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Agenda Item Details

Meeting	Jan 15, 2015 - 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 November 20, 2014, Special Board Meeting
Access	Public
Type	Action
Recommended Action	It is recommended that the Board of Trustees approve the November 20, 2014, Special 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 November 20, 2014, Special Board Meeting

Attached are the minutes of the November 20, 2014, Special 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 November 20, 2014, Special Board Meeting minutes as presented.

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED January 15, 2015**

[BA_20141120_Special_Minutes.pdf \(585 KB\)](#)

**EAST SIDE UNION HIGH SCHOOL DISTRICT
SPECIAL MEETING
OF THE
BOARD OF TRUSTEES
Meeting Held at Education Center – Board Room
November 20, 2014
4:00 p.m.**

1. CALL TO ORDER/ROLL CALL

1.01 Roll Call

The Special Meeting of the Board of Trustees was called to order at 4:08 p.m. by President Herrera. Present for roll call were President Herrera, Vice President Le, Clerk Carrasco, and Member Biehl. Member Nguyen participated in the Special Meeting via teleconference from the following location:

*Omni Rancho Las Palmas Hotel
41000 Bob Hope Drive, Room #428
Rancho Mirage, CA 92270
Telephone Number: (408) 630-9997*

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): A-C

Student A:

Motion by Member Biehl, second by Member Nguyen, to approve the expulsion of Student A as modified.

Vote: 5/0

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

Student B:

Motion by Vice President Le, second by Member Biehl, to approve the expulsion of Student B.

Vote: 5/0

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

Student C:

Motion by Member Nguyen, second by Clerk Carrasco, to approve the expulsion of Student C.

Vote: 5/0

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

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)

The Board, by a vote of 5/0, approved a notice of intent to suspend without pay and statement of charges for one certificated teacher pursuant to Education Code 44932 and 44934.

Vote: 5/0

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

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 Educational Services

Cari Vaeth, Associate Superintendent of Human Resources

Employee Organizations:

American Federation of Teachers (AFT)
California School Employees Association (CSEA)
East Side Teachers Association (ESTA)
Administrator Collaborative of East Side (ACES)

Unrepresented Organizations:

Administrators
Managers
Confidential Employees

**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 L. Rutab; and,*
- *Two (2) Potential Cases*

The Board, on a vote of 5/0, approved the rejection of claim for damages of L. Rutab.

Vote: 5/0

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

**2.07 Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to subdivision (d)(4) of Government Code
Section 54956.9**

- *Two (2) Potential Cases*

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

5.01 For consideration by the Board of Trustees

There were no changes to the agenda.

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

6.01 **Four-Year Navy ROTC Scholarship Award**

- Tina Le, Piedmont Hills High School

7. **Student Board Liaisons**

7.01 **Independence High School**

- Lamanh Le, ASB President
- Kelly Vo, ASB Vice President of Special Events

7.02 **James Lick High School**

- Crystal Nguyen
- Michael Orozco
- Jaelyn Fitzgerald

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 **Report on Latino/Latina Role Model Conference - Esau Herrera, Conference Director**

Report/presentation only; no action taken on this item

8.03 **Discussion and/or Action regarding Follow Up to Board Study Session of November 13, 2014: Budget Update - Chris D. Funk Superintendent**

- Hope Samora
- Alyssa Aguirre
- Katherine Smallwood
- Kaitlin Jenkins
- Andrew He
- Ian Fay
- Nate South
- Dan Johnson
- Marisa Hanson
- Martin Brandt
- Pritpal Bhullar
- Erika Dunn
- David Parrott
- Sharlisa Byrd
- Michelle Nguyen
- Brian Wheatley
- Jeremiah Loree
- Gavin Lam

- *Danielle Nouriazad*
- *Lynne Bramlett*
- *Julie Gonzalez*
- *Nikki Nguyen*
- *Jennifer Black*
- *Jerry Dyer*
- *Eduardo Villa*
- *Nancy Kennett*
- *Tricia Bolster*
- *Brian Sangalang*
- *Shaan Saini*
- *Trent McLane*
- *Joanna Shea*
- *Rosalind Taylor*
- *Katrina Bracamonte*
- *Baylee Anne Brecheen*
- *Mehdi Panahi*
- *Brian Hoang*
- *Ann Shioji*
- *Shashank Ragani*
- *Kathy Tran*
- *Frank Nieman*
- *Garrett Davies*
- *Kiana Bayette*
- *Joseph Morgay*
- *Octavio Fierro*
- *Anita Pourmaghaddam*
- *Jacqueline Cao*
- *Alondra Jimenez*
- *Daniel Exberger*
- *Harrison Nguyen*
- *Ruth Muluneh*
- *Jennifer Bettencourt*
- *Tyree Ross*
- *Angie Nunn*

Presentation only; no action taken on this item

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

- 9.01 **Hold Public Hearing at Approximately 6:15 p.m. regarding Proposed Amended Board Policy #3290, including Internal Controls to protect the Integrity of the Public Funds and to Ensure that Funds raised benefit Public Education, and that the Contracts are entered into on a Competitive Basis Pursuant to Procedures contained in Section 20111 of the Public Contract Code or through the Issuance of a Request for Proposal (Education Code Section 35182.5)**

Public hearing held

There were no public speakers on this item.

