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### Agenda Item Details

Meeting	Jun 19, 2014 - ESUHSD REGULAR BOARD MEETING - 4:30 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 May 15, 2014, Regular Board Meeting
Access	Public
Type	Action
Recommended Action	It is recommended that the Board of Trustees approve the May 15, 2014, Regular Board Meeting minutes as presented.

### Public Content

## EAST SIDE UNION HIGH SCHOOL DISTRICT

### Item: 16.03

**TO:** Board of Trustees

**FROM:** Chris D. Funk, Superintendent

**SUBJECT:** Approve Minutes of May 15, 2014, Regular Board Meeting

Attached are the minutes of the May 15, 2014, 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 May 15, 2014, Regular Board Meeting minutes as presented.

[BA\\_20140515\\_Regular\\_Minutes.pdf \(606 KB\)](#)

**EAST SIDE UNION HIGH SCHOOL DISTRICT  
BOARD OF TRUSTEES  
APPROVED June 19, 2014**





**EAST SIDE UNION HIGH SCHOOL DISTRICT**

**REGULAR MEETING**

**OF THE**

**BOARD OF TRUSTEES**

**Meeting Held at Education Center – Board Room**

**May 15, 2014**

**4:30 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 4:30 p.m. by President Herrera. Clerk Carrasco, Member Nguyen, and Member Biehl were present. Vice President Le arrived at 4:43 p.m.*

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

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

*There were no public speakers.*

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

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

**2. CLOSED SESSION**

**2.01 Expulsion(s): *None***

**2.02 Public Employee Performance Evaluation (Government Code Section 54957)**

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

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

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

*Motion by Member Biehl, second by Clerk Carrasco, on a vote of 5/0, the Board approved a settlement agreement between the District and former employee Bernardo Flores, which involved the resignation of Mr. Flores in exchange for the payment of \$7,840 by the District to Mr. Flores, with his resignation effective April 28, 2014, and also involving mutual releases and other terms as provided in the settlement agreement.*

**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 (d)(2) of Government Code Section 54956.9**

- *Claim for Damages of S. Minor; and*
- *Two (2) Potential Cases*

**2.07 Conference with Legal Counsel – Anticipated Litigation**

**Initiation of litigation pursuant to subdivision (d)(4) of Government Code Section 54956.9**

- *One (1) Potential Case*

**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 Herrera 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.**

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

**6.01 S4CA Competition Winners**

- **Zachary Buckettt – Independence High School**
- **Natalie Gonzalez – Independence High School**
- **Josiah Lopez – Independence High School**
- **Katrina Orizonte - Independence High School**
- **Kevin Kiperash - Piedmont Hills High School**

**6.02 CTA Media Excellence Award**

- **Len Ramirez**

**6.03 Global Youth Service Day – Wm. C. Overfelt High School**

- **City Year**
- **Microsoft**

**6.04 CCS Athletic Director of the Year**

- **Trish Sunseri, Silver Creek High School**

**6.05 Winter Sports**

**Evergreen Valley High School**

- **Girls' Soccer, Santa Teresa Division, Blossom Valley Athletic League Co-Champions (with Piedmont Hills)**

**Independence High School**

- **Girls' Soccer, West Valley Division, Blossom Valley Athletic League Champions**

**James Lick High School**

- **Boys' Soccer, West Valley Division, Blossom Valley Athletic League Co-Champions (with Silver Creek)**

**Mt. Pleasant High School**

- **Boys' Soccer, Mt. Hamilton Division, Blossom Valley Athletic League Champions**
- **Girls' Wrestling, CCS Champion**
  - **Martina Valdez**

**Oak Grove High School**

- **Boys' Wrestling, Blossom Valley Athletic League Champion**
  - **Alexander Bradley**
- **Boys' Wrestling, Blossom Valley Athletic League Tournament Champions**

**Piedmont Hills High School**

- **Girls' Basketball, Mt. Hamilton Division, Blossom Valley Athletic League Champions**
- **Girls' Soccer, Santa Teresa Division, Blossom Valley Athletic League Co-Champions (with Evergreen Valley)**

**Santa Teresa High School**

- **Boys' Wrestling, Blossom Valley Athletic League Champions**
  - **Richie Avalos**
  - **Matthew Mittlestead**
  - **Jacob Thalin**

**Silver Creek High School**

- **Boys' Wrestling, CCS and Blossom Valley Athletic League Champion**
  - **Alvin Nguyen**
- **Girls' Basketball, Santa Teresa Division, Blossom Valley Athletic League Champions**
- **Boys' Soccer, West Valley Division, Blossom Valley Athletic League Co-Champions (with James Lick)**

**Wm. C. Overfelt High School**

- **Girls' Soccer, West Valley Division, Blossom Valley Athletic League Champions**
- **Boys' Wrestling, Blossom Valley Athletic League Champion**
  - **Lai Saechao**
- **Girls' Wrestling, CCS Champions**
- **Girls' Wrestling**
  - **Jasmine Mendoza - State Champion and CCS Champion**
  - **Crystal Soto - CCS Champion**

**Yerba Buena High School**

- **Boys' Basketball, West Valley Division, Blossom Valley Athletic League Champions**

**6.06 Spring Sports**

**Andrew Hill High School**

- **Boys' Tennis, West Valley Division, Blossom Valley Athletic League Champions**

**Evergreen Valley High School**

- **Boys' Golf, Mt. Hamilton Division, Blossom Valley Athletic League Champions**
- **Coed Badminton, Mt. Hamilton Division, Blossom Valley Athletic League Champions**

**Oak Grove High School**

- **Boys' Swimming, West Valley Division, Blossom Valley Athletic League Co-Champions (with Yerba Buena)**
- **Girls' Swimming, West Valley Division, Blossom Valley Athletic League Champions**

**WC Overfelt High School**

- **Coed Golf, West Valley Division, Blossom Valley Athletic League Champions**

**Silver Creek High School**

- **Girls' Swimming, Santa Teresa Division, Blossom Valley Athletic League Co-Champions (with Prospect)**

**Yerba Buena High School**

- **Boys' Swimming, West Valley Division, Blossom Valley Athletic League Co-Champions (with Oak Grove)**
- **Coed Badminton, West Valley Division, Blossom Valley Athletic League Champions**

**7. Student Board Liaisons**

**No Items on Calendar Under this Section**

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

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

**8.02 Presentation regarding the State of Education - Assemblymember Bob Wieckowski, 25th Assembly District**

*Presentation; no action on this item*

**8.03 Presentation, Discussion and/or Action to Adopt Resolution #2013/2014-25 Ordering an Election to Authorize the Issuance of School Bonds, Establishing Specifications of the Election Order, and Requesting Consolidation with Other Elections Occurring on November 4, 2014 - Marcus Battle, Associate Superintendent of Business Services, Dale Scott, Financial Advisor, Dale Scott & Company, and Charles F. Adams, Bond Counsel, Jones Hall, A Professional Law Corporation**

*Motion by Member Biehl, second by Member Nguyen, to adopt Resolution #2013/2014-25 Ordering an Election to Authorize the Issuance of School Bonds, Establishing Specifications of the Election Order, and Requesting Consolidation with Other Elections Occurring on November 4, 2014, as amended, specifically:*

- *Maximum tax rate: \$9*
- *Length of time: 18 years, six series*
- *Total bond amount: \$113,200,000*

