerate completion of the gymnasium portion of the project so it can be used for testing.	T & M NTE \$7,000.00
31	Costs associated with changes made during the submittal process for the doors and hardware	Pending \$339.00
32	Skipped by Contractor	-
33	Added costs related to site requested logo design for gym lobby floor	Pending \$901.00
34	Added costs related to site requested graphics on gymnasium floor	Pending \$7,351.00
35	RFI 73 - Install sheet vinyl at door thresholds 41A & 42A not shown on drawings	Pending \$294.00
36	RFI 90 - Shorten bleachers to avoid (E) electrical panel	Pending \$490.00
37	Added costs related to site requested larger logos painted on the walls of the gym	Pending \$3,302.00
38	Skipped by Contractor	-
39	Skipped by Contractor	-
40	FCD #6 - Add electrical outlet for ice maker not shown on drawings	Pending \$767.00
41	FCD #5 - Modify (E) electrical to make it work with (N) bleachers	Pending \$1,606.00

Total PCO's to date	\$119,095.85
Original 10% Allowance	\$82,727.00
Original Contract Price	\$910,000.00
ADD TO CONTRACT For this change order (amount to be managed by ESUHSD)	\$91,000.00
Revised Contract Amount	\$1,001,000.00

Any design error or omissions will be investigated and contractual remedies, if any, from the responsible party or parties will be pursued. At the time of final reconciliation of the project, Administration will update the Board on the outcome of any findings.

FISCAL IMPACT: \$91,000.00 Not-to-Exceed

FUNDING SOURCE: Measure E

RECOMMENDATION: It is recommended that the Board of Trustees approve the request to increase the existing purchase order for James Lick High School Title IX Modernization Project (BRCO Constructors Inc.) in the amount of \$91,000.00 which is an additional 10% (not-to-exceed) so that the project can continue without further interruptions.

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

Subject 14.04 Approve Contracts for Professional Services over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Access Public

Type Action, Discussion

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

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 14.04

TO: Board of Trustees

FROM: Dan Moser, Superintendent

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

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

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

FISCAL IMPACT:
As indicated in the attachment

FUNDING SOURCE:
As indicated in the attachment

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

[14.04 Contracts Over \\$50k.pdf \(134 KB\)](#)

Executive Content



**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES**
APPROVED AS AMENDED -- item #10 pulled
February 16, 2012

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contracts for Professional Services Over \$50,000
Board Meeting of February 16, 2012

1. AEDIS Architecture & Planning

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	August 1, 2011 – December 31, 2012 (no change)	\$13,254.00 (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 #1 to the Purchase Order #200655 and Amendment #1 to Work Authorization #2 for the Silver Creek High School Modernization and Add New Toilet Room Project, (Project No.: E-055-004).

This change order is issued to increase the purchase order for additional architectural effort required due to the discovery of the nurses' restroom within the administration building was not ADA compliant and it was not part of the original toilet renovation project scope.

Original Purchase Order was approved for \$123,200.00 + Change Order #1 \$13,254.00 = the new Purchase Order total of \$136,454.00

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order # 200655 and Amendment #1 to Work Authorization #2 with AEDIS Architecture & Planning in the amount of \$13,254.00 for the Silver Creek High School Modernization and Add New Toilet Room Project, (Project No.: E-055-004).

2. 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)	\$6,485.00 (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 #5 to Purchase Order #905242 and Amendment #5 to the Agreement in the amount of \$6,485.00. This change order is issued to include the additional amount for architectural efforts spent to resolve change order issues with the Construction Manager, the contractor and DSA.

Original Purchase Order was approved for \$558,232.00 + Change Order #1- \$13,874.00 + Change Order #2 - \$12,920.00 + Change Order #3 - \$55,823.20 + Change Order #4 - \$8,870.00 + Change Order #5 \$6,485.00 = the new Purchase Order total of \$656,204.20

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #5 to Purchase Order #905242 and Amendment #5 to the Agreement with AEDIS Architecture & Planning in the amount of \$6,485.00 for the Silver Creek High School New Multi-Purpose Building/Theatre Project, (Project No.: E-055-001).

3. BAGG Engineers

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	June 01, 2011 – December 31, 2012 (no change)	\$39,350.00 (increased amount) Measure E	Mt. Pleasant High School/Facilities Teresa Marquez, Principal Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #1 to Purchase Order #103103 for the Classroom Modernization at Mt. Pleasant High School, (Project No.: E-035-002).

This change order is issued to increase the purchase order due to some unforeseen conditions that necessitates this adjustment to the contract with BAGG Engineers to complete the remaining phases of the project.

Original Purchase Order was approved for \$56,150.00 + Change Order #1 \$39,350.00 = the new Purchase Order total of \$95,500.00

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order No 103103 with BAGG Engineers in the amount of \$39,350.00 for Mt Pleasant High School Classroom Modernization Project, (Project No.: E-035-002)

4. Blach Construction

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	October 20, 2011 – February 28, 2014	\$21,128.00 (decreased amount) Measure E	Andrew Hill High School/Facilities Bettina Lopez, 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 #1 to the contract agreement for the Andrew Hill High School Campus Addition/New Science Building Project, (Project No.: E-025-003).

This change order is issued to decrease the contract amount due to combining two separate projects as part of Phase II, the Modernization of Building 100 Classroom, Library, and Multi-Use Space and a New Science Building. School Site Council feels combining these two projects into one is better suited for the educational needs of the site. Due to limited funding, the site has elected to not touch the Library for it is in good shape and the Multi-Use Building had some modernization already completed under the former Kitchen renovation project. The end result would be to direct the total funds for both projects into replacing building 100 and extending the classroom count as much as funds allow.