No action taken on this item.

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.

Anyone wishing to address the Board from either the teleconference location or the Board Room meeting location regarding Closed Session items may speak at this time. Persons present in the Board Room wishing to address the Board on Closed Session items or any subject not on the agenda must fill out a gold request form, which is located at the entrance of the Board Room. Persons wishing to address the Board from the teleconference location should state his/her name before speaking.

Public speakers:

- *Coy Garrett – Students receiving substandard Services*
- *Susan Williams – Crosswalks / Safety of Students*
- *Dorothy Hines – Receiving special education students from SCCOE*

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

- 11.01 **Pending Board Vacancy: Process for Appointment and Provisional Appointment to the Governing Board - J. Manuel Herrera, Board President**

Public speaker:

- *Marisa Hanson*

Rogelio Ruiz, Legal Counsel

Board Member Magdalena Carrasco has submitted her formal letter of resignation as Board Member of East Side Union High School District, effective December 31, 2014, at 11:59 PM.

The resignation allows the Board the ability to begin the process of discussing the process for appointment and provisional appointment to the ESUHSD Governing Board to fill the seat to be vacated by Board Member Carrasco, a remaining two-year term.

Board ByLaw 9223 sets for the process for a provisional appointment in the event of a vacancy. Since Member Carrasco's resignation is occurring more than 4 months before an election, the Board has the option of either calling an election or filling the seat with a provisional appointment until the next election. The Board ByLaw is quite detailed and explains the process if the Board decides to make a provisional appointment.

In terms of a provisional appointment, once Member Carrasco submits her letter of resignation with the deferred effective date of December 31, 2014, at 11:59 PM, as a matter of law, if the Board is going to move forward with the provisional appointment process, it will have to make the provisional appointment within 60 days after that date. If the Board does not make the provisional appointment, then automatically, the County Superintendent of Schools will have to call an election for someone to fill the seat. The Board will have to make the provisional appointment within 60 days after the effective date of Member Carrasco's resignation. If no action is taken by the Board to, then the power to call the election transfers to the County Superintendent of Schools.

ByLaw 9923 states that in order to draw from the largest pool of candidates the Board shall advertise in local media to solicit candidate applications and/or nominations. The Board, however, shall establish the timeline and rules for the selection of the provisional appointee. The Board shall approve the application and set of questions for all candidates to answer in writing. A committee consisting of less than the quorum of the Board shall ensure that the applicants are eligible for Board membership; announce the names of the eligible candidates; the qualifications are those set by law – meaning a resident of the State, 18 years old, and registered to vote. The applications of eligible candidates will be forwarded to all Board Members. At this point the Board may elect to appoint an advisory committee to, at a public meeting, review applications, interview candidates, and make recommendations to the Board, however, the Board is not restricted or bound by the Advisory Committee's recommendation and may appoint any eligible candidates. The Board shall interview the candidates of its choosing from the list of eligible applicants at a public meeting and accept oral or public input and select the provisional appointee by a majority vote. If after three attempts, the Board is unable to reach a majority vote for one candidate, the Board may agree to determine the provisional appointment by lot.

Motion #1

Motion by Member Biehl, second by Vice President Le, to select the provisional appointment process as the method to fill the seat to be vacated by Member Carrasco.

Vote: 5/0

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

Motion #2

Motion by Member Biehl, second by Member Nguyen, to appoint President Herrera as chair, Vice President Le as vice chair, and Member Biehl as alternate to facilitate/guide the process, from beginning to its completion, which includes chairing the interview process by the Board of Trustees.

Vote: 5/0

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

11.02 Discussion and/or Action regarding Call for Nominations to CSBA Delegate Assembly – Frank Biehl, Board Member

Item to be taken to December Board Meeting for nominations and/or action.

11.03 Discussion and/or Action to Receive and Adopt Third Reading of Amended Board ByLaw #9270 Conflict of Interest and Revolving Door Restrictions and Reauthorize Resolution #2014/2015-06

Motion by Member Biehl, second by President Herrera, to receive and adopt the third reading of Board ByLaw #9270 Conflict of Interest and Revolving Door Restrictions and Reauthorize Resolution #2014/2015-06.

Vote: 5/0

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

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

12.01 Discussion and Information regarding No Child Left Behind and Magnet Program Transfers - Juan Cruz, Associate Superintendent of Educational Services

Presentation item; no action taken

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

13.01 Presentation, Discussion and/or Action regarding the Child Nutrition Services Program - Marcus Battle, Associate Superintendent of Business Services, and Julie Kasberger, Director of General Services

Presentation item; no action taken

13.02 Discussion and/or Action to Approve One Day Material Decrease of School Attendance for Santa Teresa High School due to School Threats and Rumors of Shooting and Bombing on October 9, 2014 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance

Motion by Member Biehl second by Clerk Carrasco, to approve the submission of Form J-13A for the one day material decrease of attendance on Thursday, October 9, 2014, for Santa Teresa High School.

Vote: 5/0

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

13.03 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, André Bell, Assistant Director of Capital Accounting and Purchasing, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Motion by Vice President Le, second by Member Nguyen, to approve the contract(s) for professional services over \$25,000 as presented and authorization 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 per Board Policy 3312.1.