*Vote: 5/0*

**8.04 Discussion and/or Action to Approve Proposition 39 Facilities MOU with Luis Valdez Leadership Academy Charter High School - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Rogelio M. Ruiz, Esq., Legal Counsel**

*Motion by Member Nguyen, second by Vice President Le, to authorize Administration to enter into the Proposition 39 Facilities MOU with Luis Valdez Leadership Academy Charter High School.*

*Vote: 5/0*

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

**9.01 Hold Public Hearing at Approximately 7:00 p.m. on the Provisions of the Charter School Petition of Alpha: Cindy Avitia High School to Consider the Level of Support for the Petition by Teachers Employed by the District, Other Employees of the District, and Parents - Juan Cruz, Assistant Superintendent of Instructional Services**

*Public hearing held*

*Public speakers:*

- Speakers:
- Maria Arechiga
- Leticia Alvarez
- Gloria Sermeno
- Maria Gamez
- Andrea Ayala
- Antonio Constantino
- Maria Pina-Carrasco
- Jaqui Guzman
- Patricia Castorena

**9.02 Hold Public Hearing at Approximately 7:05 p.m. regarding Local Control Accountability Plan (LCAP) - Juan Cruz, Assistant Superintendent of Instructional Services**

*Public hearing held*

*Public speakers:*

- Diana Castillo
- Phi Bui
- Hang Nguyen
- Phuong Tran
- Virginia Ingelfinger
- Tony Bui
- Taylor Torres
- Karla Rodriguez
- Socorro Reyes McCord
- Vivian Gamez

- Evelyn Sanchez
- Kenisha James
- Dalia Borrego
- Adolfo De Luna
- Kim C. Nguyen
- Hoa Ho
- Ly Vo
- Loan Tran
- Reginald Linsao
- Marybeth Nacey
- Marisa Hanson
- Mulugeta Habtegabriel
- Joshua Greene
- Rosa De Leon

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

**Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code Section 54954.2(a) and 54954.3) preclude any action. As an unagendized item, no response is required from the Board or District staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting.**

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

*Public speaker(s):*

- Marisa Hanson
- Rosalind Taylor
- Mario Ramirez
- Rosa Solorzano
- Noreen Rubay
- Teresa Nungaray y Elias

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

**No Items on Calendar Under this Section**



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

**12.01 Discussion and/or Action of Designation of California Interscholastic Federation (CIF) Representatives to League for 2014-2015 - Juan Cruz, Assistant Superintendent of Instructional Services**

*Motion by Vice President Le, second by Member Biehl, to approve the listed personnel as league representatives to the California Interscholastic Federation for the 2014-2015 school year.*

*Vote: 5/0*

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

**13.01 Presentation, Discussion and/or Action of Preliminary Budget for 2014-2015 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance**

*Presentation item; no action taken*

**13.02 Presentation, Discussion and/or Action to Approve Changes to the Food Service Program - Marcus Battle, Associate Superintendent of Business Services, and Julie Kasberger, Director of General Services**

*Motion by Member Nguyen, second by Member Biehl, to approve recommendation #1: To implement a meal price increase of \$0.25 for Paid Breakfast and \$0.25 for Adult Lunch effective, July 1, 2014; eliminate reduced meal price charge; offer an after-school Supper Program as part of the Child and Adult Care Food Program (CACFP); and authorize the hiring of up to 16 new 4.75 FTEs to support the Program.*

*Vote: 4/0, Clerk Carrasco out of room*

**13.03 Discussion and/or Action to Receive and Adopt Second Reading of New Board Policy #3312.1 Contract Change Orders - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director of Capital Accounting and Purchasing, Janice Unger, Capital Projects Purchasing Manager, and Donna Bertrand, C.P.M. Contracts Administration Coordinator**

*Motion by Member Biehl, second by Vice President Le, to receive and adopt the second reading of new Board Policy #3312.1 Contract Change Orders.*

*Vote: 4/0, Clerk Carrasco out of room*

**13.04 Discussion and/or Action to Adopt Resolution #2013/2014-26 Authorized Signatures - Marcus Battle, Associate Superintendent of Business Services**

*Motion by Member Biehl, second by Member Nguyen, to adopt Resolution #2013/2014-26 Approving Authorized Signatures.*

*Vote: 5/0*

**13.05 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator**

*Motion by Member Biehl, second by Vice President Van Le, to approve the amended Contract(s) for Professional Services over \$50,000 (attached) as recommended and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract as per Board Policy 3312.1.*

*Vote: 5/0*

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

**14.01 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Contract Reopeners for 2014-2015: From the East Side Union High School District to the California School Employees Association, Chapter 187 - Cari Vaeth, Director, Human Resources, and Vida L. Branner, Director of Compensation and Classified Employee Relations**

*Motion by Vice President Le, second by Member Biehl, to adopt the District's initial proposal for contract reopeners to the California Employees Association, Chapter 187 for 2014-2015.*

*Vote: 5/0*

**14.02 Discussion and/or Action to Approve the Proposed Pay Rates for the Summer Swim Program - Cari Vaeth, Director, Human Resources, and Vida L. Branner, Director of Compensation and Classified Employee Relations**

*Motion by Clerk Carrasco, second by Member Nguyen, to approve the proposed pay rates for the Summer Swim Program.*

*Vote: 5/0*

**14.03 Discussion and/or Action to Approve the Classified Management Job Description and Salary Range for Manager of Classified Personnel - Cari Vaeth, Director, Human Resources**

*Motion by Member Biehl, second by Member Nguyen, to approve the proposed classified management job description and salary range for Manager of Classified Personnel.*

*Vote: 5/0*

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

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

*Motion by Member Biehl, second by Clerk Carrasco, to approve the Bond/Capital Projects Contract(s) (attached) as presented and with the contingency/understanding that approval of this item is a slight exception to Board Policy 3312.1.*

*Vote: 4/0, Member Nguyen out of room*

**15.02 Discussion and/or Action to Ratify CUPCCAA Informal Bond Project(s) - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director of Capital Accounting and Purchasing, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Member Biehl, second by Vice President Le, to ratify the CUPCCAA Informal Project(s).*

*Vote: 4/0, Member Nguyen out of room*

*For the record, the correct copy of the CUPCCAA supporting document is attached.*

**15.03 Discussion and/or Action to Award a Lease/Leaseback Pre-Construction Agreement for Independence High School Performing Arts Center - Building F Modernization - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director of Capital Accounting and Purchasing, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Member Biehl, second by Vice President Le, to award a Lease/Leaseback Pre-Construction Services Agreement to McCarthy Building Companies, Inc. for the Independence High School Performing Arts Center - Building F Modernization Project in an amount not to exceed \$75,000.*

*Vote: 5/0*

## **Consent / Action Calendar Sections 16-20**

All items listed under the Consent/Action Calendar are considered by the Board to be routine and will be enacted in one motion. There will be no discussion of these items prior to the time the Board considers the motion, unless members of the Board or the Superintendent request specific items to be discussed and/or removed from the Consent/Action Calendar.

Superintendent asserts that the following Business Transactions, Personnel Actions, Maintenance of Records, Approvals and Recommendations requiring Board Action have been carried out to the best of his knowledge in accordance with the law.