Original Purchase Order was approved for \$662,554.00 + Change Order #1 [21,128.00] = the new Purchase Order total of \$641,426.00

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to contract agreement with Blach Construction in the decrease amount of [\$21,128.00] for the Andrew Hill High School Campus Addition/New Science Building Project, (Project No.: E-025-003).

5. The California State University

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
D. Moser D. Bertrand	July 1, 2007 – June 30, 2012	\$50,000.00 (for School Year 2011-12) (REVENUE) The California Academic Partnership Program (CAPP)	W. C. Overfelt High School Vito Chiala, Principal

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees for Administration to sign Amendment #4 to Agreement No. 70016 with the California State University to increase the funding by \$50,000.00 and to extend the term to June 30, 2012.

March 7, 2007 ESUHSD was notified that ESUHSD's proposal under the "Developing Courageous and Creative High School Leadership Program" had been selected for funding. ESUHSD was one (1) out of eleven (11) selected from a pool of forty-seven (47) applicants selected to receive a grant. ESUHSD's grant was in an amount of \$250,000.00 over a five (5) year period. This is the final year of the grant.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees authorize Administration to sign Amendment #4 to Agreement No. 70016 with the California State University to increase the funding by \$50,000.00 and to extend the term to June 30, 2012.

6. Cody Anderson Wasney

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 10, 2009 – October 31, 2012 (no change)	\$3,745.50.00 (increased amount) Measure E	James Lick High School/Facilities Glenn VanderZee, Principal Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #4 to the Purchase Order #905106 for the James Lick High School New Two Story Building 500 Project, (Project No.: E-030-001).

This change order is issued to increase the purchase order due to additional work required to make correction to work completed by general contractor that requires DSA approval and must be coordinated by the Architect and Structural Engineer.

Original Purchase Order was approved for \$667,233.00 + Change Order #1 \$8,800.00 + Change Order #2 \$66,723.30 + Change Order # 3 \$6,825.75 + Change Order #4 \$ 3,745.50 = the new Purchase Order total of \$753,327.55

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #4 to Purchase Order # 905106 with Cody Anderson Wasney in the amount of \$3,745.50 for the James Lick High School New Two Story Building 500 Project, (Project No.: E-030-001).

7. Cody Anderson Wasney

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	October 20, 2011 – February 28, 2014	\$277,000.00 (increased amount) Measure E	Andrew Hill High School/Facilities Bettina Lopez, 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 #1 to the Purchase Order #201164 and Amendment #1 to Work Authorization #4 for the Andrew Hill High School Addition/New Science Building Project, (Project No.: E-025-003).

This change order is issued to combine contract amounts for both projects and credit back for value of the architectural services no longer required to combine two separate projects as part of Phase II, the Modernization of Building 100 Classroom, Library, and Multi-Use Space and a New Science Building. School Site Council feels combining these two projects into one is better suited for the educational needs of the site. Due to limited funding, the site has elected to not touch the Library for it is in good shape and the Multi-Use Building had some modernization already completed under the former Kitchen renovation project. The end result would be to direct the total funds for both projects into replacing building 100 and extending the classroom count as much as funds allow.

Original Purchase Order was approved for \$392,000.00 + Change Order #1 \$277,000.00 = the new Purchase Order total of \$669,000.00

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order # 201164 and Amendment #1 to Work Authorization #4 with Cody Anderson Wasney in the amount of \$277,000.00 for the Andrew Hill High School Addition/New Science Building Project, (Project No.: E-025-003).

8. Cody Anderson Wasney

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	October 20, 2011 – February 28, 2014	\$274,487.00.00 (decreased amount) Measure E	Andrew Hill High School/Facilities Bettina Lopez, 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 #1 to the Purchase Order #201163 and to Amendment #1 to Work Authorization #3 for the Andrew Hill High School Modernization at Building 100 Classroom, K/Library and Multi-Use Building Project, (Project No.: E-025-004).

This change order is issued to decrease contract amount for this project which is now combined with Project No.: E-025-003. Remaining amount is due to the Architect for efforts performed on this project through November 30, 2011.

Original Purchase Order was approved for \$287,000.00 + Change Order #1 [\$274,487.00] = the new Purchase Order total of \$12,513.00.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order # 201163 and to Amendment #1 to Work Authorization #3 with Cody Anderson Wasney in the amount decrease of [\$274,487.00] for the Andrew Hill High School Modernization at Building 100 Classroom, K/Library and Multi-Use Building Project, (Project No.: E-025-004).

9. DFH Inspections, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 10, 2009 – October 31, 2012	\$33,000.00 (increased amount) Measure E	W.C. Overfelt High School/Facilities Vito Chiala, 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 and Amendment #2 to Purchase Order #000206 for the Modernization Building C & E at W. C. Overfelt High School, (Project No.: E-040-001).

This change order is issued to increase the purchase order due to additional DSA Project Inspection Services are required for the project.

Original Purchase Order was approved for \$69,560.00 + Change Order #1 113,560.00 + Change Order #2 \$33,000.00 = the new Purchase Order total of \$216,120.00.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #2 to Purchase Order No 000206 with DFH Inspections, Inc. in the amount of \$33,000.00 for the Modernization Building C & E at W. C. Overfelt High School, (Project No.: E-040-001).