Vote 5/0

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

13.04 Discussion and/or Action to Receive and Adopt Second Reading of Amendment to Board Policy #3320 and Approve Accompanying Resolution #2014/2015-08 (Claims and Actions Against the District; Resolution Delegating Authority to the Superintendent to Allow, Compromise, or Settle Certain Claims) (Government Code Section 935.4) – Marcus Battle, Associate Superintendent of Business Services

Motion by Vice President Le, second by Member Nguyen to receive and adopt the second reading of amended Board Policy #3320 Claims and Actions Against the District and approve and adopt Resolution #2014/2015-08 to Delegate its Authority to the Superintendent to Allow, Compromise, or Settle Claims of Fifty Thousand Dollars (\$50,000.00) or less Against the District only Pursuant to any Conditions of Coverage in the District's JPA Agreement or Insurance.

Vote 5/0

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

13.05 Discussion and/or Action to Receive and Adopt Third Reading of Amendment to Board Policy #3350 Travel Expenses - Marcus Battle, Associate Superintendent of Business Services

Motion by Member Biehl, second by Vice President Le, to receive and adopt the third reading of amended Board Policy #3350 Travel Expenses.

Vote 5/0

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

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

14.01 Discussion and/or Action to Approve Provisional Internship Permit Requests for Certificated Employees - Cari Vaeth, Associate Superintendent of Human Resources

Motion by Member Biehl, second by Clerk Carrasco, to approve the provisional internship permit requests for certificated employees as specified.

Vote 5/0

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

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 of Capital Accounting and Purchasing, and Janice Unger, Capital Projects Purchasing Manager

Motion by Member Biehl, second by Member Nguyen, to 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.

Vote: 5/0

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

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 Vice President Le, second by Member Biehl, to ratify the CUPCCAA informal projects as presented.

Vote: 5/0

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

15.03 Discussion and/or Action to Determine that Design-Build Delivery for the Yerba Buena High School New Student Union and Quad Modernization Project will Reduce Project Costs, Expedite the Project's Completion, or Provide Features not Achievable through the Design-Bid-Build Process - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities

Motion by Member Biehl, second by Vice President Le, after having reviewed the guidelines developed pursuant to Education Code §17250.40, approve the determination that design-build delivery for the Yerba Buena High School New Student Union and Quad Modernization Project will reduce project costs, expedite the project's completion, or provide features not achievable through the design-bid-build process.

Vote: 5/0

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

15.04 Adopt Resolution #2014/2015-07 Approving Use of the Design-Build Delivery Method for the Yerba Buena High School New Student Union and Quad Modernization Project - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities

Motion by Vice President Le, second by Member Biehl, after approving the determination that design-build delivery for the Yerba Buena High School New Student Union and Quad Modernization Project will reduce project costs, expedite the project's completion, or provide features not achievable through the design-bid-build process, and after reviewing the guidelines developed pursuant to Education Code §17250.40, adopt a resolution approving the use of design-build delivery prior to entering into a design-build contract.

Vote: 5/0

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

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 Member Nguyen, second by Vice President Le, to approve the consent/action calendar, sections 16-20, as presented, except for item 18.01, which was pulled from the consent calendar for discussion.

Vote: 5/0

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

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

16.01 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/ Workshops/Meetings

16.02 Approve Minutes of September 25, 2014, Board Meeting/Study Session

16.03 Approve Minutes of October 16, 2014, Regular Board Meeting

17. Educational Services / Student Services - Consent / Action Calendar

17.01 Approve School Field Trips

17.02 Approve Amended Expulsion Hearing Committee Personnel for 2014-2015

18. Business Services - Consent / Action Calendar

18.02 Approve Memoranda of Understanding

18.03 Approve Purchase Orders

18.04 Approve Change Orders to Purchase Orders

18.05 Accept Report of Credit Card Purchases for Statement Dated September 22, 2014

18.06 Approve Budget Transfers

18.07 Accept Warrant Register for the Month of October, 2014

19. Human Resources - Consent / Action Calendar

19.01 Ratify/Approve Classified Personnel Actions Presented November 20, 2014

19.02 Ratify/Approve Certificated Personnel Actions Presented November 20, 2014

19.03 Ratify/Approve Student Aide Personnel Actions Presented November 20, 2014

20. Facilities - Consent / Action Calendar

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

20.02 Approve Award of Bids and Request for Proposals for Bond/Capital Projects

20.03 Approve Final Change Order #1 for Independence High School Modernization of Building G and N Project No. E-065-004/005 (Gonsalves & Stronk Construction Company, Inc.)

Item pulled for discussion:

18.01 Ratification of Contract(s) for Professional Services At or Below \$25,000

Member Biehl's wife is employed by the Foothill Community Clinic. He recused himself from discussing and voting on item 18.01; left the room.

Motion by Member Nguyen, second by Vice President Le, to ratify the contract(s) for professional services at or below \$25,000 as presented and 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 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 per Board Policy 3312.1.

Vote: 5/0

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

Legal Counsel

For the record, Member Biehl's interest is a remote interest. His wife is an employee of a non-profit.