*Motion by Vice President Le, second by Member Nguyen, to approve the consent/action calendar, sections 16-20, as presented, except for items 18.01 and 20.01, which were pulled from the consent calendar for discussion and/or action by the Board of Trustees.*

Vote: 5/0

### **16. Board of Trustees / Superintendent - Consent / Action Calendar**

**16.01 Approve Minutes of March 14, 2014, Special Board Meeting**

**16.02 Approve Minutes of March 20, 2014, Regular Board Meeting**

**16.03 Approve Minutes of April 17, 2014, Regular Board Meeting**

### **17. Instructional Services / Student Services - Consent / Action Calendar**

**17.01 Approve School Field Trips**

**17.02 Approve Permanent Status of New Titles**

**17.03 Approve Permanent Textbook Adoption for AP Chemistry, Edge, English 3D Course 1, Flexbook - Biology, and Marine Science - Second Edition**

**17.04 Approve Permanent Course Adoption for Digital Photo 1, Ethnic Studies, and Technical Theater 1-4**

**17.05 Approve CAHSEE Local Waivers for Special Education Students**

### **18. Business Services - Consent / Action Calendar**

**18.02 Approve Budget Transfers**

**18.03 Approve Purchase Orders**

**18.04 Approve Change Orders to Purchase Orders**

**18.05 Accept Report of Credit Card Purchases for Statements Dated February 24, 2014, and March 24, 2014**

**18.06 Accept Warrant Register for the Month of April 2014**

**19. Human Resources - Consent / Action Calendar**

**19.01 Ratify/Approve Classified Personnel Actions Presented May 15, 2014**

**19.02 Ratify/Approve Certificated Personnel Actions Presented May 15, 2014**

**19.03 Ratify/Approve Student Aide Personnel Actions Presented May 15, 2014**

**20. Facilities - Consent / Action Calendar**

**20.02 Approve Award of Bids for Bond/Capital Projects**

**20.03 Approve Final Change Order #1 for Overfelt Adult Center Increment 1 & 4 Project, E-042-001 (Cal-Pacific Construction, Inc.)**

**20.04 Approve Notice of Completion for Evergreen Valley High School Baseball Dugouts Title IX Modernization Project, E-075-006**

**20.05 Approve Notice of Completion for Evergreen Valley High School Softball Dugouts Title IX Modernization Project, E-075-006**

**20.06 Approve Notice of Completion for Calero High School Landscape Improvement Services Project, E-080-002**

**20.07 Amend Final Change Order #2 for W.C. Overfelt High School Modernization Building D/Classroom Project, E-040-005 (Zolman Construction & Development, Inc.)**

**Pulled from the Consent Calendar for discussion and/or action by the Board of Trustees.**

**18.01 Approve Contract(s) for Professional Services At or Below \$50,000**

*Motion by Member Biehl, second by Clerk Carrasco, to approve the Contract(s) for Professional Services at or below \$50,000 (attached), subject to Board Policy 3312.1.*

*Vote: 5/0*

**20.01 Approve Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000**

*Motion by Member Biehl, second by Member Nguyen, to approve the Bond/Capital Projects Contract(s) for Professional Services (attached) at or below \$50,000, subject to Board Policy 3312.1.*

*Vote: 5/0*

**21. WRITTEN REPORTS/RECOMMENDATION**

**21.01 Receive Santa Clara County Office of Education Second Interim Certification Letter**

*Item received*

**21.02 Receive Self-Insured Schools of California (SISC) GASB45 Quarterly Report Ending March 31, 2014**

*Item received*

**21.03 Receive Quarterly Report on the County of Santa Clara Treasury Investment Portfolio Status as of March 31, 2014**

*Item received*

**21.04 Receive Update to Previously Approved Allowance for the Current Andrew Hill High School New Building 100 Classroom Modernization**

*Item received*

**22. FUTURE AGENDA ITEMS**

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

**Board Vice President Van Le**

Item	Date (tentative)	Type
Failed Courses	Quarterly	Report

**Board Clerk Magdalena Carrasco**

Item	Date (tentative)	Type
Services offered to Students Failing Courses	June 19, 2014	Presentation/Discussion

**Board Member Lan Nguyen**

Item	Date (tentative)	Type
Support Services available/offered to Foster Youth Students	September, 2014	Presentation/Discussion

**22.02 Future Items****Board President J. Manuel Herrera & Board Member Frank Biehl**

Item	Date (tentative)	Type
PE Credit	January, 2015	Presentation/Discussion

**Board Vice President Van Le**

Item	Date (tentative)	Type
Foreign Language Classes	June 19, 2014	Presentation/Discussion
Adult Education ESL Program	June 19, 2014	Presentation/Discussion
Child Nutrition Services: Meals	October 16, 2014	Presentation/Discussion

**Board Member Frank Biehl**

Item	Date (tentative)	Type
Review of Board Policy regarding Alcohol	August 21, 2014	Discussion/Action

**Board Member Lan Nguyen**

Item	Date (tentative)	Type
International Baccalaureate (IB) Program	November, 2014	Presentation/Discussion

## 22.03 Annual Governance Calendar

<b>July</b>
Summer School Program (concludes session)
Summer School Graduation

<b>August</b>
Board Retreat
Expulsion Hearing Panel Committee
First Day of School
Williams Quarterly Report

<b>September</b>
Board Study Session/Workshop
College Night
Conflict of Interest/Board Policy (updates)
Public Hearing and Adoption: Gann Spending Limit
Public Hearing: Sufficiency or Insufficiency of Textbooks
Unaudited Actuals

<b>October</b>
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
Superintendent's Annual Evaluation
Williams Quarterly Report

<b>November</b>
Board Study Session/Workshop
Election Orientation for New Board Members

<b>December</b>
Annual Organizational Board Meeting
CSBA Annual Conference
Election Orientation for New Board Members
End of First Semester
First Interim Report
Superintendent's Mid-Year Evaluation

<b>January</b>
Audit Report
Board Audit Committee Selections/Appointments
Board Retreat
Financial & Performance Audit Report for Bond Measures
Magnet Night
Martin Luther King, Jr. Writing, Art & Multi-Media Awards Ceremony & Reception
Policies & ByLaws (Begin Review by Series)
Sports Recognitions (Fall)
Technology Report
Williams Quarterly Report

<b>February</b>
African American Students Achievement Awards
Audit Committee Charter Amendment(s)
CSBA Delegate Assembly Election
Non-Re-Elects

<b>March</b>
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
March 15 Notices
Safety Plan Goals for Each Site
Second Interim Report
SJPD Secondary Employment Application
Vietnamese Students Achievement Awards

<b>April</b>
Board Study Session/Workshop
Form 700 – Statement of Economic Interests Due to Santa Clara County (filing)
Honor Nights
Migrant Education Awards Night
NSBA Annual Conference
Williams Quarterly Report

<b>May</b>
Board Self-Evaluation
Budget (Preliminary/Draft) Presentation
Employee Recognition Event
Graduations
Honor Nights
Last Day of School
Sports Recognitions (Winter/Spring)

<b>June</b>
Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting)
Budget Adoption (second June Board Meeting)
Employee Retirement Celebration
ESTA Safety Survey
Master Contracts for Capitol Projects
Plan for Expelled Youth (due every three years – 2015)
Program Improvement Update
Safety Plan Assessment for Each School
Single Plan for Student Achievement (SPSA) for Each School
Summer School Program (session begins)
Superintendent's Annual Evaluation



**23. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS**

**23.01 Board of Trustees**

**Lan Nguyen, Member (no comment made)**

**Van Le, Board Vice President**

*I would like to say thank you to President Manuel Herrera and Board Trustee Frank Biehl for attending the Asian America Heritage Festival. It was held at Yerba Buena High School and it was wonderful.*