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

#10
Pulled

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	April 10, 2009 – April 09, 2012 (no change)	\$359,181.00 (increased amount) Measure E	Yerba Buena High School/Facilities Tom Huynh, Principal Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #2 to Purchase Order # 905017 for the Yerba Buena High School Title IX Interior Modernization Project, (Project No.: E-060-003).

This change order is issued to add funds to the purchase order due to the actual construction cost of the project being higher than originally projected.

Construction Cost \$4,373,040.00 X 5% Approved Pre-Construction + 10% Approved Construction Management fees on April 09, 2009 = \$655,956.00 (\$655,956.00 - \$296,775.00 - \$359,181.00)

Original Purchase Order was approved for \$1,105,564.50 + Change Order #1 153,243.00 + Change Order #2 \$359,181.00 = the new Purchase Order total of \$1,617,988.50.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #2 to Purchase Order No 905017 with Facilities management Planning and Operations, Inc. (FMPO, Inc.) in the amount of \$359,181.00 for the Yerba Buena High School Title IX Interior Modernization Project, (Project No.: E-060-003).

11. Michael Henley & Co.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	August 19, 2010 – July 30, 2013	\$12,000.00 (not to exceed) Measure E	Yerba Buena High School/Facilities Tom Huynh, Principal Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #2 to Purchase Order # 100620 for the Yerba Buena High School Title IX Interior Modernization Project, (Project No.: E-060-003).

This change order is issued to increase the purchase order due to increase scope, and delays due to unforeseen conditions which caused change in project schedule for the project and required additional DSA required Inspection Services.

Original Purchase Order was approved for \$341,000.00 + Change Order #1 \$20,000.00 + Change Order #2 \$12,000.00 = the new Purchase Order total of \$ 373,000.00

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #2 to Purchase Order No 100620 with Michael Henley & Co. in the amount of \$12,000.00 for the Yerba Buena High School Title IX Interior Modernization Project, (Project No.: E-060-003).

12. San Jose/Evergreen Community College District.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
D. Moser M. Battle D. Bertrand	August 15, 2011 – August 14, 2012	\$114,674.02 Capital Facilities Fund	Silver Creek High School/Facilities Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve the Lease Agreement with San Jose/Evergreen Community College District for the Term of August 15, 2011 through and including August 14, 2012, for the Provision of leasing ten (10) portable units and any applicable easements for access to the Property in the amount of \$114,674.02 with annual 3% rent increases.

ESUHSD has been using these rented portables for approximately eight years. Currently ESUHSD is using the portables for the Accel and Valdez Classes.

The ESUHSD intends to continue with these programs or similar programs on the campus of San Jose/ Evergreen Community College and recommend the Board to approve this lease.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve the Lease Agreement with San Jose/Evergreen Community College District for the Term of August 15, 2011 through and including August 14, 2012, for the Provision of ten (10) portable units and any applicable easements for access to the Property in the amount of \$114,674.02 with an annual 3% rent increase.

13. Santa Clara County Office of Education

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
D. Moser D. Barnes D. Bertrand	May 1, 2011 – April 30, 2012	\$204,781.60 (original contract amount) (REVENUE) ELS-Head Start Program	District Wide Deborah Barnes, Program Manager

East Side Union High School District (ESUHSD) is requesting ratification from the Board of Trustees to approve the Standard Contracts Agreement with Santa Clara County Office of Education, Children's Services Department – Head Start Program for the contract term May 1, 2011 through and terminates on April 30, 2012. Administration has recently received an amendment to this agreement decreasing the funding due to the closure of the child care center at Independence High School in the amount of \$52,143.84. Therefore, the total amount of this grant will now be \$152,637.76

Purpose of the Grant

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

ESUHSD is to provide a Full Day Head Start program enhancement services as outlined in the "Description of Enhancement Services" to 56 Federal Head Start eligible children, ages six weeks to 3.0 years, currently enrolled in ESUHSD's existing part-day childcare program. Program services shall be provided up to 10 hours per day.

All other requirements are outlined in the full Agreement.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees ratify the Standard Contracts Agreement with Santa Clara County Office of Education, Children's Services Department – Head Start Program for the contract term May 1, 2011 through and terminates on April 30, 2012; authorize administration to sign the Amendment to the Agreement that decreases the funding by \$52,143.84; and to delegate authority to the Superintendent or designee to amend said contract, including funding, as needed.

14. Spencer Associates

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	October 1, 2011 – July 02, 2012	\$300.00 (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 #1 to the Purchase Order #200999 and Amendment #1 to Work Authorization #3 for the Santa Teresa High School Modernization of Buildings 100, 200, 400, 700, 1300 and 1400 Project, (Project No.: E-070-003).

This change order is issued to increase the purchase order for a conceptual construction cost estimate study required at this phase of design.

Original Purchase Order was approved for \$330,000.00 + Change Order #1 \$300.00 = the new Purchase Order total of \$330,300.00

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order # 200999 and Amendment #1 to Work Authorization #3 with Spencer Associates in the amount of \$300.00 for the Santa Teresa High School Modernization of Buildings 100, 200, 400, 700, 1300 and 1400 Project, (Project No.: E-070-003).

15. Spencer Associates

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
K. Lanford M. Battle D. Bertrand J. Unger	October 17, 2011 – March 18, 2012	\$2,900.00 (increased amount) Measure E	Yerba Buena High School/Facilities Tom Huynh, Principal Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #1 to the Purchase Order #201138 and Amendment #1 to Work Authorization #2 for the Yerba Buena High School Modernize Ceramics Portion of Building 1000 Project, (Project No.: E-060-005).