21. WRITTEN REPORTS/RECOMMENDATION

21.01 Receive Annual Developer Fees Report

Item received

21.02 Receive Self-Insured Schools of California (SISC) GASB 45 Quarterly Report Ending September 30, 2014

Item received

21.03 Receive Silicon Valley Community Foundation Quarterly Statement for the Go For It! Scholarship Fund as of September 30, 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

21.05 Receive Quarterly Report on the County of Santa Clara Treasury Investment Portfolio Status as of September 30, 2014

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
Independent Study Program Report	March, 2015	Report

Board Member Frank Biehl

Item	Date (tentative)	Type
Special Education Program Update (County & District Wide)	March, 2015	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
Failed Courses	Quarterly	Report
After School Programs/Homework Centers	December, 2014	Report
ELD Report	January, 2015	Report

Board Member Frank Biehl

Item	Date (tentative)	Type
Establish Task Force to Review Schools' Start Times	January, 2015	Discussion/Action

Board Member Lan Nguyen

Item	Date (tentative)	Type
International Baccalaureate (IB) Program	March, 2015	Presentation/Discussion

22.03 Annual Governance Calendar

July
Summer School Program (concludes session)
Summer School Graduation
August
Board Retreat
Expulsion Hearing Panel Committee
First Day of School
Williams Quarterly Report
September
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
October
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
Superintendent's Annual Evaluation
Williams Quarterly Report
November
Board Study Session/Workshop
Election Orientation for New Board Members
December
Annual Organizational Board Meeting
CSBA Annual Conference
Election Orientation for New Board Members
End of First Semester
First Interim Report
Receive Annual Developer Fees Report
Superintendent's Mid-Year Evaluation
January
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

February
African American Students Achievement Awards
Audit Committee Charter Amendment(s)
CSBA Delegate Assembly Election
Non-Re-Elects
March
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
Latino Student Awards
March 15 Notices
Safety Plan Goals for Each Site
Second Interim Report
SJPD Secondary Employment Application
Vietnamese Students Achievement Awards
April
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
May
Board Self-Evaluation
Budget (Preliminary/Draft) Presentation
Employee Recognition Event
Graduations
Honor Nights
Last Day of School
Sports Recognitions (Winter/Spring)
June
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 Capital 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

J. Manuel Herrera, Board President

I also want to acknowledge Anthony Phan who ran a remarkable campaign. People don't realize just what it takes to put it together. He gave us all a run for our money. It had us worried early in the evening and stayed right up there as the count proceeded. Anthony, congratulations to you, your team and supporters. We acknowledge you.

I am grateful for the support received in this election. I was concerned. You never know, but as the night went on, I started to smile. I feel grateful and humbled by the support. Here I go, another 4 years. I never thought I would be doing this when I started in 1990. The editorial endorsing the incumbents said I was a 20 year veteran. They were off by 4 years. I am a 24 year veteran and going for another 4. So, who knows when that record will ever be broken as the longest serving member, but it is a privilege to serve the East Side Union High School District.

Van Le, Board Vice President

I want to thank everyone who voted and supported me. It was an amazing and challenging journey for me. I am honored to be on the Board and to have been reelected.

Thank you to the Principals and Associate Principals that supported me during my site visits. Also, I enjoyed attending homecoming at several of our sites.

Magdalena Carrasco, Board Clerk

I want to thank all our Trustees for winning their election. I also want to acknowledge Anthony Phan who is in the audience for running a good campaign. It is not easy being a candidate. It is not easy running a campaign. I want to congratulate you for your bravery, your courage, and your desire to represent the community. At the end of the day, we all do it because we have a desire to serve our community. So, I want to congratulate Anthony and your mother.

I also want to acknowledge, again, our students, parents, teachers, staff and employees who are here for all their hard work. I also want to, for the record, recognize today as a very historic day, as you know, today Obama made us proud by signing an executive order the extension and expansion of DACA. For 5 million of our undocumented residents, they will now be able to apply for a 2-year residential program that allows them to work and to come out of the shadows of society and fear of being persecuted or separated from their families. It is a historic moment for our communities, regardless of where you come from and where you live. It is a day that makes me proud to have our President do the right thing.

Lan Nguyen, Board Member

It was a long meeting, but it was a fruitful meeting. It is a tough situation we are in right now, but I believe the District and the teachers union will be able to come to an agreement where both sides are going to be able to agree on.

Frank Biehl, Board Member

I thank all of you for placing confidence in me to once again serve this Board. I welcome the challenge. It is always a challenge and a great group of people to work with.

I did attend the 50th Homecoming Anniversary at Mt. Pleasant High School. That's a community that has multiple generations that have gone to that school. It was a great celebration and a lot of fun to be able to watch it. One of my sons graduated from that high school as well.

I am setting up my visits to our high schools in December and hope to have that done by February, two or three a week. I have about 2-3 more schools to schedule.

23.02 Chris D. Funk, Superintendent

No report/comments

24. REPORT CLOSED SESSION ACTION(S)

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

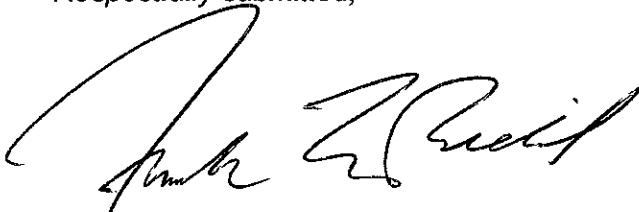
See section 2.0 for reporting out of Closed Session items.

