

Agenda Item Details

Meeting	Aug 22, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	16. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR
Subject	16.03 Approve Minutes of June 27, 2013, Regular Board Meeting
Type	Action (Consent)
Recommended Action	It is recommended that the Board of Trustees approve the June 27, 2013, Regular Board Meeting minutes as presented.

EAST SIDE UNION HIGH SCHOOL DISTRICT**Item: 16.03**

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

SUBJECT: Approve Minutes of June 27, 2013, Regular Board Meeting

Attached are the minutes of the June 27, 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 June 27, 2013, Regular Board Meeting minutes as presented.

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

APPROVED**August 22, 2013**

[BA_20130627_Regular_Minutes.pdf \(11,712 KB\)](#)

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.

**EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES
Meeting Held at Education Center
June 27, 2013
4:00 p.m.**

1. CALL TO ORDER/ROLL CALL

1.01 Roll Call

The Regular Meeting of the Board of Trustees was called to order at 4:01 p.m. by President Biehl. Vice President Herrera, Clerk Le, Member Carrasco and Member Nguyen 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.

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

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

2. CLOSED SESSION

2.01 Expulsion(s): A-B

Student A:

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

Vote: 5/0

Student B:

Motion by President Biehl, second by Clerk Le, to approve the expulsion of Student B as modified.

Vote: 5/0

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

- *Superintendent*

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

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

Motion by President Biehl, second by Member Carrasco, to approve the referral of a pending disciplinary hearing to an advisory arbitrator pursuant to Article 12 of the collective bargaining agreement between the District and CSEA.

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**

- *One (1) Potential Case*

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

- *East Side Teachers Assoc. v. East Side Union High School District, Public Employment Relations Board, Unfair Practice Charge no. SF-CE-3015-E*

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

3. PLEDGE OF ALLEGIANCE

4. WELCOME AND EXPLANATION TO AUDIENCE

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

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

5. ADOPTION OF AGENDA

For consideration by the Board of Trustees.

A request was made to pull Item 16.15 from the agenda. The agenda was adopted as presented, with the exception of item 16.15 which was pulled from the agenda.

6. BOARD SPECIAL RECOGNITION(s)

No item(s) on calendar under this section.

7. Student Board Liaisons

No item(s) on calendar under this section.

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

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

8.02 California Community Partners for Youth (CCPY) Presentation - Jeff Bornefeld, California Community Partners for Youth (CCPY)

Pubic speakers:

Joanna Molina

Dan Moser

Presentation item; no action taken

8.03 Presentation of School Engagement Suspension Alternative Project (SESAP) - Mariel Caballero, County of Santa Clara, Office of the Public Defender

Presentation item; no action taken

8.04 Presentation of Suspended Expulsions and Guidelines for Expulsion Panel Recommendations - Juan Cruz, Assistant Superintendent of Instructional Services and George Sanchez, Coordinator of Student Services

*Public speaker:
Mariel Caballero*

Presentation item; no action taken

8.05 Discussion and/or Action to Adopt Santa Clara County Office of Education/East Side Union High School District's Plan for Expelled Youth - Juan Cruz, Assistant Superintendent of Instructional Services, and George Sanchez, Coordinator of Student Services

Motion by Vice President Herrera, second by Member Nguyen, to adopt the Santa Clara County Office Education/East Side Union High School District's Plan for Expelled Youth.

Vote: 5/0

8.06 Presentation, Discussion and/or Action of Measures E and I Distribution for San Jose Conservation Corps and Charter School - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Gina Ortiz, Principal, San Jose Conservation Corps

Motion by Clerk Le, second by Vice President Herrera, to approve the distribution of furniture, fixtures, and equipment, funded by Measures E (\$83,888.77) and I (\$42,917.63) bond funds, to SJCC in an amount not to exceed \$126,806.40.

Vote: 5/0

8.07 Presentation, Discussion and/or Action of the Results of the Districtwide Copier Equipment and Services RFP#GP081213 - Marcus Battle, Associate Superintendent, Donna Bertrand, C.P.M., Contracts Administration Coordinator, Randy Phelps, Director of Information Technology, and Dan Tracy, Consultant from NW Imaging Analysts

Motion by Vice President Herrera, second by Member Nguyen, to approve the following:

- 1) Award Request for Proposals RFP#GP081213 to Ricoh USA for the lease and maintenance service of ESUHSD's Copier Equipment in an estimated annual savings amount of \$19,964.00.*
- 2) Authorize Administration to negotiate with Ricoh USA for a 48-month lease for the MFP Equipment and/or to negotiate with other banks to obtain the best pricing for the leasing of the ESUHSD's MFP Equipment specified in the RFP #GP081213.*
- 3) Term of the lease to be August 1, 2013, through and including June 30, 2017.*
- 4) To delegate authority to the Superintendent or designee to enter into additional lease as needed to meet the needs of the District and to modify such Lease Agreement during the term as needed.*

Vote: 5/0

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

- 9.01 Hold Public Hearing at Approximately 6:10 p.m. on the Provisions of the Charter School Petition of Latino College Preparatory Academy II - Juan Cruz, Assistant Superintendent of Instructional Services and Kirsten King, Director of Instructional Services**

Public hearing held

Public speaker:

- *Adrian Buenrostro*

- 9.02 Hold Public Hearing at Approximately 6:30 p.m. regarding the Proposed Budget Adoption for 2013-14. The proposed Budget is available for inspection at the District office (Business Services) - Marcus Battle, Associate Superintendent of Business Services and Karen Poon, Director of Finance**

Public hearing held

Public speaker:

- *Ed Alvarez, President – NHU Foundation*

- 9.03 Presentation, Discussion and/or Action to Adopt the Annual Budget for 2013-14 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance**

Public hearing held

Public speaker:

- *Diana Velazquez*

Motion by Vice President Herrera, second by Member Nguyen, to approve and adopt the annual budget for 2013-2014.

Vote: 5/0

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.