**J. Manuel Herrera, Board President (no comment made)**

**Frank Biehl, Board Member**

*I had the opportunity to visit Independence High School the other day. It is a school that is definitely in transition. It used to have 4,400 students. It now has 3,200 students. We have some demands for the use of the space by charter schools. By law, we really have to do that, but it is causing some difficulties for some of the teachers that need to move out of their classrooms and I am just asking that the administration consider providing some funds for those teachers to spend an extra day in moving and what of other moving services might be helpful, packing services, etc., to help them move out of those classrooms. It is a big challenge for them. I think we need to be sympathetic. I don't think there is a lot we can do about changing our needs to comply with the law with providing housing for charter school students, but on the other hand, we need to be courteous to the staff that is on the campus that are being forced to move to other classrooms. I think we need to be reasonable about this. I am just asking administration to look into that. I also think that shouldn't be an expense absorbed by the high school because the cost is being created by the District because of moving the charters in; so, I think it is something that needs to be absorbed by the District.*

*Second, I know we are going to be allowing the use of the former Planetarium for the use of the two charters that are moving there. That is something that I don't think we have little choice at this particular time. If we don't do that, then they are going to be using other classrooms for their general meeting space and I don't want to encroach any further, but on the other hand, I want to make sure that the equipment that is inside the Planetarium is properly inventoried, marked with the capital equipment, inventory information, tagged, etc, there's accounting information for it, and stored properly. It is very valuable equipment and I am hopeful that someday we will be able to reenact the Planetarium or, at minimum, provide that equipment to other youth-based organizations so that it can be used and not kept in a closet somewhere. I don't want it lost or stolen or mislabeled, etc. This is probably \$100,000 worth of equipment in there. It is important that it be tagged and inventoried properly.*

**Magdalena Carrasco, Board Clerk (no comment made)**

**23.02 Chris D. Funk, Superintendent (no comment made)**

**24. REPORT CLOSED SESSION ACTION(S)**

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

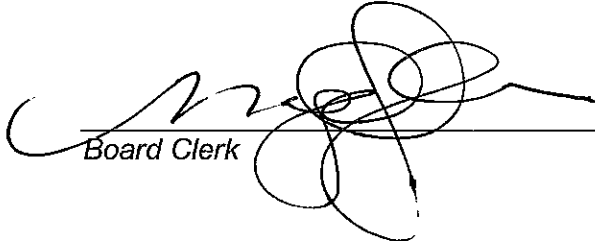
*See section 2.0 for reporting out of Closed Session items.*

**25. ADJOURNMENT**

**President adjourns the meeting.**

*The meeting was adjourned at 11:00 p.m.*

*Respectfully submitted,*

  
Board Clerk



Preparing every student to thrive in a global society.

### Agenda Item Details

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Meeting	May 15, 2014 - ESUHSD REGULAR BOARD MEETING - 4:30 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	13.05 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator
Type	Action, Discussion
Recommended Action	It is recommended that the Board of Trustees approve the Contract(s) for Professional Services over \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

## EAST SIDE UNION HIGH SCHOOL DISTRICT

**Item: 13.05**  
**Amended**

**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 to Approve the Contract(s) for Professional Services Over \$50,000

The attached Contract(s) for Professional Services over \$50,000 are being presented for Board review and 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 Contract(s) for Professional Services over \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

[Contracts Over \\$50k\\_2014\\_0515\\_Amended.pdf \(105 KB\)](#)

[Contracts Over 50k.Replaced.pdf \(229 KB\)](#)

**Motion & Voting**

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It is recommended that the Board of Trustees approve the amended Contract(s) for Professional Services over \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract as per Board Policy 3312.1.

Motion by Member Frank Biehl, second by Vice President Van Le.

Final Resolution: Motion Carries

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

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Contract(s) for Professional Services Over \$50,000**  
 Board Meeting of May 15, 2014

**Amended**

**1. AchieveKids**

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2014 – June 30, 2015	\$400,000.00 (estimated annual expenditure) - Tuition	Special Services  Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve an Agreement with AchieveKids for the provision of Non-Public School (NPS) services for ESUHSD special education students for the 2014-15 school year. The estimated annual expenditure for this contract is \$400,000.00.

Specialized educational services are required to appropriately serve some students who present with severe, unique emotional and/or developmental disabilities. Such disabilities include mental retardation, autistic spectrum disorder, disruptive behavior, mood, anxiety, and psychotic disorders.

AchieveKids is a licensed NPS offering such services that meet the wide varying needs of this unique group of students. All educational services are consistent with the students' Individual Education Program (IEP).

**Selection Process**

There was no competitive solicitation done for this type of service and is not applicable.

When there is a determination made by the IEP team that ESUHSD is not able to meet a particular student's educational needs, recommendations are presented at the student's IEP meeting. Selection of a facility is based on the facility ability to meet the needs of a particular student. Therefore, referrals to any facility such as AchieveKids are made during the student's IEP meeting by an ESUHSD Program Specialist after consultation with the ESUHSD'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 the "Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services" with AchieveKids for the provision of Non-Public School (NPS) services for special education students. The contract term shall be July 1, 2014, through and including June 30, 2015, in an estimated annual amount of \$400,000.00; to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

**2. AVID Center**

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Chris D. Funk Tim Nguyen Donna Bertrand	July 1, 2014 – June 30, 2015	\$400,000.00 (estimated annual expenditure) - Tuition	Calero High School; Robert Ibarra, Principal  Independence High School; Grettel Castro-Stanley, Principal  Mt. Pleasant High School; Teresa Marquez, Principal  Evergreen Valley High School; Lauren Kelly, Principal  W. C. Overfelt High School; Vito Chiala, Principal  Piedmont Hills High School; Traci Williams, Principal  Silver Creek High School; Adolfo Laguna, Principal  Yerba Buena High School; Tom Huynh, Principal  Accel Program; Lauren Kelly, Principal  Education Center; Tim Nguyen, Coordinator

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the membership and training Agreements with AVID Center for the 2014-15 school year. The estimated annual expenditure for these contracts is \$55,000.00.

The contracts are to renew ESUHSD's membership, materials, and training agreement for another year in order for the school sites listed to be able to utilize the AVID College Readiness System.

**Selection Process**

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

**RECOMMENDATION**

It is recommended that the Board of Trustees approve the Agreements with AVID Center for membership and training of the AVID College Readiness System Program. The contract term shall be July 1, 2014, through and including June 30, 2015, in an estimated annual amount of \$55,000.00; to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract..

### 3. The Bay School

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2014 – June 30, 2015	\$250,000.00 (estimated annual expenditure) -Tuition	Special Services  Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve an Agreement with The Bay School for the provision of Non-Public School (NPS) services for ESUHSD special education students for the 2014-15 school year. The estimated annual expenditure for this contract is \$250,000.00.

The Bay School offers intensive supervision and environmental support, including effective behavioral interventions, assistive technology, and a small staff to student ratio. Bay School is located in Santa Cruz and specializes in the instruction of extremely involved Autistic students.

All educational services are consistent with the specified services per the students' IEPs.

#### Selection Process

There was no competitive solicitation done for this service. The Bay School was selected by Evergreen School District to meet the students' needs in elementary school.