25. ADJOURNMENT

President adjourns the meeting.

The meeting was adjourned at 11:28 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Funk", written in a cursive style.

Board Clerk



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Agenda Item Details

Meeting	Nov 20, 2014 - ESUHSD SPECIAL BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	13. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION
Subject	13.03 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, André Bell, Assistant Director of Capital Accounting and Purchasing, 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 contract(s) for professional services over \$25,000 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 per Board Policy 3312.1.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 13.03

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, André Bell, Assistant Director of Capital Accounting and Purchasing, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

SUBJECT: Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000

The attached contract(s) for professional services over \$25,000 are being presented for Board review and approval and to authorize administration to amend said contracts in accordance with Board Policy 3312.1.

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 \$25,000 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 per Board Policy 3312.1.

[11-20-2014 Contracts over \\$25k.pdf \(104 KB\)](#)

Executive Content

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contract(s) for Professional Services Over \$25,000
 Board Meeting of November 20, 2014; Item 13.03

1. AchieveKids (Change Order No. 1)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Toby Hopstone Donna Bertrand	July 1, 2014 – June 30, 2015 (no change)	\$150,000.00 (increased amount) Tuition	Special Services Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve Change Order No. #1 to the Agreement with AchieveKids for the provision of Non-Public School (NPS) services for ESUHSD special education students for the 2014-15 school year.

Change Order No. #1 is issued due to the increase in the number of ESUHSD Special Education Students requiring placement at this facility. AchieveKids provides specialized educational services to students who present 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 each students Individual Education Program (IEP).

There are no changes to the services or other terms and conditions being requested at this time.

Original contract amount (Board approved 5/15/14) \$400,000 + Change Order No. #1 for \$150,000 = new contract total of \$550,000.

Selection Process

Not applicable

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order No. #1 to the Agreement with AchieveKids for the provision of Non-Public School (NPS) services for special education students for the increased amount of \$150,000 and authorize Administration to execute change orders in accordance with Board Policy 3312.1. All other contractual terms and conditions remain unchanged at this time.

2. America's Business Leaders (Change Order No. 1)

Reviewed by	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Donna Bertrand	October 1, 2014 – September 30, 2015 (extended term)	\$35,500.00 Santa Clara County Office of Education Grant (no change)	District Wide Juan Cruz, Associate Superintendent of Educational Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve Change Order No. 1 to the Agreement with America's Business Leaders for the purpose of providing IMPACT! Youth Empowerment Program to ESUHSD.

Change Order No.1 is issued to extend the term of the Agreement through September 30, 2015, so that the IMPACT! Youth Empowerment Program can be provided through September 26, 2015. The IMPACT! Youth Empowerment Program is a two tier student leadership development program. Tier 1 is an eight module, research base leadership development program designed to create a team of young leaders in the field of

service learning. Tier 2 is a student led leadership program allowing peer-to-peer development. The purpose of the program is to inspire, teach, and empower each participant to become a contributing member of society by channeling their energies into positive efforts that benefit their families, schools, and communities by developing a consciousness for social change.

Selection Process

Not applicable

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order No. #1 to the Agreement with America's Business Leaders for the purpose of providing The IMPACT! Youth Empowerment Program for the extended contract term of October 1, 2014, through September 30, 2015, in the amount of \$35,500 and authorize Administration to execute change orders in accordance with Board Policy 3312.1.

3. College Board (RATIFICATION)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Donna Bertrand	July 1, 2014 – June 30, 2017	\$220,440.00 Estimated Total Contract Amount \$70,440.00 2014-2015 Contract amount Various Funding	District Wide Juan Cruz, Associate Superintendent of Educational Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to ratify the Contract with the College Board for the provision of administering the PSAT/NMSQT® Exam to all ESUHSD sophomore classes.

Selection Process

No solicitation process took place for this service.

RECOMMENDATION

It is recommended that the Board of Trustees ratify the three-year Contract with the College Board for the term July 1, 2014, through June 30, 2017, in the total estimated amount of \$220,440 and authorize Administration to execute change orders in accordance with Board Policy 3312.1.

4. San Joaquin County Office of Education (SJCQE) (Ratification)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Toby Hopstone Juan Cruz Donna Bertrand	November 1, 2014 – June 30, 2017	\$32,475.75 Special Services	Special Services Toby Hopstone, Director

East Side Union High School District (ESUHSD) is requesting the Board of Trustees to ratify a multi-year License Agreement with San Joaquin County Office of Education for the use of their Special Education Information System (SEIS).

The SEIS is a web-based suite of tools for use by special education programs in formulating, updating, tracking, storing, and reporting on student data and Individualized Education Plans ("IEPs"). Cost includes all implementation costs and training for ESUHSD staff.

Selection Process

No selection process took place for this service.