Public speaker:

- *Adriana Rangel – Involuntary Transfers*

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

11.01 Discussion and/or Action to Receive and Adopt the Second Reading of the District's Vision, Mission and Core Values - Strategic Plan - Chris D. Funk, Superintendent

Motion by Member Nguyen, second by Member Carrasco, to receive and adopt the second reading of the District's Vision, Mission and Core Values – Strategic Plan as amended:

Remove comma in Mission Statement after the word “relevant” and bold and remove the underline from the word “every.”

Vote: 5/0

Per Board President Frank Blehl:

This item is adopted with the proviso that next year when the Board meets for its Board Retreat in January or February, the District's Vision, Mission and Core Values be reviewed.

11.02 Discussion and/or Action to Approve Senior Manager of Internal Controls Work Plan - Lan Nguyen, Audit Committee Chairperson & Magdalena Carrasco, Audit Committee Vice Chairperson

Motion by Member Carrasco, second by Member Nguyen, to approve the Senior Manager of internal Controls' Work Plan.

Vote: 5/0

11.03 Discussion and/or Action of Board Member Compensation/Adjustments to Compensation per Education Code §35120 –Chris D. Funk, Superintendent

Motion by Clerk Le, second by Board Vice President Herrera, to:

- 1. Approve the reduction in Board Member monthly compensation from \$750 to \$400 pursuant to Education Code section 35120, effective July 1, 2013; and*
- 2. Approve a 5% increase in Board Member monthly compensation to \$420 per month effective July 1, 2013, pursuant to Education Code section 35120(e).*

Vote: 5/0

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

12.01 Discussion and/or Action of Carl D. Perkins 132 Grant 2013-14 Grant Application for East Side Union High School District - Juan Cruz, Assistant Superintendent of Instructional Services and Rich Uribe, Director Of Adult Education and Career Services

Motion by Vice President Herrera, second by Clerk Le, to approve the Carl D. Perkins 132 Grant 2013-14 Grant Application for East Side Adult Union High School District.

Vote: 5/0

12.02 Discussion and/or Action of 2013 Single Plan for Student Achievement - Juan Cruz, Assistant Superintendent of Instructional Services, and Tim Nguyen, Coordinator of English Language Learners Supplementary Education

Motion by Clerk Le, second by Member Carrasco, to approve the 2013 Single Plan for Student Achievement and to authorize the Superintendent to make modifications as needed.

Vote: 5/0

12.03 Discussion and/or Action of Program Improvement Year 4 School Alternative Governance Plan - Juan Cruz, Assistant Superintendent of Instructional Services

Motion by Member Nguyen, second by Vice President Herrera, to approve the Alternative Governance Structure at Yerba Buena High School.

Vote: 5/0

12.04 Presentation and Discussion of Graduation, Dropout and A-G Completion - Juan Cruz, Assistant Superintendent of Instructional Services

Presentation item; no action taken

12.05 Discussion and/or Action of California Interscholastic Federation (CIF) Representatives to League for 2013-2014 - Juan Cruz, Assistant Superintendent of Instructional Services

Motion by Clerk Le, second by Vice President Herrera, to approve the listed personnel as league representatives to the California Interscholastic Federation for the 2013-2014 school year.

Vote: 5/0

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

13.01 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Successor Contract From the East Side Union High School District to the San Jose Federation of Teachers Local 957, AFT, AFL-CIO - Cari Vaeth, Director, Human Resources

Motion by Vice President Herrera, second by Clerk Le, to adopt the District's initial proposal to the San Jose Federation of Teachers Local 957, AFT, AFL-CIO.

Vote: 5/0

13.02 Discussion and/or Action to Approve Vacation Pay-outs for Contract Employees per Contract Terms – Cari Vaeth, Director, Human Resources

Motion by Vice President Herrera, second by Clerk Le, to approve the vacation pay-outs as provided by the affected employees' contracts.

Vote: 5/0

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

14.01 Discussion and/or Action for Use of Facilities Lease Agreement with San Jose/Evergreen Valley Community College for the Accel Program - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Motion by President Biehl, second by Member Carrasco, to approve a Facilities Lease Agreement with the San Jose/Evergreen Valley Community College District for the term of August 1, 2013, through and including June 1, 2014, with two automatic renewals through June, 2016, based on a mutual written agreement of the parties. The agreement for the non-exclusive use of two classrooms, two storage areas, and one office space for the estimated annual amount of \$50,750 and to delegate authority to the Superintendent or designee to modify such Lease Agreement during the term as needed.

Vote: 5/0

14.02 Discussion and/or Action for Authorization for the Superintendent to Award Emergency Projects during the Summer - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Motion by Member Carrasco, second by Clerk Le, to approve authorization for the Superintendent, after conferring with the Board President, to award emergency projects for unforeseen needs during the summer.

Vote: 5/0

14.03 Discussion and/or Action of Contracts for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services and Donna Bertrand, C.P.M., Contracts Administration Coordinator

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

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, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager

Motion by Vice President Biehl, second by Member Carrasco, to approve the Bond/Capitol Projects Contracts over \$50,000 (copy attached).

Vote: 5/0

15.02 Discussion and/or Action to Award Professional Service Agreement for (RFQ/P-25-12-13) Performance Audit Services for Proposition 39 Bond Measures G & E - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager

Motion by President Biehl, second by Vice President Herrera, to:

- (1) Approve the Professional Service Agreement for Performance Audit Services for Proposition 39 Bond Measures G & E to Total School Solutions for three (3) months commencing July 01, 2013, and terminating September 30, 2013; and*
- (2) Waive the formal solicitation process required by Administration Regulation 3311 for RFQ/P-25-12-13 due to time restraints.*

Vote: 5/0

15.03 Discussion and/or Action to Extend Measure G Program Management Agreement with Seville Group, Inc. for Fourth-Month Period - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager

Motion by Vice President Herrera, second by Member Nguyen, to approve/authorize an amendment to the Measure G Program Management Agreement to extend the Agreement for a period of four (4) months to and including October 31, 2013, in the form presented.

Vote: 5/0

15.04 Discussion and/or Action to Extend Measure E Program Management Agreement with Seville Group, Inc. for Fourth-Month Period - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager

Legal Counsel Rogelio Ruiz noted that this does not only include a four-month extension of the Measure E program management, but also includes some preliminary planning work for the Measure I Bond Program; because the scope for Measure I, for planning purposes, is so narrow, rather than enter into a complete new program management agreement just for a period of four months, his recommendation was to include it as additional services under the existing Measure E Program Management Agreement. It was built into the amendment to the Measure E Program Management Agreement under this item (15.04), which is part of the recommendation.