#### RECOMMENDATION

It is recommended that the Board of Trustees approve the "Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services" with The Bay School, for the provision of NPS services for special education students. The contract term shall be July 1, 2014, through and including June 30, 2015, in an estimated annual amount of \$250,000.00; to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

### 4. Beacon School

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2014 – June 30, 2015	\$800,000.00 (estimated annual expenditure) - Tuition  \$200,000.00 (estimated annual expenditure) - Transportation	Special Services  Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve the Agreement with Beacon School for the provision of Non-Public School (NPS) services for ESUHSD special education students for the 2014-15 school year. The estimated annual expenditure for this contract is \$1,000,000.00.

Beacon provides a highly structured, safe, and therapeutic setting for students whom ESUHSD are not able to maintain on a comprehensive high school campus. All educational services are consistent with the specified services per the students' IEPs.

**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 the “Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services” with Beacon School for the provision of Non-Public School (NPS) services for special education students. The contract term shall be July 1, 2014, through and including June 30, 2015, in an estimated annual amount of \$1,000,000.00; to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

**5. BMR Health Services Inc.**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Toby Hopstone Juan Cruz Donna Bertrand	July 1, 2014 – June 30, 2015	\$100,000.00  Special Services	Special Services  Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve an Agreement with BMR Health Services for the provision of speech therapy services to ESUHSD special education students for the 2014-15 school year. The estimated annual expenditure for this contract is not-to-exceed \$100,000.00.

**Selection Process**

The shortage of qualified Speech and Language Pathologists (SLPs) who are available to work in our high schools has been a serious challenge. We have been contracting with two excellent SLPs this year with two agencies that are responsive and support their staff well (BMR & EBS). Most local vendors have been solicited within the past year and several were contracted with, but were not able to provide SLPs.

ESUHSD would much prefer to hire our own full-time employees, and have pursued vigorously all applicants, including attendance at recruitment fairs in the hope of finding qualified candidates. ESUHSD will continue to search for candidates to fill the vacancies at ESUHSD, but in the meantime we are required contracts to augment staff to provide necessary services to our students.

BMR, EBS, and The Speech Pathology Group are all companies with pools of local candidates who are highly qualified--often bilingual, able to work at the high school level, and are committed to



providing the supervision and training necessary. Administration is requesting authorization from the Board of Trustees to contract with all three of these vendors for the 2014-15 school year.

**RECOMMENDATION**

It is recommended that the Board of Trustees approve the Contract Services Agreement with BMR Health Services, Inc. in the amount of \$100,000.00 for the contract term of July 1, 2014, through and including June 30, 2015; to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

**6. Educational Based Services (EBS)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Toby Hopstone Juan Cruz Donna Bertrand	July 1, 2014 – June 30, 2015	\$100,000.00  Special Services	Special Services  Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve an Agreement with Educational Based Services (EBS) for the provision of speech therapy services to ESUHSD special education students for the 2014-15 school year. The estimated annual expenditure for this contract is not-to-exceed \$100,000.00.

**Selection Process**

The shortage of qualified Speech and Language Pathologists (SLPs) who are available to work in our high schools has been a serious challenge. We have been contracting with two excellent SLPs this year with two agencies that are responsive and support their staff well (BMR & EBS). Most local vendors have been solicited within the past year and several were contracted with, but were not able to provide SLPs.

ESUHSD would much prefer to hire our own full-time employees, and have pursued vigorously all applicants, including attendance at recruitment fairs in the hope of finding qualified candidates. ESUHSD will continue to search for candidates to fill the vacancies at ESUHSD, but in the meantime we require contracts to augment staff to provide necessary services to our students.

BMR, EBS, and The Speech Pathology Group are all companies with pools of local candidates who are highly qualified--often bilingual, able to work at the high school level, and are committed to providing the supervision and training necessary. Administration is requesting authorization from the Board of Trustees to contract with all three of these vendors for the 2014-15 school year.

**RECOMMENDATION**

It is recommended that the Board of Trustees approve the Contract Services Agreement with Educational Based Services (EBS) in the amount of \$100,000.00 for the contract term of July 1, 2014, through and including June 30, 2015; to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

## 7. Morgan Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2014 – June 30, 2015	\$300,000.00 (estimated annual expenditures for services) -Tuition  \$78,000.00 (estimated annual expenditure) – Transportation	Special Education Services  Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve an Agreement with Morgan Center for the procurement of NPS services to ESUHSD special education students for the 2014-15 school year. The estimated annual expenditure for this contract is \$378,000.00.

Morgan Center is an NPS that specializes in educational services that can serve the severely involved Autism Spectrum students. Educational services shall be consistent with the Santa Clara County SELPAs/District Master Contract and specific services will be per the students' IEP.

### Selection Process

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

When there is a determination made by the IEP team that ESUHSD is not able to meet a particular student's educational needs, recommendations are presented at the student's IEP meeting. Selection of a facility is based on the facility's ability to meet the needs of a particular student. Therefore, referrals to any facility such as Morgan Center are made during the student's IEP meeting by an ESUHSD Program Specialist after consultation with the ESUHSD's Special Services Coordinator.

Morgan Center is an NPS that specializes in treating the severely involved Autism Spectrum 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 the "Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services" with Morgan Center for the provision of Non-Public School (NPS) services for special education students. The contract term shall be July 1, 2014, through and including June 30, 2015, in an estimated annual amount of \$378,000.00; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

## 8. Pacific Autism Center (PACE)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2014 – June 30, 2015	\$320,000.00 (estimated annual expenditure) -Tuition	Special Services  Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve an Agreement with Pacific Autism Center (PACE) for the procurement of NPS services to ESUHSD special education students for the 2014-15 school year. The estimated annual expenditure for this contract is \$320,000.00.

Specialized educational services are required to appropriately serve some severely involved Autism Spectrum students residing in the ESUHSD. PACE is a NPS offering such services that meet the widely varying needs of this unique group of students. Educational services shall be consistent with the specified services per the students IEP.

**Selection Process**

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

When there is a determination made by the IEP team that ESUHSD is not able to meet a particular students’ educational needs, recommendations are presented at the student’s IEP meeting. Selection of a facility is based on the facility’s ability to meet the needs of a particular student. Therefore, referrals to any facility such as PACE are made during the students’ IEP meeting by an ESUHSD Program Specialist after consultation with the ESUHSD’s Special Services Coordinator.

PACE is a NPS that specializes in treating the severely involved Autism Spectrum students. PACE 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 the “Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Nonpublic School/Agency Services” with Pacific Autism Center for the provision of Non-Public School (NPS) services for special education students. The contract term shall be July 1, 2014, through and including June 30, 2015 in an estimated annual amount of \$320,000.00; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

**9. Pine Hill School**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2014 – June 30, 2015	\$850,000.00 (estimated annual expenditures) – Tuition	Special Education Services  Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve an Agreement with Pine Hill School for the procurement of NPS services to ESUHSD special education students for the 2014-15 school year. The estimated annual expenditure for this contract is \$850,000.00.

Specialized educational services are required to appropriately serve students who present with severe, unique emotional and/or developmental disabilities including mental retardation, autistic spectrum disorder, disruptive behavior, mood, disruptive behavior, anxiety and psychotic disorders. Pine Hill is a NPS offering such services that meet the widely varying needs of this unique group of students. Educational services shall be consistent with the master contract and specified services per the students’ IEPs.