This change order is issued to increase the purchase order for a detailed conceptual construction cost estimate study required to determine a total revised cost estimate for the project.

Original Purchase Order was approved for \$56,000.00.00+ Change Order #1 \$2,900.00 = the new Purchase Order total of \$58,900.00

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order # 201138 and Amendment #1 to Work Authorization #2 with Spencer Associates in the amount of \$2,900.00 for the Yerba Buena High School Modernize Ceramics Portion of Building 1000 Project, (Project No.: E-060-005).

16. 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)	\$31,750.00 (not to exceed increased amount) Measure E	Santa Teresa High School/Yerba Buena High School/Facilities Juan Cruz, Principal Tom Huynh, Principal Kathy Lanford, Assistant Director

East Side Union High School District (ESUHSD) Administration is requesting that the Board approve Change Orders #4 and #5 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).

The change orders are 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. The additional design engineering and DSA review services were required due to an unforeseen condition of glue laminated beams at Yerba Buena High School. At the January 19, 2012 Board Meeting Administration took this project to the Board for approval of change order #2. However, it was actually change order #4. Therefore, administration is correcting the action the Board took at the 1/19/2012 board meeting regarding this action.

Original Purchase Order was approved for \$663,339.00 + Change Order #1 \$66,333.90 + Change Order # 2 \$72,655.00 (Bd. Approved 9/6/10) + Change Order #3 \$5,750.00 (Bd. Approved 9/15/11) + Change Order #4 \$29,250.00 (Bd. Approved 1/19/12) + Change Order #5 \$2,500.00 = the new Purchase Order total of \$839,887.90.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approved Change Order #5 to Purchase Order No. 905231 with Sugimura Finney Architects for the amounts as explained above 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).

17. Cal-Pacific Construction, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Kathy Lanford Tom Herrington Janice Unger Marcus Battle Donna Bertrand	N/A	\$ 158,900.00 not-to- exceed (Increased Amount) Measure E	Andrew Hill High School/Facilities Bettina Lopez, Principal Kathy Lanford, Assistant Director

The Andrew Hill High School Title IX Interior Modernization Project has encountered some conditions that necessitated the addition of scope to the project. Below is a reconciliation of the 10% allowance currently in the Purchase Order for the general contractor. However, note that it is projected that the costs associated with these changes will exceed the original 10% allowance and will need approximately an additional 10% allowance to complete the project. Administration is requesting approval of this action and will report back to the Board monthly as to the status of this project including funding.

Bid #	Purchase Order #	DSA #	Project #
B-08-10-11	102076	01-111403	E-025-001

PCO #	Description / Reason	Amount
1	RFI #1 & #2 - Additional demo at Boy's Coaches Office	\$550.00
2	RFI #3 - Add Hardware for Inactive Leafs	\$310.00
3	Additional door hardware as directed by Architect in Finish Door Hardware Submittal review comments	\$934.00
4.2	RFI #4 - Abate ceramic tile at Storage Rooms E-111, E-112 and L-106	\$3,926.00
5	RFI #8 - Demo existing partition & concrete curb at Student Toilet E-106	\$1,007.00
6	RFI's #7, 11 & 12 - Furr & drywall over ceramic tile walls at Rms. 107, 108 and E-113 to receive paint	\$3,020.00
7	Mold remediation and dry rot repairs	\$2,000.00*
8	RFI #9 - Demo window and infill opening at Coaches Office E-108, East elevation.	\$516.00
9	RFI #14 - Remove & replace nailer for roof sheathing at Girl's Locker Room Building due to dry rot.	\$5,180.00
10	RFI #28 - furnish & install nailer at perimeter of roof for roof sheathing.	\$4,000.00
11	VOID	-
12	Repair existing fire alarm devices at Girl's Locker Room	\$1,438.50
13	Irrigation repair West of Pool security wall due to lack of proper depth of bury	\$5,215.20
14	RFI 38 - work to relocate existing sanitary sewer line due to conflict with pool security wall column pier	\$2,898.74
15	RFI #39 - Add step in pool security wall grade beam at entry openings	\$330.60
16	RFI 43 - infill abandoned mechanical roof opening at Girls	\$810.75
17	RFI 44 & 45 - furr fascia along Girls roof edge to align gutter with existing downspout.	\$1,988.52
18	VOID	-
19	RFI 59 - Add sloped nailer & cap flashing atop pool security wall	\$1,918.79
20	RFI #60 - add expansion joint backing at pool security wall.	\$3,795.84
21	Roof penetration framing connection to exterior wall at Girl's	\$213.18
22	VOID	-
23	RFI 41 & 63 - relocate existing irrigation controller to exterior of new pool security wall	\$901.00
24	RFI 56 - dowel pool deck & exterior walk to new pool security wall foundation includes expansion joint material	\$1,638.45
25	RFI 46 - additional mechanical ductwork at Boy's & Girl's.	\$12,482.09
26	VOID	-
27	VOID	-
28	ASI #1 & RFI #33 - potholing to expose the sanitary sewer at Boys & Girls trench drain.	\$1,208.40
29	RFI 66 - add flashing at base of pool security wall	\$1,537.00
30	RFI's #70 & 81 - add trap primers at Boy's & Girl's locker room trench drain	\$12,501.00
31	VOID	-
32	Premium for trench drain(s) domed drain bodies in lieu of flat as stoppage less likely	\$2,344.00
33	RFI #65 - relocate electrical & low voltage conduit from top of existing pool security fence to under pool deck slab infill	\$4,147.48
34	RFI #107 - Concrete fill at perimeter storage rooms to match height of locker room tile in order to comply with ADA slope requirements	\$9,797.70*
35	RFI's 85 & 86 - Repair conduit & add heat detector at E-115	\$882.23*
36	RFI #90 - Extend curb & wall framing at Boy's drinking fountain support wall	\$203.02*
37	RFI #114 - Relocate light switch at Boy's Coaches Office E-115	\$411.90*
38	RFI #115 - Provide single hung window at Boy's Coaches Office E-115 to permit transactions without opening door	\$883.00*
39	RFI #84 - Remove & cap abandoned water line at storage rooms behind architectural finish surfaces	\$231.30*
40	Note Used by Contractor	-