Motion by Vice President Herrera, second by Member Carrasco, to approve/authorize an amendment to the Measure E Program Management Agreement to extend the Agreement for a period of four (4) months to and including October 31, 2013, and to approve a change order authorizing preliminary Measure I planning work in an amount not to exceed \$139,000 in the form presented.

Vote: 5/0

15.05 Presentation, Discussion and/or Action of Measure I Equity Distribution - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Kenneth Kerch, AIA, SGI Bond Program Manager

Motion by Vice President Herrera, second by Member Nguyen, to authorize the distribution of \$34,085,000 of Measure I funds to District sites in accordance with the Measure I Equity Distributions (Attachment A).

Vote: 5/0

15.06 Discussion and/or Action for Superintendent or Designee to Authorize Summer Project - Marcus Battle, Associate Superintendent of Business Services, and Janice Unger, Capital Projects Purchasing Manager

Motion by Clerk Le, second by President Biehl, to approve authorization for the Superintendent or Designee to award purchase orders/contracts for the summer projects as presented.

Vote: 5/0

16. ATTACHMENT A – CONSENT CALENDAR ITEMS

Item 16.15 was pulled from the agenda. Motion by President Biehl, second by Vice President Herrera, to approve the remainder of the consent calendar as presented.

Vote: 5/0

- 16.01 Ratify/Approve Classified Personnel Actions Presented June 27, 2013**
- 16.02 Ratify/Approve Certificated Personnel Actions Presented June 27, 2013**
- 16.03 Ratify/Approve Student Aide Personnel Actions Presented June 27, 2013**
- 16.04 Approve Student Field Trips**
- 16.05 Approve Award of Bids**
- 16.06 Approve Memoranda of Understanding**
- 16.07 Approve Contracts for Professional Services Under \$50,000**
- 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 Statement Dated May 22, 2013**
- 16.12 Adopt Resolution #2012/2013-38 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546**
- 16.13 Approve Award of Bids for Bond/Capital Projects**
- 16.14 Approve Bond/Capital Projects Contract for Professional Services At or Below \$50,000**
- 16.15 Approve Notice of Completion for the Overfelt Adult Education Facility Increment 1 Site Work and Increment 4 New Parking Lot Project, E-042-001 (Cal Pacific Construction, Inc.)**
- 16.16 Approve Notice of Completion for the Calero High School Modernization Project, E-080-002 (Dilbeck & Sons, Inc.)**
- 16.17 Accept 2012-2013 Safety Plan Goals Assessment**
- 16.18 Approve Board Members' Attendance and Lawful Expenses to New Tech Annual Conference**
- 16.19 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/Workshops/Meetings**

- 16.20 Receive Superintendent's Work Year Calendar for 2013-2014
- 16.21 Approve Minutes of May 30, 2013, Special Board Meeting / Workshop / Study Session
- 16.22 Approve Minutes of June 11, 2013, Regular Board Meeting
- 16.23 Approve CAHSEE Local Waivers for Special Education Students
- 16.24 Receive Local Education Agency Plan 2012 - Progress Update June 2013
- 16.25 Receive and Adopt First Reading of Amended Board ByLaw 9270E

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 the County of Santa Clara Treasury Investment Portfolio Status as of March 31, 2013

Item received

18. FUTURE AGENDA ITEMS

- 18.01 Opportunity for Board of Trustees to request items on future agendas.
- 18.02 Future Items:

Board Clerk Van Le

Item	Date (tentative)	Type
Surveillance Cameras	August 22, 2013	Presentation/Discussion
AVID Program	September 19, 2013	Presentation/Discussion
Bond Program Construction Projects Report	October 17, 2013	Presentation/Discussion

Board Member Magdalena Carrasco

Item	Date (tentative)	Type
Assembly Bill 9 / Anti-Bullying Service Delivery Model	September 19, 2013	Presentation/Discussion

Board Member Lan Nguyen

Item	Date (tentative)	Type
Vietnamese Language Program	September 19, 2013	Presentation/Discussion

19. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

19.01 Board of Trustees

Magdalena Carrasco, Board Member

Have a wonderful summer! You all deserve it.

J. Manuel Herrera, Board Vice President

I am feeling good about how this Board is working together and how the Superintendent and Board are working together and how this organization is working together. It is great!

Van Le, Board Clerk

I would like to say that staff did a lot of great work on today's presentations. I am very happy to see the drop out and graduation report. I want to wish everyone a good summer.

I want to report that I have a consultant grant writer who would like to help with a grant proposal for the Business Academy.

Lan Nguyen, Board Member

I agree with the Vice President that we have been working together well as a collective Board. I would like to keep that going. I appreciate that the President has also been very supportive throughout the process that has been underway -- through the different processes. I appreciate your collegiality, as well as when to work together as a whole Board.

Frank Biehl, Board President

I like this Board. I like this District. I like the staff we've got on Board. I like the direction we are heading. A lot of credit needs to be given to our Superintendent, our Assistant Superintendent and Associate Superintendent. It seems like we've gone through a very difficult time with the economy and we are finally turning things around and we are getting things moving forward at our District and I am very appreciative of everyone's effort.

I hope you all have a very good couple of weeks without a Board Meeting, but there are three Board Members here that are going to be going to the New Tech High Conference in New Orleans, along with several members of the staff. I think this is a great opportunity to get some additional information about what is going on in the education community that is modern and on the edge today.

19.02 Chris D. Funk, Superintendent

A reminder to the Board of Trustees that we have one more graduation and that is summer school graduation. It is on Wednesday, July 31, at 6 PM at Yerba Buena High School in the gymnasium.

I am going to take a four-week hiatus on my weekly update, but I will update the Board if something comes up, but just not the formal update.