**Selection Process**

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

When there is a determination made by the IEP team that ESUHSD is not able to meet a particular student’s educational needs, recommendations are presented at the student’s IEP meeting. Selection of a facility is based on the facility’s ability to meet the needs of a particular student. Therefore, referrals to any facility such as Pine Hill are made during the student’s IEP meeting by an ESUHSD Program Specialist after consultation with the ESUHSD’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 contract term July 1, 2014, through and including June 30, 2015, for the provision of NPS services for Special Education students in an estimated amount of \$850,000.00; to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

**10. Red Rock Canyon School (RATIFICATION)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Juan Cruz Toby Hopstone Donna Bertrand	May 8, 2014 – June 30, 2015	\$250,000.00 (estimated annual expenditures for services) -Tuition	Special Education Services  Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees ratify the Agreement with Red Rock Canyon School for the provision of residential, day treatment, mental health, Non Public School (NPS) and all other related services for a specific ESUHSD special education student. All services provided shall be in accordance with the Student’s IEP plan. The estimated expenditure for this contract is not-to-exceed \$250,000.00.

Red Rock Canyon School is located in St. George, Utah and provides 24/7 Intensive Therapeutic Services (Residential Program) program. It is a highly structured, 24-hour-a-day treatment program and NPS that provides a nurturing place for children to live in a neighborhood setting. Through a strength-based, family centered planning process, the team works in partnership to identify what skills and resources are needed. Services may include psychiatric evaluation and medication management, individual, group and family therapy, skill building and behavioral support services, crisis intervention, specialized academic instruction and psycho-education to caregivers related to their child’s special needs.

The goal of 24/7 Intensive Therapeutic Services is to stabilize children’s behavior and improve their daily functioning so that they can return to and maintain their lives back within their community and return to a comprehensive high school.

**Selection Process**

There was no competitive solicitation done for this type of service. This is a very specialized service for a very unique case. Other programs were researched and this facility was determined by ESUHSD staff as the best facility to meet the needs of this particular ESUHSD student.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the Agreement with Red Rock Canyon School for the provision of residential, day treatment, mental health, and all other related services for a ESUHSD special education student. The contract term shall be May 8, 2014, through and including June 30, 2015, in an estimated annual amount of \$250,000.00; to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

**11. Spectrum Center**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2014 – June 30, 2015	\$750,000.00 (estimated annual expenditures) - Tuition	Special Education Services  Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve an Agreement with Spectrum Center School for the procurement of NPS services to ESUHSD special education students for the 2014-15 school year. The estimated annual expenditure for this contract is \$750,000.00.

Specialized educational services are required to appropriately serve students who present with severe, unique emotional and/or developmental disabilities, including mental retardation, autistic spectrum disorder, disruptive behavior, 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.

When there is a determination made by the IEP team that ESUHSD is not able to meet a particular student’s educational needs, recommendations are presented at the student’s IEP meeting. Selection of a facility is based on the facility’s ability to meet the needs of a particular student. Therefore, referrals to any facility such as Spectrum Center are made during the student’s IEP meeting by an ESUHSD Program Specialist after consultation with the ESUHSD’s Special Services Coordinator.

Spectrum Center is n 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 contract term July 1, 2014, through and including June 30, 2015, for the provision of NPS services for Special Education students in an estimated amount of \$750,000.00; to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price



of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

## 12. The Speech Pathology Group

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Toby Hopstone Juan Cruz Donna Bertrand	July 1, 2014 – June 30, 2015	\$80,000.00  Special Services	Special Services  Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve an Agreement with The Speech Pathology Group for the procurement of speech therapy services to ESUHSD special education students for the 2014-15 school year. The estimated annual expenditure for this contract is \$80,000.00.

### Selection Process

The shortage of qualified Speech and Language Pathologists (SLPs) who are available to work in our high schools has been a serious challenge. We have been contracting with two excellent SLPs this year with two agencies that are responsive and support their staff well (BMR & EBS). Most local vendors have been solicited within the past year and several were contracted with, but were not able to provide SLPs.

ESUHSD would much prefer to hire our own full-time employees, and have pursued vigorously all applicants, including attendance at recruitment fairs in the hope of finding qualified candidates. ESUHSD will continue to search for candidates to fill the vacancies at ESUHSD, but in the meantime we require contracts to augment staff to provide necessary services to our students.

BMR, EBS, and The Speech Pathology Group are all companies with pools of local candidates who are highly qualified--often bilingual, able to work at the high school level, and are committed to providing the supervision and training necessary. Administration is requesting authorization from the Board of Trustees to contract with all three of these vendors for the 2014-15 school year.

### RECOMMENDATION

It is recommended that the Board of Trustees approve the Contract Services Agreement with The Speech Pathology Group. in the amount not-to-exceed \$80,000.00 for the contract term of July 1, 2014, through and including June 30, 2015; to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

## 13. Teach For America (RATIFICATION)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Chris D. Funk Cari Vaeth Donna Bertrand	July 1, 2012 – June 30, 2016	\$100,000.00 (not-to- exceed annual amount)  Human Resources	Human Resources  Cari Vaeth, Director of Human Resources

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to ratify the Agreement with Teach for America for the recruitment and related services for the contract term of July 1, 2012, through June 30, 2016. The contract shall not exceed \$100,000.00 per year.

**Selection Process**

No solicitation process took place for this service.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the Agreement with Teach for America in an amount not-to-exceed \$100,000.00 per year for the contract term of July 1, 2012, through and including June 30, 2016; to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

**14. WestEd**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Toby Hopstone Donna Bertrand Juan Cruz	July 1, 2014 – June 30, 2015	\$100,000.00  Special Services	Special Services  Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve an Agreement with WestEd for the continued assistance in the implementation of an aligned process, under the umbrella of Multi-Tiered Systems of Supports (MTSS), at ESUHSD site and District levels. The term of the Agreement shall be July 1, 2014, through and including June 30, 2015, in an amount not-to-exceed \$100,000.00.

The MTSS framework will be used to coordinate the implementation of the Coordinated Early Intervention Services (CEIS) plan in response to the determination of Significantly Disproportionate Representation in special education.

**Selection Process**

The Board of Trustees approved WestEd as a Sole Source vendor for this service at their September 19, 2013, Board Meeting.

**RECOMMENDATION**

It is recommended that the Board of Trustees approve the Agreement with WestEd to provide continued consultation services for the implementation of an aligned process in an amount not-to-exceed \$100,000.00. The term shall be July 1, 2014, through and including June 30, 2015; to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

### 15. Western Interpreting Network

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Toby Hopstone Juan Cruz Donna Bertrand	July 1, 2014 – June 30, 2015	\$80,000.00  Special Services	Special Services  Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve an Agreement with Western Interpreting Network for the procurement of interpreting services (deaf services) for ESUHSD special education students for the 2014-15 school year. The estimated annual expenditure for this contract is \$80,000.00.

#### **Selection Process**

During the 2013-14 school year when ESUHSD was first presented with this need, calls were made to every known Deaf Interpreting company. Western was contracted based on their staffing abilities. In order to maintain continuity with the student(s), we are recommending that we continue contracting with Western for this service.

#### **RECOMMENDATION**

It is recommended that the Board of Trustees approve the Agreement with Western Interpreting Network for the provision of interpreting services (Deaf) for the contract term of July 1, 2014, through and including June 30, 2015, for a not-to-exceed amount of \$80,000.00; to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.