RECOMMENDATION

It is recommended that the Board of Trustees ratify the multi-year License Agreement with San Joaquin County Office of Education for the use of their Special Education Information System (SEIS) as outlined above for the contract term of November 1, 2014, through June 30, 2017, for the amount of \$30,637.50 and to execute change orders in accordance with Board Policy 3312.1.

5. Shane Safir (Ratification)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Martha Brazil Juan Cruz Donna Bertrand	October 17, 2014 – June 30, 2015	\$30,000 50% Title I 50% EIA	Oak Grove Martha Brazil, Principal

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to ratify the Contract Services Agreement with Shane Safir.

The Consultant will provide executive coaching and leadership team development for Oak Grove High School Administration and staff. Services include, but may not be limited to, the facilitation of monthly Leadership Team sessions, facilitation of an all-day Leadership Team retreat, and monthly coaching sessions for the administrative team. All material prep for retreats and monthly meetings will be coordinated by the school. All work will be aligned with ESUHSD's Strategic Plan.

Selection Process

No selection process took place for this service.

RECOMMENDATION

It is recommended that the Board of Trustees ratify the Agreement with the Shane Safir for the provision of Consultation Services as outlined above for the contract term of October 17, 2014, through June 30, 2015, for the amount of \$30,000 and to execute change orders in accordance with Board Policy 3312.1.

6. WestEd

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Paul Kilkenny Kirsten King Juan Cruz Donna Bertrand	November 20, 2014 – June 30, 2015	\$30,000 estimated Participating teachers will receive stipends (REVENUE)	District Wide Juan Cruz, Associate Superintendent of Educational Services Paul Kilkenny, Subject Area Coordinator

East Side Union High School District (ESUHSD) is requesting the Board of Trustees to approve the Contract Services Agreement with WestEd for the use of their Sim Human Body Systems software and training to participating teachers.

WestEd has been funded by the National Science Foundation (NSF) to conduct a research project during the 2014-15 school year that examines how to best use technology to help students integrate and express their science knowledge through computer-based simulations. The interactive, online modules are aligned to the Next Generation Science Standards (NGSS) with particular emphasis on developing and using models of human body systems at scales ranging from molecules to the whole body.

ESUHSD participating teachers will receive orientation and training, engaging simulation-based computer program lessons to use with their students, and stipends up to \$1,500 for their involvement in the study.

Selection Process

Not applicable

RECOMMENDATION

It is recommended that the Board of Trustees approve the Contract Services Agreement with WestEd for the use of their Sim Human Body Systems software and training to participating teachers as outlined above for the contract term of November 20 2014, through June 30, 2015, for the revenue estimated amount of \$30,000 and to execute change orders in accordance with Board Policy 3312.1.



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Agenda Item Details

Meeting Nov 20, 2014 - ESUHSD SPECIAL 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 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

Access Public

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.

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, 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 FINAL2.pdf \(147 KB\)](#)

[Attachment E.pdf \(315 KB\)](#)

[Attachment F.pdf \(178 KB\)](#)

[Attachment C.pdf \(612 KB\)](#)

[Attachment B.pdf \(369 KB\)](#)

[Attachment A.pdf \(237 KB\)](#)

[Attachment D.pdf \(138 KB\)](#)

Executive Content

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contract(s) for Services over \$50,000
Board Meeting of November 20, 2014 - Item 15.01

1. Cody Anderson Wasney Architects – AMEND RATIFICATION – OCTOBER 16, 2014

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger André Bell Marcus Battle	October 20, 2011 – February 28, 2014 (extended to December 31, 2014)	\$37,510.00 (not to exceed increased amount) Measure E	Andrew Hill High School/ Facilities Bettina Lopez, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify Amendment No. 02 & Amendment No. 03 and Change Order No. 02 to Purchase Order #201164 to extend the contract time and increase fees on Work Authorization No. 04 for the extended scope of services requested by staff for the Andrew Hill High School Addition of Building 100 Project (E-025-003). The increase amount for Amendment No. 2 is for \$21,000.00. The increase amount for Amendment No. 03 is for \$16,510.00.

On May 31, 2011, the Board of Trustees approved an architectural work authorization agreement for the design of the Andrew Hill High School Addition of Building 100 Project with Cody Anderson Wasney Architects (Attachment A).

On February 16, 2012, the Board of Trustees approved a Change Order No. 01 to Purchase Order #201164 for the increased amount of \$277,000.00 (Attachment B).

On October 16, 2014, the Board of Trustees ratified Change Order No. 02 to Purchase Order #201164 for Amendment Nos. 03 & 04 to Work Authorization No. 04 for a total of \$37,510.00. (Attachment C).

This amendment to October 16, 2014, change order ratification is to correct a mistake made in the table below. The error deducted the \$10,000 credit twice. Below is the correct calculation for this purchase order/contract.

Original Contract Amount	\$392,000.00
Credit Back	(10,000.00)
Previous Change Order Amounts	\$287,000.00
Contract Amount Prior to this Change Order	\$669,000.00
Change Order No. 02 (Amendment No. 02 & No. 03)	\$37,510.00
Revised Contract Amount	\$706,510.00

RECOMMENDATION

It is recommended that the Board of Trustees accept this amendment to previous change order ratification for the Purchase Order #201164 with **Cody Anderson Wasney Architects** for the addition of Building 100 Project at Andrew Hill High School.