This officially means I have completed my first year. I want to thank everyone. It has been a great year! As I have stated before, I am very honored to be the Superintendent for East Side. This is a fantastic organization, the people, the students particularly, but I also wanted to mention once again that the five years I sat on the previous dais, I am just impressed with

the interaction of this Board, the detail and the focus and the energy that you bring whether it is through the study sessions, retreats and/or the presentations that we have. I hope tonight is really indicative of what we are going to do in the future where the majority of our time and our conversations is around student achievement and moving the organization forward. This was really encouraging tonight and I am just excited to continue this momentum through the summer and when we come back to our retreat on the 10th.

Congratulations and thank you all for your support!

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 10:36 p.m.

Respectfully submitted,



Board Clerk

Agenda Item Details

Meeting Jun 27, 2013 - 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 14.03 Discussion and/or Action of 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: 14.03

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: Discussion and/or Action of 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.

[Contracts Over \\$50k.pdf \(58 KB\)](#)

Executive Content

Last Modified by Betty Banderas on June 19, 2013

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED June 27, 2013**



A handwritten signature in blue ink, appearing to read "M. Mueller".

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contracts for Professional Services over \$50,000
Board Meeting of June 27, 2013

1. City of San Jose and West Coast Aquatics, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Marcus Battle Donna Bertrand Chris Funk Juan Cruz Vito Chiala	June – August 2013	\$50,000.00 (REVENUE)	Silver Creek High School, Adolfo Laguna W. C. Overfelt High School, Vito Chiala

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into an Agreement with the City of San Jose to receive a grant in the amount of \$50,000.00 for two recreational swim programs and to authorize Administration to execute an amendment to West Coast Aquatic's current agreement to include the City's requested recreational swim program to their agreement.

The City of San Jose has agreed to provide ESUHSD with a grant to fund two (2) swim programs at two ESUHSD sites: W. C. Overfelt and Silver Creek High Schools. The W. C. Overfelt program will be operated by W. C. Overfelt staff and the Silver Creek program will be operated ran by West Coast Aquatics, Inc.

Selection Process

None

RECOMMENDATION

It is recommended that the Board of Trustees approve a Revenue Agreement with the City of San Jose in the amount of \$50,000 for the recreational swim programs at W. C. Overfelt and Silver Creek High Schools and; to authorize Administration to execute an amendment to West Coast Aquatic's current agreement to include the Silver Creek High School's pool and summer hours.

2. County of Santa Clara, CalWORKs

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Richard Uribe Juan Cruz Donna Bertrand	July 1, 2013 – June 30, 2014	(\$266,758.00) (REVENUE) CalWORKs	Adult Education Center Richard Uribe, Director

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the Master Contract # MC.ESAE.ESI.14 with the County of Santa Clara Social Services Agency. 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 term shall be July 1, 2013 through and including June 30, 2014. Funding is contingent upon approval of the County and State budgets. Registration fees and expenses for books are paid for through another payment system within the County of Santa Clara.

ESUHSD has been providing this service for at least the last 11 years successfully.

Selection Process

Not applicable

RECOMMENDATION

It is recommended that the Board of Trustees approve the Revenuer Contract # MC.ESAE.ESI.14 with the County of Santa Clara Social Services Agency for the term of July 1, 2013 through and including June 30, 2014 for the revenue amount of \$266,758.00.

3. Dale Scott & Company, Inc. (DS&C)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Marcus Battle	July 1, 2013 – June 30, 2014	Varies - SEE BELOW Varies –SEE BELOW	Education Center/ Business Services Marcus Battle, Associate Superintendent of Business Services

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into an Agreement with Dale Scott & Company, Inc. as the ESUSHD's independent financial advisor regarding financial advice, loan restructuring, issuing general obligation bonds, certificates of participation, refunding bonds and/or bonds anticipation notes for the term of July 1, 2013 through and including June 30, 2014.

Description of potential fees:

- Pre-Election Services – a onetime fee of \$35,000
- Survey Research Services – a onetime fee of \$10,000 plus expenses not-to-exceed \$5,000
- Bond Issuance Services
 - For each series of Bonds with the exception of BANS, a fee of \$85,000 plus .25% of the par amount of Bonds greater than \$10 million so long as no single fee exceeds \$90,000.
 - For each series of BANS, a fee of \$42,500 plus .25% of the par amount of Bonds greater than \$10 million.
- Disclosure Services - \$20,000 (does not include ongoing annual continuing disclosure requirements which, if provided to the District by DS&C, will be detailed in a separate agreement or an Addendum to the Agreement)
- Expense – actual plus 5%.
- Potential Termination Fee.

Selection Process

None

RECOMMENDATION

It is recommended that the Board of Trustees approve an Agreement with Dale Scott & Company, Inc. as the ESUHSD's independent financial advisor regarding issuing general obligation bonds, certificates of participation, refunding bonds and/or bonds anticipation notes for the term of July 1, 2013 through and including June 30, 2014.

4. Morgan Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2013 – June 30, 2014	\$300,000.00 (estimated annual expenditures for services) Special Education-Tuition \$78,000.00 (estimated annual expenditure for transportation)	Special Education Services Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into an Agreement with Morgan Center for the provision of non-public school (NPS) services for special education students and to delegate authority to the Superintendent or designee to amend the term and/or funding of said contract as needed during the term of the Agreement. Educational services shall be consistent with the master contract and specified services per the students' Individual Education Program (IEP) which will be incorporated into the Contract Services Agreement.

Due to the specialized educational services required to appropriately serve the severely involved Autism Spectrum students residing in the ESUHSD, Morgan Center is an 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 the Morgan Center were made at the students' IEP meeting by the District's Program Specialist after consultation with the District's Special Services Coordinator.

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

RECOMMENDATION

It is recommended that the Board of Trustees approve an Agreement with Morgan Center for the contract term July 1, 2013 through and including June 30, 2014 for the provision of NPS services for special education students in an estimated amount of \$378,000.00, and to delegate authority to the Superintendent or designee to amend said contract including funding as needed.

5. Pine Hill School

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2013 – June 30, 2014	\$782,000.00 (estimated annual expenditures for services) Special Education-Tuition	Special Education Services Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration 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 (NPS) services for special education students and to delegate authority to the Superintendent or designee to amend the term and/or funding of said contract as needed during the term of the Agreement. Educational services shall be consistent with the master contract and specified services per the students' Individual Education Program (IEP) which will be incorporated into the Contract Services Agreement.