41	RFI's 68 & 109 – add seat angles for trench drain covers	\$8,157.29*
42	RFI #113 – Add plywood wainscot Boy's Locker Room Vestibule 3 to Pool E-102	\$2,842.14*
43	RFI # 96 - Float locker base at South Wall of L-101 at align	\$1,563.33
44	RFI # 102, Re-set Door frame 110A.	\$1,563.33*
45	RFI's 103 & 104 - Add curb at edge of shower(s) trench drain to transition to ceramic tile	\$5,994.49*
46	FCD #2 – Safety revisions requested by Coaches such as elimination of locker cul-de-sac	\$5,236.49*
47	Raise doorframes at Girl's Storage Rooms to accommodate raised elevation of locker room tile to comply with ADA requirements	\$3,801.59
48	RFI #116 - Add fire alarm devices at Girl's rooms L-106, L-107, L-108 and Boy's E-112, E-113 & E-114 designated at Not in Scope Areas.	\$3,184.47
49	RFI #118 - Remove GWB at Rms. E-111, E-112, E-113 & E-114 due to floor fill to match locker room tile height	\$485.23
50	RFI #120 - Add plywood wainscot to cover exposed tile at Rooms L-106 & L-107 where shelving & casework were removed	\$1,010.35*
51	Remove locker & install blank panel at Girl's due to conflict with ADA bench	\$205.33*
52	RFI's #110, 121 & 121.1 – raise door headers & frames at Boy's E-111, E-112, E-113 & E-114 to match tile at Locker Room	\$3,630.58*
53	RFI #128 - Bush face of concrete base at Girl's L-112 & L-114 to align base	\$1,539.89*
54	RFI's #90, 124 & 124.1 - Modifications to tie existing Boy's drinking fountain support wall to exterior wall	\$1,310.96*
55	VOID	-
56	Chip existing concrete base at Girl's Locker Room to eliminate shelf at top of tile base	\$1,518.64*
57	Repair & add sloped tops to Boy's lockers for safety	\$15,377.25*
58	VOID	-
59	Provide credit to eliminate door vision lights at SE entry to Boy's Locker Room – District will install metal panel	(\$300.00)*
60	RFI #74 – Repair/replace leaking shut-off valve, repair surrounding framing/wall finish & provide locked access door	\$955.48*
61	VOID	-
62	RFI #80 - Modify window framing at Boy's Restroom to both support window opening & maintain privacy	\$5,249.08*
63	FCD #3 - Add local alarm at door to pool deck to sound in Coaches Offices for safety/security	\$4,430.24*
64	RFI #126 - Provide waste, vent & tie-in to sanitary line for Girl's swimsuit dryer – remove & put plate at wall	(\$1,000.00)*
65	Revise bench lengths to accommodate FCD #2 Girl's locker relocations for security issues	\$522.66*
66	FCD #4 - Convex mirrors for line of sight security at Girl's Locker Room	\$930.00*
67	RFI #137 – Add missing light fixtures at Girl's Rooms L-106, L-107 & L-108	\$843.10*
68	RFI #130 - Add seismic brace at Boy's & Girl's water heaters which were Not-in-Contract Areas to satisfy IOR concern	\$524.08*
69	RFI #127 – Add non-standard post at Girl's shower partition	\$756.14*
70	Premium for domed versus flat drain bodies at shower trench drain(s) as stoppage is less likely	\$1,262.00*
71	Install backing for carpet base in Boy's Coaches Office	\$536.68*
72	Labor by Cal Tile to chip & float walls at both Boy's & Girl's showers	\$8,472.33*
73	Bushing at door entrance to Boy's to comply with ADA requirements	\$821.32*
74	Cable, wire & connections to make security devices & lighting operational at pool deck	\$3,533.59*
75	RFI #23 – video sanitary sewer & repair damaged line at Boy's	\$5,086.41*
76	VOID	-

77	Replace CW Line & add ball valve at Boy's	\$802.81*
78	Replace floor drain at Girl's Vestibule entry	\$1,137.09*
79	VOID	-
80	DBO - Remove locker at Girls' team room & install blank plate due to conflict with ADA bench	\$250.00*
81	RFI #25 - Delete trench drains at Boy's & Girl's storage rooms	(\$7,500.00)*
82	VOID	-
83	Relocate irrigation backflow preventer to above grade on concrete pad with enclosure grate	\$1,564.00*
84	Add security closure over existing wall top at Girls' Team room to prevent access to Storage Rm.	\$750.00*
85	Add wall outlet for ice machine at Boy's Custodian Rm.	\$1,500.00*
86	Revise signage at Boy's Electrical Rm. to "MDF/IDF"	\$200.00*
87	Add floor sink & required utilities for ice machine at Girl's Custodian L-106	\$10,500.00*
88	VOID	-
89	RFI #51 - Class 2 AB either side of (N) pool security wall under concrete paving	\$6,000.00*
90	RFI #69 - Removal of ductwork & cap duct to remain	\$2,000.00*
91	RFI #27.1 - Relocation of pool security wall to avoid buried utility	\$930.00*
92	RFI #136 - Due to site conditions surface mount fire extinguishers in lieu of semi-recessed	(\$500.00)*
93	brace urinal between floor & roof structure at Student Toilet E-106	\$1,000.00*
94	RFI #76 - Modify partition framing at Boy's where in conflict with light fixture	\$700.00*

NOTE: * indicates that the amount is not final. Either estimated or quoted and under review.