2. Facilities Management Planning and Operations, Inc. (FMPO) - Ratification

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger André Bell Marcus Battle	May 07, 2010 through May 05, 2013	\$50,191.00 (not to exceed increased amount) Measure E	Calero High School/Facilities Robert Ibarra, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify Change Order No. 02 to Purchase Order No.003268 and Amendment 02 to true-up (balancing) CM agreement for the final construction cost of the project (\$38,591) and for Move Management and Furniture Fixtures and Equipment coordination in the amount of \$11,600 for services provided for the Calero High School Modernization Project (E-080-002).

On May 06, 2010, the Board of Trustees awarded a construction management services contract for the Calero High School Modernization Project with Facilities Management Planning and Operations, Inc. in the amount of \$427,500.00. (FMPO) (Attachment D).

On October 20, 2011, the Board of Trustees awarded Change Order No. 01 in the amount of \$95,550.00 to FMPO for the six month time delay in finalizing necessary budget adjustments to complete the scope of work that the design and construction team was direct to provide from the program group (Attachment E).

This Change Order No. 02 for Purchase Order No. 003268 is for a total of \$50,191.00.

- Final construction cost = \$9,360,684 at 6% =\$561,641 minus \$523,050 (\$427,500 + \$95,550) = \$38,591.00.
- Move management and Furniture Fixtures and Equipment coordination cost = \$11,600.00.

Original Contract Amount	\$427,500.00
Previous Change Order Amounts	\$95,550.00
Contract Amount Prior to this Change Order	\$523,050.00
Change Order No. 02 (Amendment No.02)	\$50,191.00
Revised Contract Amount	\$573,241.00

RECOMMENDATION

It is recommended that the Board of Trustees ratify Amendment No. 02 and Change Order No. 2 to Purchase Order No. 003268 with **Facilities Management Planning and Operations, Inc. (FMPO)** for the fee adjustment to the CM agreement for the final construction cost of the project and additional construction management effort requested by staff for the Calero High School Modernization Project in the increased amount of \$50,191.00.

3. Van Pelt Construction Services (VPCS)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger André Bell Marcus Battle	October 20, 2011 – project completion	\$ 16,500.00 (not to exceed increased amount) Measure E	Independence High School/ Facilities Grettel Castro-Stanley, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify Change Order No.03 to Purchase Order No.201550 and Amendment 01 to increase the agreement due to increase project scope, duration of individual design phases, and change in delivery method per the staff's request for the Independence High School Performing Arts Center – Building F Modernization Project (E-065-003).

On October 20, 2011, the Board of Trustees ratified a construction management services contract for the Independence Performing Arts Center – Building F Modernization Project with Van Pelt Construction Services (VPCS) (Attachment F).

On December 14, 2011, staff issued Change Order No. 01 to delete project No.E-065-004 (Building G) from Purchase Order No. 201550.

On July 10, 2013, staff issued Change Order No. 02 to transfer \$13,165 of Building G funds from Purchase Order No. 201550 to 201551.

This Change Order No. 03 for Purchase Order No. 201550 is for \$16,500.00 due to increased project scope, increased duration of individual design phases, and changed project delivery method. The original estimated pre-construction phase of (15) fifteen months is now completed.

Original Contract Amount	\$294,000.00
Previous Change Order Amounts	(\$13,165.00)
Contract Amount Prior to This Change Order	\$280,835.00
Change Order No. 03 (Amendment No. 01)	\$ 16,500.00
Revised Contract Amount	\$297,335.00

RECOMMENDATION

It is recommended that the Board of Trustees approve Amendment No. 01 and Change Order No. 3 to Purchase Order No. 201550 with **Van Pelt Construction Services (VPCS)** for the additional construction management effort requested by staff for the Independence High School Performing Arts Center – Building F Modernization Project in the increased amount of \$16,500.



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Agenda Item Details

Meeting	Nov 20, 2014 - ESUHSD SPECIAL BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR
Subject	18.01 Ratification of Contract(s) for Professional Services At or Below \$25,000
Access	Public
Type	Action
Recommended Action	It is recommended that the Board of Trustees ratify the bond/capital projects contract(s) for professional services at or below \$25,000 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 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 per Board Policy 3312.1.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 18.01

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, André Bell, Assistant Director of Capital Accounting and Purchasing, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

SUBJECT: Ratification of Contract(s) for Professional Services At or Below \$25,000

The attached lists the General Purchasing Contracts for Professional Services at or below \$25,000 being recommended for Board ratification.