Due to the specialized educational services required to appropriately serve students who present 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 an 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 the District's Program Specialist after consultation with the District's Special Services Coordinator.

Pine Hill School is an 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 July 1, 2013 through and including June 30, 2014 for the provision of NPS services for Special Education students in an estimated amount of \$781,648.00, and to delegate authority to the Superintendent or designee to amend said contract including funding as needed.

6. Silicon Valley Education Foundation

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Chris Funk Kirsten King Donna Bertrand	July 1, 2013 – June 30, 2014	\$50,000.00 estimated (REVENUE) \$4,000.00 stipend paid for each participating teacher and \$750 stipend per classroom for supplies/field trips	District Wide – Schools to be selected Kirsten King, Director

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve a Revenue Agreement with Silicon Valley Education Foundation (SVEF) for the partnership in the implementation of the Stepping Up to Science (STEPS) program. The term of the Agreement is July 1, 2013 through and including June 30, 2014.

SVEF and ESUHSD will collaborate ways to better prepare students for 9th grad biology and 10th grade chemistry. ESUHSD will provide in-kind facilities for the program at four (4) different high schools and the necessary laboratory equipment. SVEF will provide each participating teacher with a stipend of \$4,000 and \$750.00 per classroom for supplies and field trips.

SVEF will provide STEPS 2013 program evaluation based on student/staff success and use evaluation for program improvement and future STEPS fund-raising.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve a Revenue Agreement with Silicon Valley Education Foundation (SVEF) for the partnership in the implementation of the Stepping Up to Science (STEPS) program. The term of the Agreement is July 1, 2013 through and including June 30, 2014.

7. Spectrum Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2013 – June 30, 2014	\$600,000.00 (estimated annual expenditures for services) Special Education-Tuition	Special Education Services Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into an Agreement with Spectrum Center, Inc. for the provision of Non-Public School (NPS) services for special education students and to delegate authority to the Superintendent or designee to amend the term and/or funding of said contract as needed during the term of the Agreement. Educational services shall be consistent with the master contract and specified services per the students' Individual Education Program (IEP) which will be incorporated into the Contract Services Agreement.

Due to the specialized educational services required to appropriately serve students who present 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 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 are made at the students' IEP meetings by the District's Program Specialists after consultation with the District's Special Services Coordinator.

Spectrum Center is an 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, Inc. for the contract term July 1, 2013 through and including June 30, 2014 for the provision of NPS services for special education students in an estimated amount of \$600,000.00, and to delegate authority to the Superintendent or designee to amend said contract including funding as needed.

8. World Wide Workshop, the creators of Globaloria

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Chris Funk Vito Chiala Martha Brazil Greg Louie Donna Bertrand	March 15, 2012 – June 30, 2014 (no change)	\$5,000.00 (WCO) \$5,000.00 (OGHS) \$5,000.00 (STHS) (original was a revenue agreement where no money from ESUHSD was required)	W. C. Overfelt High School Oak Grove High School Santa Teresa High School Vito Chiala, Principal Martha Brazil, Principal Greg Louie, Principal

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve Change Order #1 to the Memorandum of Understanding Agreement with World Wide Workshop, the creators of Globaloria. The change order is needed in order for ESUHSD to provide Globaloria with a \$5,000.00 per high school participation fee that is now required for our continued participation in the program. No change to the term is being requested at this time. Originally board approved at the April 19, 2012 board meeting.

Originally W. C. Overfelt, Oak Grove and Santa Teresa High Schools applied for and were awarded a grant from the World Wide Workshop for the implementation of the Globaloria Digital Platform and Curriculum. The amount of each grant is broken up into two sections, the first being the amount for the Implementation of Globaloria for the educators and students; and the second is a Technology Sub Grant for hardware and software. The ownership of the hardware will not transfer to the ESUHSD until after the end of the two-year contract period.

High School	Implementation Grant	Technology Sub Grant	Total Amount of Award
William C. Overfelt	\$80,000.00	\$102,887.00	\$182,887.00
Oak Grove	\$45,000.00	\$ 659.77	\$ 45,659.77
Santa Teresa	\$45,000.00	\$ 24,554.00	\$ 69,554.00

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to the Memorandum of Understanding Agreement with World Wide Workshop, the creators of Globaloria in the amount of \$15,000.00. No change to the term is being requested at this time.

Agenda Item Details

Meeting	Jun 27, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 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, Linda da Silva, Director of Construction, Maintenance and Facilities, 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 in 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, Linda da Silva, Director of Construction, Maintenance and Facilities, 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 in the attachment.

[Bond Capital Projects Contracts Over \\$50k.pdf \(53 KB\)](#)

Executive Content

Last Modified by Vangie Avila on June 20, 2013

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED June 27, 2013**



M. Battle

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contracts for Services over \$50,000
Board Meeting of June 27, 2013

1. WLC Architects, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger Marcus Battle	October, 2011 through project closeout	\$66,685.00 not-to-exceed (Increased Amount) Measure E	Oak Grove High School/Facilities Martha Brazil, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board approve Amendment No. 01 and Change Order #2 to Purchase Order #200930 for additional service fees for the Oak Grove High School Building I/ Theater Modernization Project, (E-050-006).

On June 14, 2012, a change order was issued to reduce professional services fees by 7.5% because project was bundled with other projects on site. (Bundled with Oak Grove Mod of Building U)

Administration analyzed the merits of this additional service request and recommends for the following reasons:

- Reconfiguration of the outdated, outmoded theater control booth was not included in the originally contracted design scope.
- Replacement of one additional mechanical HVAC unit that was not included in the originally contracted design scope.
- The original design contract scope did not include a theater sub consultant

Original Contract Amount	\$234,000.00
Change Order #1 (6/14/12)	[\$-17,550.00]
Contract Amount Prior to This Change Order	\$216,450.00
Change Order #2 (Additional service fees)	\$66,685.00
Revised Contract Amount	\$283,135.00

RECOMMENDATION

It is recommended that the Board of Trustees approve Amendment No. 01 and Change Order #2 to Purchase Order #200930 with **WLC Architects, Inc.** for the Oak Grove High School Building I/Theater Modernization Project, (E-050-006) in the increased amount not to exceed \$66,685.00.