Total PCO's submitted to date	\$198,400.06
Original 10% Allowance	\$144,455.45
Original Contract Price	\$1,589,000.00
ADD TO CONTRACT For this change order (amount to be managed by ESUHSD)	\$158,900.00
Revised Contract Amount	\$1,747,900.00

Any design error or omissions will be investigated and contractual remedies, if any, from the responsible party or parties will be pursued. At the time of final reconciliation of the project, Administration will update the Board on the outcome of any findings.

FISCAL IMPACT: \$158,900.00 Not-to-Exceed

FUNDING SOURCE: Measure E

RECOMMENDATION: It is recommended that the Board of Trustees approve Change Order #1 for Andrew Hill High School Title IX Interior Modernization Project (Cal Pacific Construction Inc.) in an amount not-to-exceed \$158,900.00 so that the project can continue without further interruptions.

Agenda Item Details

Meeting	Oct 18, 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	16.10 Approve Bond/Capital Projects Contracts for Professional Services At or Below \$50,000
Access	Public
Type	Action (Consent)
Recommended Action	It is recommended that the Board of Trustees approve the Bond/Capital Projects contracts for professional services at or below \$50,000 as listed in the attachment and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

Public Content**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 16.10**

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

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

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

FISCAL IMPACT:

As indicated in the attachment

FUNDING SOURCE:

As indicated in the attachment

RECOMMENDATION:

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

[Bond/Capital Projects Contracts At or Below \\$50K.pdf \(33 KB\)](#)

Executive Content

Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

Last Modified by Vangie Avila on October 2, 2012

EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED *[Signature]* **October 18, 2012**

Item: 16.10

EAST SIDE UNION HIGH SCHOOL DISTRICT BOND/CAPITAL PROJECTS PROFESSIONAL CONTRACT SERVICES At or Below \$50,000 Board Meeting of October 18, 2012

A. BOND / FACILITIES

	Contractor Name	Reviewed By	Contract Period	Cost/Funding	School/Dept. Manager	Purpose
1.	Furman & Associates, Inc.	L. da Silva M. Battle J. Unger	August 24, 2012 – through project closeout	\$1,500.00 (estimate not to exceed) Measure G	Andrew Hill, Santa Teresa High Schools/Facilities Bettina Lopez, Greg Louie, Principals Linda da Silva, Director of Construction, Maintenance & Facilities	Change Order #1 to Purchase Order #300934, Need to amend contract due to an unintentional error made for the cost for services. On August 23, 2012, the Board approved the contract for \$1,500.00 for both sites when it was actually \$1,500.00 for each site. The services being provided are for required Division of the State Architect Project inspections for the Andrew Hill & Santa Teresa High Schools Measure "G" Gym Bleacher Replacement Project, (G-025-204 and G-070-204). Original Contract \$1,500.00 + Change Order #1 \$1,500.00 = \$3,000.00.
2.	Furman & Associates, Inc.	L. da Silva M. Battle J. Unger	October 19, 2012 – through project closeout	\$ 16,000.00 (estimate not to exceed) Measure E	James Lick High School/Facilities Glenn VanderZee, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Continue providing required Division of the State Architect (DSA) Project inspection services through the remaining construction and the process of closeout for James Lick High School New Two Story Building 500 Project, (E-030-001). This inspector was assigned to the project by DSA when originally contracted under Bruce Flynn & Associates, Inc. Bruce Flynn & Associates' contract terminates October 18, 2012. Furman & Associates, Inc. is on the District's qualified pool of approved Inspector of Record (IOR).
3.	Furman & Associates, Inc.	L. da Silva M. Battle J. Unger	October 19, 2012 – through project closeout	\$ 22,400.00 (estimate not to exceed) Measure E	Silver Creek High School/Facilities Adolfo Laguna, Principal Linda da Silva, Director	Continue providing required Division of the State Architect (DSA) Project inspection services through the remaining construction and the process of closeout for Silver Creek High School Multi-Purpose Classroom Building Project, (E-055-001). This inspector was assigned to the project by DSA when originally contracted under Bruce Flynn & Associates, Inc. Bruce