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### Agenda Item Details

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Meeting	May 15, 2014 - ESUHSD REGULAR BOARD MEETING - 4:30 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 to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director of Capital Accounting and Purchasing, and Janice Unger, Capital Projects Purchasing Manager
Type	Action, Discussion
Recommended Action	It is recommended that the Board of Trustees approve the Bond/Capital Projects Contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

## EAST SIDE UNION HIGH SCHOOL DISTRICT

**Item: 15.01  
Amendment No. 2**

**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, André Bell, Assistant Director of Capital Accounting and Purchasing, and Janice Unger, Capital Projects Purchasing Manager

**SUBJECT:** Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000

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

**Fiscal Impact:**

As indicated in the attachment

**Funding Source:**

As indicated in the attachment

**Recommendation:**

It is recommended that the Board of Trustees approve the Bond/Capital Projects Contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

[Contracts Over \\$50K Original Memo.pdf \(652 KB\)](#)

[Contracts Over \\$50K Amendment No1 Memo.pdf \(106 KB\)](#)

[Contracts Over \\$50K.pdf \(126 KB\)](#)

**Motion & Voting**

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It is recommended that the Board of Trustees approve the Bond/Capital Projects Contract(s) as presented and with the contingency/understanding that approval of this item is a slight exception to Board Policy 3312.1.

Motion by Member Frank Biehl, second by Clerk Magdalena Carrasco.

Final Resolution: Motion Carries

Yea: Clerk Magdalena Carrasco, Member Frank Biehl, President J Manuel Herrera, Vice President Van Le

Not Present at Vote: Member Lan Nguyen

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Bond/Capital Projects Contract(s) for Services over \$50,000**  
**Board Meeting of May 15, 2014 - Item 15.01**

**1. Artik Art & Architecture**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Linda da Silva Janice Unger Marcus Battle	May 15, 2014, through project completion	\$88,454.00 (not to exceed)  Contingency: \$60,000.00  Measures I	Mt. Pleasant High School/Facilities  Teresa Marquez, 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 enter into and approve Work Authorization No. 02 with Artik Art & Architecture to provide architectural services for the Mt. Pleasant High School Buildings 1201-1223 Mini Campus Modernization Project (Project No.I-035-001). Master Agreement for architectural services was entered after April 17, 2014, following Board approval.

**Selection Process**

Administration solicited proposals (RFP-25-13-14) from the Board approved pool of District architectural consultants. Three (3) proposals were received and evaluated on experience, work plan, project team and fee by District staff members. The firms that submitted proposals for this project were Artik Art & Architecture, AEDIS and IBI Group. Upon a thorough examining of the proposals against the criteria sighted in the RFP, Artik Art & Architecture scored the highest and provided the best value to the District.

During this process it was discovered that we have (10) portables without certification. Additional work may be required by DSA for project closeout certification of the existing portables. Staff is asking for an owner's contingency of an estimated amount of \$60,000.00 to cover services from the architect of record if required by DSA.

**RECOMMENDATION**

It is recommended that the Board of Trustees enter into and approve an Agreement with **Artik Art & Architecture** for Mt. Pleasant High School Buildings 1201-1223 Mini Campus Modernization Project in an amount not to exceed \$88,454.00 and approve an owner's contingency amount not to exceed \$60,000.00.



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### Agenda Item Details

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Meeting	May 15, 2014 - ESUHSD REGULAR BOARD MEETING - 4:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR
Subject	18.01 Approve Contract(s) for Professional Services At or Below \$50,000
Type	Action
Recommended Action	It is recommended that the Board of Trustees approve the attached Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement(s) that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

### EAST SIDE UNION HIGH SCHOOL DISTRICT

**Item: 18.01  
Amended No.2**

**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 Contract(s) for Professional Services At or Below \$50,000

The attached list of Contract(s) for Professional Services at or below \$50,000 is/are being presented for Board review and approval as recommended.

**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 attached Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement(s) that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract.

[Contracts At or Below \\$50k\\_2014\\_0515.pdf \(37 KB\)](#)

[Contracts At or Below 50k\\_Memo\\_Replaced.pdf \(92 KB\)](#)

[Contracts At or Below 50K\\_Memo#2.pdf \(94 KB\)](#)

**Motion & Voting**

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It is recommended that the Board of Trustees approve the attached Contract(s) for Professional Services at or below \$50,000 subject to Board Policy 3312.1.

Motion by Member Frank Biehl, second by Clerk Magdalena Carrasco.

Final Resolution: Motion Carries

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

EAST SIDE UNION HIGH SCHOOL DISTRICT  
**Professional Contract(s) Services At or Below \$50,000**  
 Board Meeting of May 15, 2014

	<b>Contractor Name</b>	<b>Reviewed By</b>	<b>Contract Period</b>	<b>Cost/ Funding</b>	<b>School/Dept. Manager</b>	<b>Purpose</b>
1.	AMS Services, Annie Gambelin	Toby Hopstone Juan Cruz Donna Bertrand	September 1, 2014 – June 30, 2015	\$5,000.00  Special Services	Special Services  Toby Hopstone, Director of Special Services	To provide translations & interpretation services for IEP meetings.
2.	Asilomar	Juan Cruz Donna Bertrand	June 9-10, 2014	\$15,000.00  General Fund	Education Center/ Instructional Services  Juan Cruz, Assistant Superintendent	To provide sleeping rooms, meeting space, food, and beverage for Instructional Services Retreat.
3.	Bel-Aire Productions	Martha Brazil Juan Cruz Donna Bertrand	May 29-30, 2014	\$1,450.00  General Fund	Oak Grove  Martha Brazil, Principal	To provide the sound production for Oak Grove's graduation commencement ceremony. Services include all labor to set up, operate, and removal of the sound equipment.
4.	Cal Coast Telecom	Randy Phelps Anthony Revelo Donna Bertrand Marcus Battle	June 4, 2014 – August 19, 2014	\$30,000.00  Restricted Maintenance	Education Center/ District Wide  Randy Phelps, Director  Anthony Revelo, Coordinator	To provide maintenance services on ESUHSD's existing CCTV camera systems
5.	DJC Holdings, LLC dba N2Y	Toby Hopstone Juan Cruz Donna Bertrand	July 1, 2014 – June 30, 2015	\$15,000.00  Special Services	Special Services  Toby Hopstone, Director of Special Services	To provide introduction and overview of Unique Learning Systems (ULS) curriculum, instruction, and assessment for the Special Education Teachers with moderate/severe kids.

6.	Family & Children Services	Toby Hopstone Juan Cruz Donna Bertrand	July 1, 2014 – June 30, 2015	\$5,000.00  Special Services	Special Services  Toby Hopstone, Director of Special Services	To provide mental health services to ESUHSD special education student(s) in accordance with their IEP.
7.	James Bylund, Psy.D	Toby Hopstone Juan Cruz Donna Bertrand	July 1, 2014 – June 30, 2015	\$10,000.00  Special Services	Special Services  Toby Hopstone, Director of Special Services	To provide Independent Educational Evaluations (IEE) for special education students. As complete assessments are done by the district parents have the right to request an IEE if they disagree with the district's assessment and the district is responsible for the payment of the IEE.
8.	Karla Trujillo	Toby Hopstone Juan Cruz Donna Bertrand	July 1, 2014 – June 30, 2015	\$45,000.00  Special Services	Special Services  Toby Hopstone, Director of Special Services	To provide diabetic management services.
9.	Landscape Pest Control Services, Inc.	John Lawrence Linda DaSilva Marcus Battle Donna Bertrand	May 16, 2014 – June 30, 2015	\$15,000.00  Maintenance – General Fund	Education Center/ Maintenance  John Lawrence, Assistant Director	To provide pest control services for all ESUHSD sites.
10.	Parchment, Inc.	Juan Cruz Donna Bertrand	May 16, 2014 – June 30, 2018	No cost to ESUHSD	District Wide  Juan Cruz, Assistant Superintendent	To provide eTranscripts service to all school sites who wish to participate in this service. Parchment Send empowers our students and parents to order and track their transcript requests. At every step of the way, students and parents will know the status of their transcript requests and will not need to call the school. Parchment Send also makes it easier for the school sites to manage transcript requests by reducing the time it takes to process transcripts because there should be minimal need for printing, mailing, or questioning the status of the transcript request. With Parchment Send, it will all be taken care of. Parchment will charge the student requesting the transcript a nominal charge.