2. Zolman Construction & Development, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger Marcus Battle	December 4, 2012 – September 21, 2013	\$ 150,000.00 not-to-exceed (Increased Amount) Measure E	Santa Teresa High School/Facilities Greg Louie, Principal Linda da Silva, Director of Construction, Maintenance & Facilities
Bid #	Purchase Order #	DSA #	Project #
B-01-12-13	301831	01-112778	E-070-003

This change order #1 is for additional contract authorization for scope changes related to unforeseen conditions revealed during the course of construction, for owner-initiated additional work, and for contractor-initiated additional fees for construction work unclearly or incorrectly shown on the construction documents. The owner-initiated additional work is as follows:

- Repair and paint restroom ceilings in lieu of installation of fiber reinforced plastic panels
- Wireless access points in classrooms
- Expansion of concrete flat work for improved aesthetic and functional outcomes, in lieu of spot patching for mere accessibility code conformance

Original Contract Amount	\$4,779,000.00
Previously Authorized Change Orders – N/A	\$0
Contract Amount Prior to This Change Order	\$4,779,000.00
Requested Change Order #1	\$150,000.00
Revised Contract Amount	\$4,929,000.00

FISCAL IMPACT: \$150,000.00

FUNDING SOURCE: Measure E

RECOMMENDATION: It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order #301831 for Santa Teresa High School Modernization of Buildings 100, 700, 1300, & 1400 Project #E-070-003 (**Zolman Construction & Development, Inc.**).

3. Gonsalves and Stronck Construction Company, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger Marcus Battle	January 22, 2013 – project closeout	\$ 230,000.00 not-to-exceed (Increased Amount) Measure G	Independence High School/Facilities Grettel Castro-Stanley, Principal Linda da Silva, Director of Construction, Maintenance & Facilities
Bid #	Purchase Order #	DSA #	Project #
B-02-12-13	302055		G-065-203

This change order #1 is for additional contract authorization for scope changes related to unforeseen conditions revealed during the course of construction, for owner-initiated additional work, and for contractor-initiated additional fees for construction work unclearly or incorrectly shown on the construction documents. The owner-initiated additional work is:

- Expand concrete decking to include previously excluded areas of existing mismatched materials
- Paint existing ancillary buildings (press box, pool office)

Original Contract Amount	\$2,532,682.00
Previously Authorized Change Orders – N/A	\$0
Contract Amount Prior to This Change Order	\$2,532,682.00
Requested Change Order #1	\$230,000.00
Revised Contract Amount	\$2,762,682.00

FISCAL IMPACT: \$230,000.00

FUNDING SOURCE: Measure G

RECOMMENDATION: It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order #302055 for Independence High School Pool Renovation Project #G-065-203 (**Gonsalves and Stronck Construction Company, Inc.**).

4. Dilbeck & Sons, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger Marcus Battle	September 17, 2012 – July 5, 2013	\$ 500,000.00 not-to-exceed (Increased Amount) Measure E	Calero High School/Facilities Robert Ibarra, Principal Linda da Silva, Director of Construction, Maintenance & Facilities
Bid #	Purchase Order #	DSA #	Project #
B-05-11-12	301036	01-111985	E-080-002

This change order #1 is for additional contract authorization for scope changes related to unforeseen conditions revealed during the course of construction, for owner-initiated additional work, and for contractor-initiated additional fees for construction work unclearly or incorrectly shown on the construction documents.

The hidden conditions revealed during construction have been extraordinary, including unplumbed exterior walls for which remedial work was required to fit the new exterior doors, and a protruding concrete foundation that had to be manually chipped to allow for new exterior concrete flatwork to be constructed in compliance with accessibility requirements. The construction documents were not without issues, and the contractor is entitled to compensation associated with clarification of the work necessary to complete the modernization project.

The owner-initiated additional work is:

- Acceleration of work delayed by hidden conditions, in order to meet occupancy schedule.
- Construction of an enclosure to house a debris box.
- Construction of a pad for a storage container to house maintenance equipment.

*Total Project Costs (including soft costs) \$11,607.157.00

Original Contract Amount	\$8,937,550.00
Previously Authorized Change Orders – N/A	\$0
Contract Amount Prior to This Change Order	\$8,937,550.00
Requested Change Order #1	\$500,000.00
Revised Contract Amount	\$9,437,550.00

FISCAL IMPACT: \$500,000.00

FUNDING SOURCE: Measure E

RECOMMENDATION: It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order #301036 for the Calero High School Modernization Project #E-080-002 (Dilbeck & Sons, Inc.).

5. Williams Scotsman – Ratify Lease Agreement

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger Marcus Battle	July 1, 2013 – June 30, 2014	\$126,381.60 Capital Facilities	Oak Grove High School/Facilities Martha Brazil, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to ratify the continuation of the lease for twenty-four (24) relocatable classrooms at Oak Grove High School. Administration is requesting authorization to keep these relocatable classrooms on a month-to-month year extension. These units will be used to house students during the modernization of two (2) Measure E Classroom Modernization projects.

Selection Process

N/A. 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, 2013 – June 30, 2014.

Agenda Item Details

Meeting Jun 27, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. CONSENT/ACTION CALENDAR

Subject 16.07 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 under \$50,000 as presented.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 16.07

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 attachment for the Contracts for Professional Services under \$50,000 is being presented for Board review and approval.

FISCAL IMPACT:

As indicated

FUNDING SOURCE:

As indicated

RECOMMENDATION:

It is recommended that the Board of Trustees approve the Contracts for Professional Services under \$50,000 as presented.