4.	Integral Group	L. da Silva M. Battle J. Unger	October 19, 2012 – through project closeout	\$8,600.00 (estimate not to exceed) Measure G	Education Center/Facilities John Lawrence, Assistant Director Linda da Silva, Director of Construction, Maintenance & Facilities	of Construction, Maintenance & Facilities	Flyn & Associates' contract terminates October 18, 2012. Furman & Associates, Inc. is on the District's qualified pool of approved Inspector of Record (IOR). Provide electrical engineering design services for the District Office Generator Replacement Project, (G-XXX-XXX). Services will include construction documents, bidding, construction administration and possibly some exclusion to the base services, if needed. Integral Group (formerly IDEAs) shall reuse the design work already performed under a previous contract for the same scope of work, resulting in a reduction in design scope and fee.
5.	Moni/Rose Moving Systems	L. da Silva M. Battle J. Unger	October 19, 2012 – January 31, 2014	\$ 35,737.50 (estimate not to exceed) Measure E	Independence High School/Facilities Gretel Castro-Stanley, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	of Construction, Maintenance & Facilities	Provide moving services to start during Winter Break 2012 in preparation for the Summer 2013 construction and, move back after construction during Winter Break 2013 for Modernization of the Visual Arts Complex Building G and Buildings N1-2 at Independence High School Project, (E-065-003 & E-065-005). Four (4) proposals were received from the consultants in the District's qualified Moving Services Pool. Moni/Rose Moving Systems submitted the lowest responsive proposal.
6.	Santa Clara Valley Construction Inspections, (SCVCI)	L. da Silva M. Battle J. Unger	October 19, 2012 – through project closeout	\$ 22,849.00 (estimate not to exceed) Measure E	Mt. Pleasant High School/Facilities Teresa Marquez, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	of Construction, Maintenance & Facilities	Continue providing required Division of the State Architect (DSA) Project inspection services through the remaining construction and the process of closeout for Mt. Pleasant High School Gymnasium Modernization – Increment 2 Project, (E-035-002). This inspector was assigned to the project by DSA when originally contracted under Bruce Flynn & Associates, Inc. Bruce Flynn & Associates' contract terminates October 18, 2012. SCVCI is on the District's qualified pool of approved Inspector of Record (IOR).

7.	Santa Clara Valley Construction Inspections, (SCVCI)	L. da Silva M. Battle J. Unger	October 19, 2012 – through project closeout	\$ 30,514.00 (estimate not to exceed) Measure E	Mt. Pleasant High School/Facilities Teresa Marquez, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Continue providing required Division of the State Architect (DSA) Project inspection services through the remaining construction and the process of closeout for Mt. Pleasant High School Classroom Buildings Modernization – Increment 1 Project, (E-035-002). This inspector was assigned to the project by DSA when originally contracted under Bruce Flynn & Associates, Inc. Bruce Flynn & Associates' contract terminates October 18, 2012. SCVCI is on the District's qualified pool of approved Inspector of Record (IOR).
8.	Santa Clara Valley Construction Inspections, (SCVCI)	L. da Silva M. Battle J. Unger	October 19, 2012 – through project closeout	\$ 2,409.00 (estimate not to exceed) Measure E	Mt. Pleasant High School/Facilities Teresa Marquez, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Continue providing required Division of the State Architect (DSA) Project inspection services through the process of project closeout for Mt. Pleasant High School Multi-Purpose Classrooms Building Project, (E-035-003). This inspector was assigned to the project by DSA when originally contracted under Bruce Flynn & Associates, Inc. Bruce Flynn & Associates' contract terminates October 18, 2012. SCVCI is on the District's qualified pool of approved Inspector of Record (IOR).

Agenda Item Details

Meeting Mar 21, 2013 - ESUHSD REGULAR BOARD MEETING - 3:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. CONSENT/ACTION CALENDAR

Subject 16.06 Approve Contracts for Professional Services Under \$50,000

Access Public

Type Action (Consent)

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: 16.06

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

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

The attached list of Contracts for Professional Services under \$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.

[Contract under \\$50k_3-21-13.pdf \(30 KB\)](#)

Executive Content

Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

Last Modified by Betty Banderas on March 13, 2013

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED MARCH 21, 2013**




EAST SIDE UNION HIGH SCHOOL DISTRICT
PROFESSIONAL CONTRACT SERVICES At or Below \$50,000
 Board Meeting of March 21, 2013

	Contractor Name	Reviewed By	Contract Period	Cost/Funding	School/Dept. Manager	Purpose
1	BMI Audit Services, LLC	Vida Branner Marcus Battle	March 22, 2013 – September 30, 2013	\$23,850.00 General Fund (Guaranteed Savings Agreement)	Business Services/ District Wide Vida Branner, Director Marcus Battle, Associate Superintendent	To provide an independent and objective assessment of whether or not dependents covered by ESUHSD's health plans are eligible to receive benefits. The District agreement with BMI Audit Services, LLC will provide for the vendor to perform a full dependent eligibility audit. The District received a total of four proposals. The selected proposal was deemed to be the most responsive and best value for the District.
2	Family & Children Services	Toby Hopstone Juan Cruz Donna Bertrand	March 22, 2013 – December 31, 2013	\$50,000.00 (not-to-exceed) Special Education	Special Education Toby Hopstone, Director	REQUEST FOR RATIFICATION To provide mental health services on an as needed basis to special education students. Services to include but not limited to individual counseling, assessments, collateral services, psychological testing, group counseling, family counseling, case management, and crisis intervention. The SELPA did a Request for Application process where many of the Mental Health providers in the East Side UHSD were asked to provide proposals detailing their services and rates. SELPA reviewed the proposals and those providers they determined were qualified to provide mental health services to schools were put onto a 2012-2013 Reviewed Agency Provider List . Family & Children Services, is a mental health provider on this list and has been providing mental health services to ESUHSD for over eight year. Family & Children's rates are in line with other mental health providers.