Fiscal Impact:

As presented in the attachment

Funding Source:

As presented in the attachment

Recommendation:

It is recommended that the Board of Trustees ratify the bond/capital projects contract(s) for professional services at or below \$25,000 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 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 per Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Under \$25,000

Board Meeting of November 20, 2014 - Item 18.01

Consultant	Contract Period	Contract Amount	Contract Number	Location of Services	Description of Services	Date Contract Assigned
Children's Health Council Inc.	October 20, 2014 - June 30, 2015	\$25,000.00	501669	Special Services	To provide non-public school services and other related services for special education students per IEP requirements and in accordance with the Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Non-Public School/Agency Services.	November 12, 2014
Foothill Community Clinic	July 1, 2014 - June 30, 2015	\$2,000.00	500989	Human Resources	To provide PPD (TB) testing and X-Ray services for ESUHSD as needed.	September 2, 2014
Glow	October 1, 2014 - June 30, 2015	\$1,000.00	501676	Supplemental Education	GLOW Foundation License Agreement for nine of ESUHSD sites. GLOW will provide the use of their Financial Literacy and College Financing Planning Programs.	November 12, 2014
Michele S. Luna	December 16, 2014	\$1,425.00	501670	Business Services	To provide graphic recording and transcription services for the Business Service's Strategic Planning meeting on December 16, 2014.	November 12, 2014

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Under \$25,000

Board Meeting of November 20, 2014 - Item 18.01

Consultant	Contract Period	Contract Amount	Contract Number	Location of Services	Description of Services	Date Contract Assigned
Perseus Associates	July 1, 2012 – June 30, 2015	\$1,650.00 (increased amount) \$31,275.00 original Board approved three-year total (board approved 9/20/12)	500869	Education Center	For the provision of the Master Software License and Hosting Agreement for the TransTraks Software. The TransTraks system is an online transportation software data management systems used by ESUHSD's Transportation Department.	October 31, 2014
Rebekah Children's Services	October 20, 2014 - June 30, 2015	\$25,000.00	501668	Special Services	To provide non-public school services and other related services for special education students per IEP requirements and in accordance with the Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Non-Public School/Agency Services.	November 12, 2014
SectorPiont, Inc.	October 1, 2014 - June 30, 2015	\$4,916.25	501295	Education Center	Civic Permits License and set-up fee to use their Facility Use Online system.	October 1, 2014

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contract(s) for Professional Services Under \$25,000
 Board Meeting of November 20, 2014 - Item 18.01

Consultant	Contract Period	Contract Amount	Contract Number	Location of Services	Description of Services	Date Contract Assigned
Seneca Family of Agencies	October 20, 2014 - June 30, 2015	\$25,000.00	501600	Special Services	To provide non-public school services and other related services for special education students per IEP requirements and in accordance with the Santa Clara County SELPAs/District Master Contract General Agreement for Nonsectarian, Non-Public School/Agency Services.	October 31, 2014
Trumpet Behavioral Health	July 1, 2014 - June 30, 2015	\$25,000.00	501601	Special Education	To provide behavioral consultation with ESUHSD staff regarding special services students and assistance with behavioral emergencies.	October 31, 2014
WestEd	October 1, 2014 - June 30, 2014	\$25,000.00	501515	Education Center	Provide MSAT training to ESUHSD Special Education Services staff in accordance with WestEd's proposed scope of work.	October 22, 2014

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Under \$25,000

Board Meeting of November 20, 2014 - Item 18.01

Consultant	Contract Period	Contract Amount	Contract Number	Location of Services	Description of Services	Date Contract Assigned
WestEd	November 20, 2014 - June 30, 2015	\$20,000 (REVENUE) Participating teachers will receive a stipend of \$1,500 or \$750 depending on specific criteria	N/A	District Wide	The Human Body Systems project is funded by the National Science Foundation, and takes advantage of prior WestEd research and development efforts to create three simulation-based lesson modules to be used during high school biology classes. These lesson modules provide students with immediate, customized, computer-generated feedback on questions and tasks, ranging from selected responses and constructed responses to manipulating simulations to test observations and predictions. In addition, students would complete a summative, end-of-module simulation-based assessment. To this end, WestEd wished to conduct field testing with teachers and students at schools in ESUHSD.	November 3, 2014



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Agenda Item Details

Meeting	Nov 20, 2014 - ESUHSD SPECIAL BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	20. FACILITIES - CONSENT/ACTION CALENDAR
Subject	20.01 Ratification of Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000
Access	Public
Type	Action
Recommended Action	It is recommended that the Board of Trustees ratify 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 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 per Board Policy 3312.1.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 20.01

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: Ratification of 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 ratification.

Fiscal Impact:

As indicated in the attachment

Funding Source:

As indicated in the attachment

Recommendation:

It is recommended that the Board of Trustees ratify 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 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 per Board Policy 3312.1.

**East Side Union High School District
Construction Related Professional Services Contracts under \$50,000 for Ratification
Board Meeting of November 20, 2014 - Item 20.01**

Project Number & Name	Project Description	Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
E-050-005/E-050-006 - OGHS Bldgs. U & I Modernization	Provide geotechnical observation services during the construction of the project	501329	November, 2014 to completion of services	Cleary Consultants, Inc.	\$9,000.00	10/7/2014
E-055-006/ E-060-006/ E-075-005 - Paving, Fencing & Site Improvements	C/O #1 for reimbursable expenses	200929	No change	Sugimura Finney Architects	Original Amount: \$45,454.00, C/O #1 \$110.78 = \$ 45,564.78 (0.2%)	10/14/2014
I-089-009 - MP Bldgs. 1201-1223 MiniCampus Modernization	C/O #1 for reimbursable expenses. Paid city permit fees & DSA fees	403348	No change	Artik Art & Architecture	Original Amount: \$88,454.00, C/O #1 \$1,893.00 = \$90,347.00 (2.1%)	10/21/2014