[Contract Under \\$50k.pdf \(40 KB\)](#)

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 June 19, 2013

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

APPROVED

June 27, 2013



M. Guillen

**EAST SIDE UNION HIGH SCHOOL DISTRICT
PROFESSIONAL CONTRACT SERVICES At or Below \$50,000
Board Meeting of June 27, 2013**

	Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1.	AlphaVisa	Toby Hopstone Juan Cruz Donna Bertrand	June 28, 2013 – December 31, 2013	\$30,000.00 Special Education	Special Education Toby Hopstone, Director	To provide speech therapy services to ESUHSD special education students' in accordance with the student's IEP. Three vendors were solicited and three proposals were received. All proposals were reviewed first based on qualifications and experience then on pricing. AlphaVista was selected as the most qualified with competitive pricing.
2.	DJC Holdings, LLC dba n2y	Toby Hopstone Juan Cruz Donna Bertrand	August 6, 2013	\$3,000.00 Special Day Class	Special Education Toby Hopstone, Director	To provide introduction and overview of Unique Learning Systems (ULS) curriculum, instruction, and assessment for the Special Education Teachers with moderate/severe kids.
3.	Educational Based Services (EBS)	Toby Hopstone Juan Cruz Donna Bertrand	August 1, 2013 - September 30, 2013	\$25,000.00 Special Education	Special Education Toby Hopstone, Director	To provide speech therapy services to ESUHSD special education students' in accordance with the student's IEP.
4.	Event Architects, Inc.	Grettel Castro- Stanley Juan Cruz Donna Bertrand	May 1, 2013 – May 31, 2013	\$2,200.00 General Fund	Independence High School Grettel Castro- Stanley, Principal	REQUEST FOR RATIFICATION To provide sound system services for Honor night and graduation ceremony.
5.	Franklin McKinley School District – College Connection Academy (FMSD-CCA)	Julie Kasberger Marcus Battle Donna Bertrand	July 1, 2013 – June 30, 2014	Not Applicable	Child Nutrition Julie Kasberger, Director	ESUHSD will provide Breakfasts under the School Breakfast Program and Lunches under the National School Lunch Program. ESUHSD will submit to the California Department of Education for reimbursement for all meals services. ESUHSD will invoice FMSD-CCA for meals provided and not eaten by an eligible student.

6.	KIPP	Julie Kasberger Marcus Battle Donna Bertrand	July 1, 2013 – June 30, 2014	Not Applicable	Child Nutrition Julie Kasberger, Director	ESUHSD will provide Breakfasts under the School Breakfast Program and Lunches under the National School Lunch Program. ESUHSD will submit to the California Department of Education for reimbursement for all meals services. ESUHSD will invoice KIPP for meals provided and not eaten by an eligible student. To provide temporary hauling and disposal of ESUHSD trash at all sites. Change order #1 to purchase order #300227 is needed due to the fact that the ESUHSD's trucks are taking longer to repair than originally expected. Trash pick-up needs to continue until the truck is returned to ESUHSD. Original contract was approved by the Board on May 9, 2013. Original amount \$20,000.00 + change order #1 \$15,000.00 = new Total Purchase order amount \$35,000.00
7.	Republic Services	John Lawrence Linda da Silva Marcus Battle Donna Bertrand	May 1, 2013 – June 30, 2013 (no change)	\$15,000.00 (increased amount) General Fund	Education Center – Facilities John Lawrence, Assistant Director	
8.	San Jose Conservation Corps (SJCCC)	Julie Kasberger Marcus Battle Donna Bertrand	July 1, 2013 – June 30, 2014	Not Applicable	Child Nutrition Julie Kasberger, Director	ESUHSD will provide Breakfasts under the School Breakfast Program and Lunches under the National School Lunch Program. ESUHSD will submit to the California Department of Education for reimbursement for all meals services. ESUHSD will invoice SJCCC for meals provided and not claimed for reimbursement.
9.	San Bernardino County Superintendent of Schools	Robert Ibarra Kirsten King Juan Cruz Donna Bertrand	July 1, 2013 – June 30, 2014	\$6,000.00 Staff Development	Education Center, Professional Development Robert Ibarra, Coordinator	To provide the on-going hosting of the ESUHSD's Organizational Management System (OMS) which provides online professional development registration for all employees, including data management, Title II Federal reporting functions, server maintenance, security back-ups, upgrades, and technical support for the ESUHSD system administrator.

10.	Santa Clara County Office of Education – Alternative Schools Division (SCCOE)	Julie Kasberger Marcus Battle Donna Bertrand	July 1, 2013 – June 30, 2014	Not Applicable	Child Nutrition Julie Kasberger, Director	ESUHSD will provide Breakfasts under the School Breakfast Program and Lunches under the National School Lunch Program. ESUHSD will submit to the California Department of Education for reimbursement for all meals services. ESUHSD will invoice SCCOE for meals provided and not eaten by an eligible student.
11.	Santa Clara County Office of Education – Special Education Division (SCCOE)	Julie Kasberger Marcus Battle Donna Bertrand	July 1, 2013 – June 30, 2014	Not Applicable	Child Nutrition Julie Kasberger, Director	ESUHSD will provide Breakfasts under the School Breakfast Program and Lunches under the National School Lunch Program. ESUHSD will submit to the California Department of Education for reimbursement for all meals services. ESUHSD will invoice SCCOE for meals provided and not eaten by an eligible student.
12.	School Services of California, Inc.	Marcus Battle Donna Bertrand	July 1, 2013 – June 30, 2014	\$3,060.00 (estimated) Business Administration	Education Center Business Services Marcus Battle, Associate Superintendent of Business Services	Contractor will provide consultant services and assistance regarding issues of school finance, legislation, school budgeting, general fiscal issues, and miscellaneous expenses as indicated in the contract. Consultant will also provide 2 copies of the CADIE and SABRE reports.
13.	Shane K. Safir	Chris D. Funk Donna Bertrand	July 1, 2013 – June 30, 2014	\$30,000.00 General Fund	Education Center – Office of the Superintendent Chris D. Funk, Superintendent	To provide Board development including study sessions, board retreat, and mid-year reflection. To provide Executive Coaching for Superintendent, Assistant Superintendent of Instructional Services and Principal of Mt. Pleasant High School
14.	Thomas Kelly Software Associates LP	Robert Ibarra Juan Cruz Donna Bertrand	July 1, 2013 – June 30, 2014	\$14,000.00 Title 1	Education Center – Professional Development Robert Ibarra, Coordinator	To provide online management software to service 8 sites and 900 students. Services include Web based raining; one two-hour session for ESUHSD, one two-hour session for each SES provider, and integrated web-based support for all users.
15.	Trumpet Behavioral Health	Toby Hopstone Juan Cruz Donna Bertrand	June 28, 2013 – December 31, 2013	\$2,000.00 Special Education	Special Education Toby Hopstone, Director	To provide behavioral consultation with ESUHSD staff regarding a Special Education Student transitional from an elementary school program into ESUHSD programs.