3	Leader Services	Toby Hopstone Juan Cruz Donna Bertrand	July 1, 2012 – September 30, 2012	\$1,600.73 Medi-Cal Reimbursement	Special Education Toby Hopstone, Director of Special Education	REQUEST FOR RATIFICATION Vendor provided Medi-Cal Billing services and the fees are based on the adjudicated (paid) claims for the period of July 1 through September 30, 2012. Services included training, data consolidation, free toll telephone support, and financial reporting.
4	Losee's Goose Control	John Lawrence Marcus Battle Donna Bertrand	March 22, 2013 – June 30, 2013	\$3,550.00 Restricted Maintenance	Independence/ Maintenance John Lawrence, Assistant Director	To provide geese control services using dogs and other methods to eliminate/reduce the Canada geese problem at Independence High School.
5	National Student Clearinghouse	Kirsten King Juan Cruz Donna Bertrand	March 22, 2013 – until terminated	\$5,100.00 General Fund	District Wide/ Instruction Kirsten King, Director	The Clearinghouse will provide a nationwide, central repository of information on student enrollment, degrees, diplomas, certificates and other educational achievements.
6	Santa Clara University	Cari Vaeth Donna Bertrand	July 1, 2013 – June 30, 2016	Revenue Contract ESUHSD's teachers will be compensated in accordance with the rate schedule within the Agreement.	District Wide/ Human Resources Cari Vaeth, Director	ESUHSD will provide teaching experience through practice teaching to students enrolled in teacher training programs at Santa Clara University.
7	United Site Services of California, Inc.	Traci Williams Juan Cruz Donna Bertrand	July 1, 2012 – June 30, 2013	\$8,000.00 General Fund	Piedmont Hills Traci Williams, Principal	REQUEST FOR RATIFICATION To provide standard portable toilet(s) with hand wash sink. Vendor will provide cleaning and restocking of the unit(s) 4 times a month or once a week.
8	University of California, Santa Cruz	Cari Vaeth Donna Bertrand	August 1, 2013 – June 30, 2014	No Cost Agreement	District Wide/ Human Resources Cari Vaeth, Director	Student Teacher Agreement. ESUHSD will provide teaching experience through practice teaching in schools and classes of the ESUHSD.

9	William Lazo Translations	Juan Cruz Marcus Battle Donna Bertrand	July 1, 2012 – June 30, 2013 (no change)	\$6,000.00 (increase amount) \$5,000.00 Title 1 \$1,000.00 Business Admin.	District Wide Tim Nguyen, Coordinator Marcus Battle, Associate Superintendent	Mr. Lazo provides translations and interpretations services from English to Spanish and Spanish to English for most of the ESUHSD's needs including Board meetings. Change Order #1 to purchase order #300087 and Amendment #1 to the Contract Services Agreement is being issued to add an accounting line for Title 1 and another line for Business Services Administration's translation needs. Original Purchase Order Amount \$15,000.00 which was Board approval on June 7, 2012. Change Order #1 will increase this contract to a total of \$21,000.00.
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Agenda Item Details

Meeting Mar 21, 2013 - ESUHSD REGULAR BOARD MEETING - 3:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. CONSENT/ACTION CALENDAR

Subject 16.15 Approve Bond/Capital Projects Contracts for Professional Services At or Below \$50,000

Access Public

Type Action (Consent)

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

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

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

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

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

FISCAL IMPACT:

As indicated in the attachment

FUNDING SOURCE:

As indicated in the attachment

RECOMMENDATION:

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

[Bond_Capital_Projects_Contracts_At_or_Below_50k.pdf \(21 KB\)](#)

Executive Content

Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

Last Modified by Vangie Avila on March 14, 2013

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED MARCH 21, 2013**



M. Unger

EAST SIDE UNION HIGH SCHOOL DISTRICT
BOND/CAPITAL PROJECTS PROFESSIONAL CONTRACT SERVICES At or Below \$50,000
 Board Meeting of March 21, 2013

A. BOND / FACILITIES

Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1. Rubino Engineering	L. da Silva M. Battle J. Unger	March 22, 2013 through June 30, 2013	\$ 500.00 (not to exceed) Measure E	Silver Creek High School/Facilities Adolfo Laguna, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Provide sound technician services for the Silver Creek High School's Spring Musical "Guys & Dolls". Performances are March 24, 2013 through March 28, 2013. Fee is for twenty-five (25) hours of service.
2. Santa Clara Valley Construction Inspections (SCVCi)	L. da Silva M. Battle J. Unger	October 19, 2012 through project close out	\$ 16,096.00 (estimate not to exceed) Measure E	Mt. Pleasant High School/Facilities Teresa Marquez, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Change Order #1 to Purchase Order #301542 On October 18, 2012, the Board approved the contract for \$30,514.00 to Santa Clara Valley Construction Inspections (SCVCi). The services being provided are for required Division of the State Architect project inspections for the Mt. Pleasant High School Classroom Buildings Modernization – Increment 1 Project, (E-035-002). Based on information available at the time of submission, the cost estimate not to exceed \$11,096.00 is for project inspection/management between time periods December 24, 2012 through February 15, 2013. Administration is requesting an additional allowance of \$5,000.00 to be managed by the District should unforeseen conditions arise which would require further inspection time service fees and/or processing of closeout. Original Contract \$30,514.00 + Change Order #1 \$16,096.00 = \$46,610.00

3.	Valley Christian High School	L. da Silva M. Battle J. Unger	March 22, 2013 through June 30, 2013	\$6,350.00 (not to exceed) Measure E	Silver Creek High School/Facilities Adolfo Laguna, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Enter into a rental agreement to use the high school theatre facility at Valley Christian High School on March 24, 2013 through March 28, 2013 for Silver Creek High School's Spring Musical "Guys and Dolls". Rental is needed due to Silver Creek High School theatre building is not ready to occupy. The cost includes rental fee, rental of sets and props, dismantle set fee and theatre manager fee, security deposit and a non-refundable one time application processing fee.
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