11.	Rita Renjitham Alfred	Toby Hopstone Juan Cruz Donna Bertrand	July 1, 2014 – June 30, 2015	\$40,000.00  Special Services	Special Services  Toby Hopstone, Director of Special Services	To plan and implement a framework of Restorative Justice and Practices, at three pilot high schools in ESUHSD.
12.	San Bernardino County Superintendent of Schools	Kirsten King Juan Cruz Donna Bertrand	July 1, 2014 – June 30, 2015	\$3,000.00  Professional Development	Education Center, Professional Development  Kirsten King, Director	To provide the on-going hosting of the ESUHSD's Organizational Management System (OMS) which provides online professional development registration for all ESUHSD employees. Services include data management, Title II Federal reporting functions, server maintenance, security back-ups, upgrades, and technical support for the ESUHSD system administrator.
13.	Shelley Davis	Toby Hopstone Juan Cruz Donna Bertrand	September 1, 2014 – June 30, 2015	\$6,800.00  Special Services	Special Services  Toby Hopstone, Director of Special Services	To provide social skills training to ESUHSD special education student(s) in accordance with their IEP.
14.	Stars School Solutions	Toby Hopstone Juan Cruz Donna Bertrand	September 1, 2014 – June 30, 2015	\$50,000.00  Special Services	Special Services  Toby Hopstone, Director of Special Services	To provide mental health services to Special Education Student(s) per their IEP.
15.	VT Safety Services	Toby Hopstone Juan Cruz Donna Bertrand	July 1, 2014 – June 30, 2015	\$5,000.00  Special Services	Special Services  Toby Hopstone, Director of Special Services	To provide annual CPR and First Aid training per State requirements.





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### **Agenda Item Details**

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Meeting	May 15, 2014 - ESUHSD REGULAR BOARD MEETING - 4:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	20. FACILITIES - CONSENT/ACTION CALENDAR
Subject	20.01 Approve Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000
Type	Action
Recommended Action	It is recommended that the Board of Trustees approve the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and Authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract.

## EAST SIDE UNION HIGH SCHOOL DISTRICT

### Item: 20.01 Amendment No. 2

**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, André Bell, Assistant Director of Capital Accounting and Purchasing, and Janice Unger, Capital Projects Purchasing Manager

**SUBJECT:** Approve Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

The attached lists the Bond/Capital Projects Contracts for Professional Services at or below \$50,000 being recommended for Board approval.

**Fiscal Impact:**

As indicated in the attachment

**Funding Source:**

As indicated in the attachment

**Recommendation:**

It is recommended that the Board of Trustees approve the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and Authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract.

[Contracts under \\$50K.pdf \(119 KB\)](#)[Contracts At or Below \\$50K\\_Bond\\_5-15-14\\_Memo Replaced.pdf \(94 KB\)](#)**Motion & Voting**

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It is recommended that the Board of Trustees approve the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 subject to Board Policy 3312.1.

Motion by Member Frank Biehl, second by Member Lan Nguyen.

Final Resolution: Motion Carries

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

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Bond/Capital Projects Professional Contract Services At or Below \$50,000**  
 Board Meeting of May 15, 2014 - Item 20.01

**A. BOND / FACILITIES**

	<b>Contractor Name</b>	<b>Reviewed By</b>	<b>Contract Period</b>	<b>Cost/ Funding</b>	<b>School/Dept. Manager</b>	<b>Purpose</b>
1.	Construction Inspection Services, CIS, Inc.	Linda da Silva Marcus Battle Janice Unger	May 16, 2014 – project completion	\$11,250.00 (not to exceed)  Measure G	Silver Creek High School/Facilities  Adolfo Laguna, Principal  Linda da Silva, Director of Construction, Maintenance & Facilities	Provide DSA inspection services for the Silver Creek High School Stadium Lighting Project. (Project No. G-055-216)  Administration solicited (RFP-18-13-14) to the District's Board approved IOR (Inspector of Record) pool of consultants. Two (2) consultants submitted proposals. All proposals were evaluated and Construction Inspection Services, CIS, Inc., submitted the most responsive/responsible proposal for this project.
2.	Construction Inspection Services, CIS, Inc.	Linda da Silva Marcus Battle Janice Unger	May 16, 2014 – project completion	\$6,000.00 (not to exceed)  Measure E	Evergreen Valley High School/Facilities  Lauren Kelly, Principal  Linda da Silva, Director of Construction, Maintenance & Facilities	Provide DSA inspection services for the Evergreen Valley High School Misc. Building Improvements Project. (Project No. E-075-004)  Administration solicited (RFP-17-13-14) to the District's Board approved IOR (Inspector of Record) pool of consultants. Administration received one (1) proposal from the pool. The proposal was evaluated and Construction Inspection Services, CIS, Inc., submitted a responsive/responsible proposal for this project.
3.	Furman & Associates, Inc.	Linda da Silva Marcus Battle Janice Unger	May 16, 2014 – project completion	\$5,040.00 (not to exceed)  Measure I	James Lick High School/Facilities  Glenn VanderZee, Principal  Linda da Silva, Director of Construction, Maintenance & Facilities	Provide DSA inspection services for the James Lick High School Building 200/300 Integrated Classroom Conversion Project. (Project No. I-030-001)  Administration solicited (RFP-16-13-14) to the District's Board approved IOR (Inspector of Record) pool of consultants. Administration received one (1) proposal from the pool. The proposal was evaluated and Furman & Associates, Inc., submitted a responsive/responsible proposal for this project.

4.	Ninyo & Moore	Linda da Silva Marcus Battle Janice Unger	May 16, 2014 – project completion	\$11,874.00 (not to exceed)  Measure G	Silver Creek High School/Facilities  Adolfo Laguna, Principal  Linda da Silva, Director of Construction, Maintenance & Facilities	Provide material testing and special inspection services for the Silver Creek High School Stadium Lighting Project. (Project No. G-055-216)  Administration solicited (RFP-19-13-14) to the District's Board approved Special Testing & Inspection pool of consultants. Six (6) consultants submitted proposals. All proposals were evaluated and Ninyo & Moore submitted the most responsive/responsible proposal for this project.
5.	NetXperts, Inc.	Randy Phelps Marcus Battle Janice Unger	No change  Original Board Approval: April 16, 2013	\$5,775.00 (not to exceed)  Measure E	Education Center/Information Technology  Randy Phelps, Director of Information Technology	<b>REQUEST FOR RATIFICATION</b> Change order #1 is needed to cover monthly charges for overages in March and July, 2013.  Contract services were to provide services and goods for the phone mail upgrade. Project is now complete.  Original contract amount (approved 4/16/13) \$37,338.75 + change order #1 \$5,775.00 = a new contract amount of \$43,113.75.