16.	William Lazo Translations	Juan Cruz Marcus Battle Donna Bertrand	July 1, 2013 – June 30, 2014	\$40,000.00	District Wide Tim Nguyen, Coordinator	<p>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.</p> <p>Four vendors were solicited and four proposals were received. All proposals were reviewed first based on qualifications and experience then on pricing. Mr. Lazo's proposal was the most cost effective and is being recommended for award.</p>
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APPROVED

June 27, 2013

**Agenda Item Details**

Meeting Jun 27, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. CONSENT/ACTION CALENDAR

Subject 16.14 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: 16.14**

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

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

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

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

[Bond Capital Projects Contracts At or Below \\$50k.pdf \(27 KB\)](#)

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 June 20, 2013

EAST SIDE UNION HIGH SCHOOL DISTRICT
BOND/CAPITAL PROJECTS PROFESSIONAL CONTRACT SERVICES At or Below \$50,000
 Board Meeting of June 27, 2013

A. BOND / FACILITIES

Contractor Name	Reviewed By	Contract Period	Cost/Funding	School/Dept. Manager	Purpose
1. BAGG Engineers	L. da Silva M. Battle J. Unger	June 28, 2013 through project closeout	\$12,610.00 (not to exceed) Measure E	Yerba Buena & Silver Creek High Schools/Facilities Tom Huynh, Adolfo Laguna, Principals Linda da Silva, Director of Construction, Maintenance & Facilities	Provide DSA Special Inspection & Material Testing services for the Yerba Buena & Silver Creek High Schools Site Improvements Project, (E-060-006/E-055-006). Administration solicited the District's Board approved Construction, Material Testing & Special Inspection pool of consultants (RFP-24-12-13). Four consultants submitted proposals. All proposals were evaluated and BAGG Engineers submitted the most responsive/responsible proposal for this project.
2. Consolidated Engineering Laboratories (CEL)	L. da Silva M. Battle J. Unger	June 28, 2013 through project closeout	\$8,242.50 (not to exceed) Measure E	Independence High School/Facilities Grettel Castro-Stanley, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Provide DSA Special Inspection & Material Testing services for the Independence High School Bldgs. G & N Modernization Project, (E-065-004/005). Administration solicited the District's Board approved Construction, Material Testing & Special Inspection pool of consultants (RFP-22-12-13). Five consultants submitted proposals. All proposals were evaluated and Consolidated Engineering Laboratories (CEL) submitted the most responsive/responsible proposal for this project.
3. Construction Testing Services, Inc. (CTS)	L. da Silva M. Battle J. Unger	June 28, 2013 through project closeout	\$12,040.00 (not to exceed) Measure E	Evergreen Valley High School/Facilities Ana Lomas, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Provide DSA Special Inspection & Material Testing services for the Evergreen Valley High School Site Improvements Project, (E-075-005). Administration solicited the District's Board approved Construction, Material Testing & Special Inspection pool of consultants (RFP-31-12-13). Five consultants submitted proposals. All proposals were evaluated and Construction Testing Services (CTS) submitted the most responsive/responsible proposal for this project.

4.	GRD energy	L. da Silva M. Battle J. Unger	June 28, 2013 through project closeout	\$15,000.00 (not to exceed) Measure I	Evergreen Valley High School/Facilities Ana Lomas, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	To provide existing DDC EMS condition assessment to investigate existing controls system and components at Evergreen Valley High School from a multidiscipline mechanical and electrical engineering firm. Staff solicited eight (8) consulting firms that perform these services and received proposals from four (4): Interface Engineering, Salas O'Brien, PAE and GRD energy. All proposals were evaluated and GRD energy submitted the most responsive/responsible proposal for this project.
5.	Ninyo & Moore	L. da Silva M. Battle J. Unger	June 28, 2013 through project closeout	\$7,969.00 (not to exceed) Measure G	Piedmont Hills & Silver Creek High Schools/Facilities Traci Williams, Adolfo Laguna, Principals Linda da Silva, Director of Construction, Maintenance &	Provide DSA Special Inspection & Material Testing services for the Piedmont Hills & Silver Creek High Schools - Gym Bleacher Replacement Project, (G-045-204 & G-055-204) Administration solicited the District's Board approved Construction, Material Testing & Special Inspection pool of consultants (RFP-17-12-13). Four consultants submitted proposals. All proposals were evaluated and Ninyo & Moore submitted the most responsive/responsible proposal for this project.
6.	Ninyo & Moore	L. da Silva M. Battle J. Unger	June 28, 2013 through project closeout	\$7,905.00 (not to exceed) Measure E	W.C. Overfelt High School/Facilities Vito Chiala, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Provide DSA Special Inspection & Material Testing services for the W.C. Overfelt High School Bldg. D Classroom Modernization Project, (E-040-005). Administration solicited the District's Board approved Construction, Material Testing & Special Inspection pool of consultants (RFP-21-12-13). Five consultants submitted proposals. All proposals were evaluated and Ninyo & Moore submitted the most responsive/responsible proposal for this project.

7.	Ninyo & Moore	L. da Silva M. Battle J. Unger	June 28, 2013 through project closeout	\$19,406.00 (not to exceed) Measure E	Silver Creek High School/Facilities Adolfo Laguna, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Provide DSA Special Inspection & Material Testing services for the Silver Creek High School Restroom Modernization Project, (E-055-004). Administration solicited the District's Board approved Construction, Material Testing & Special Inspection pool of consultants (RFP-23-12-13). Seven consultants submitted proposals. All proposals were evaluated and Ninyo & Moore submitted the most responsive/responsible proposal for this project.
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