



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting Sep 22, 2016 - 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 16.04 Approve Minutes of August 18, 2016, Regular Board Meeting

Access Public

Type Action

Recommended Action It is recommended that the Board of Trustees approve the August 18, 2016, Regular Board Meeting minutes as presented.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

SUBJECT: Approve Minutes of August 18, 2016, Regular Board Meeting

Attached are the minutes of the August 18, 2016, 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 August 18, 2016, Regular Board Meeting minutes as presented.

Executive Content

East Side Union High School District
APPROVED
Board of Trustees




EAST SIDE UNION HIGH SCHOOL DISTRICT

REGULAR MEETING

OF THE

BOARD OF TRUSTEES

Meeting Held at

East Side Union High School District

Board Room

830 N. Capitol Avenue, San Jose, CA 95133

August 18, 2016

4:00 p.m.

1. CALL TO ORDER/ROLL CALL

1.01 Roll Call

The Regular Meeting of the Board of Trustees was called to order at 4:04 PM by President Lan Nguyen.

Present for roll call:

- *President Lan Nguyen*
- *Vice President Frank Biehl*
- *Clerk J. Manuel Herrera*
- *Member Pattie Cortese*
- *Member Van Le*

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

President Nguyen 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.

Public speakers:

- *Tracy Wolcott*
- *John (Buzz) O. Gossett III*
- *Anabel Velasquez*

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*

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

- *Dean of Students (1)*

Motion by Member Pattie Cortese, second by Member Van Le, to approve the appointment of Vivian Lay as Dean of Students.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

- *Classified Manager of Personnel (1)*

Motion by Vice President Frank Biehl, second by Member Pattie Cortese, to approve the appointment of Angie Nunn as Classified Manager of Personnel.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

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

The Board, on a vote of 5/0, unanimously accepted an arbitrator's advisory recommendation regarding the employment status of one District Campus Monitor.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

Motion by President Lan Nguyen, second by Member Herrera, to authorize the service of one notice of intent to dismiss in statement of charges as to one certificated teacher.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

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

Cari Vaeth, Associate Superintendent of Human Resources

Glenn Vander Zee, Associate Superintendent of Educational Services

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. Flatter;**
- **Claim for Damages of R. Cruz;**
- **Claim for Damages of A. Nguyen on behalf of Student “A” – Request to File Late Claim;**
- **Claim for Damages of A. Nguyen on behalf of Student “B” – Request to File Late Claim; and,**
- **Five (5) Potential Cases**

Claim for Damages of R. Cruz

Motion by Vice President Frank Biehl, second by Clerk J. Manuel Herrera, to accept the claim for damages of R. Cruz in the total amount of \$495.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

Claim for Damages of A. Nguyen on behalf of Student “A” – Request to File Late Claim

Motion by Vice President Biehl, second by Member Pattie Cortese, to deny the request for permission to file late claim.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

Claim for Damages of A. Nguyen on behalf of Student “B” – Request to File Late Claim

Motion by Member Van Le, second by Clerk J. Manuel Herrera, to deny the request for permission to file late claim.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

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 of the Board Room.

President Nguyen 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.

Item 6.03 was moved to the beginning of the recognitions.

Item 12.01 was heard after item 8.05.

Item 12.02 was carried to the September Board Meeting.

6. BOARD SPECIAL RECOGNITION(S)

6.01 International Science Fair & Intel ISEF Championship Winners

- **Anushka Prasad Jogalekar – Evergreen Valley High School
Category: Robotics & Intelligent Machines**
- **Tanisha Joshi – Evergreen Valley High School
Category: Computational Biology & Bioinformatics**
- **Swetha Revanur – Evergreen Valley High School
Category: Computational Biology & Bioinformatics**

6.02 Rotary Club of San Jose East / Evergreen

- **Interact Club**

6.03 Trami Nguyen Cron, Author of *VietnamEazy*

7. STUDENT BOARD LIAISONS (5 MINUTES EACH)

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, Discussion and/or Action to Receive Citizens' Bond Oversight Committee's 2014-2015 Bond Program Annual Report for Measures G, E and I - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning & Design, André Bell, Director of Purchasing and Capital Accounting, Mariel Caballero, Chairperson of Measure G, Measure E, Measure I, and Technology Measure I Citizens' Bond Oversight Committee

Received the 2014-2015 Annual CBOC Report for Measures G, E, I and Technology I.

8.03 Presentation and/or Discussion regarding Supplemental Employee Retirement Plan (SERP) - Marcus Battle, Associate Superintendent of Business Services, and Gail Beal, Senior Vice President, Keenan Financial Services

Public speakers:

- Marisa Hanson, ESTA President

Presentation/discussion item; no action taken

8.04 Presentation, Discussion and/or Action regarding First Reading of Proposed Ground Lease Agreement with KIPP Bay Area Schools for Proposition 39 Charter School Facilities at District's Education Center Site – Marcus Battle, Associate Superintendent of Business Services, April Chou, Director of Operations, KIPP Bay Area Schools, and Adam Kaye, Director of Real Estate

Public speakers:

- Marisa Hanson, ESTA President

Received the first reading of proposed ground lease agreement with KIPP Bay Area Schools for Proposition 39 Charter School Facilities at District's Education Center Site.

8.05 Discussion and/or Action to Approve Grant of Easement to Pacific Gas & Electric at James Lick High School Site - Marcus Battle, Associate Superintendent of Business Services

Motion by Vice President Frank Biehl, second by Clerk J. Manuel Herrera, to approve the Easement Deed as presented.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

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

No Items on Calendar Under this Section

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 speaker 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:

- *Marisa Hanson, ESTA President*

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

11.01 Discussion and/or Action to Receive Third Reading and Adopt Amendment to Board Policy #5116 School Attendance Boundaries and Receive Administrative Regulation #5116 School Attendance Boundaries - Chris D. Funk, Superintendent

Motion by Vice President Frank Biehl, second by Lan Nguyen, to receive and adopt the third reading of amended Board Policy #5116 School Attendance Boundaries with the following changes under section titled Attendance Boundaries:

Strike words "or enrollment cap" and "Please refer to Administrative Regulation 5116 relating to implementation of enrollment caps".

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

11.02 Discussion and/or Action to Receive First Reading of Proposed Amendment to Board Bylaw #9270 E(b) Conflict of Interest Code: Revolving Door Policy, Designated Positions/Disclosure Categories – Chris D. Funk, Superintendent, and Rogelio Ruiz, Legal Counsel

Received the first reading of proposed amendment to Board Bylaw #9270 E(b) Conflict of Interest Code: Revolving Door Policy, Designated Positions/Disclosure Categories.

11.03 Discussion and/or Action to Adopt Resolution #2016/2017-01 in Support of the Kindergarten through Community College Public Education Facilities Bond Act of 2016 - Frank Biehl, Board Vice President

Motion by Clerk J. Manuel Herrera, second by Member Van Le, to adopt Resolution #2016/2017-01 in support of the Kindergarten through Community College Public Education Facilities Bond Act of 2016.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

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

- 12.01 Presentation, Discussion and/or Action regarding the Development of International Baccalaureate (IB) Program at Andrew Hill High School - Glenn Vander Zee, Associate Superintendent of Educational Services**

Presentation/discussion item; no action taken

- 12.02 Discussion and/or Action to Receive First Reading of Proposed Amendments to Board Policy #1312.3 Uniform Complaint Procedures and Exhibit 1312.3E Uniform Complaint Procedures - Glenn Vander Zee, Associate Superintendent of Educational Services**

Item 12.02 was carried to the September Board Meeting.

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

- 13.01 Presentation, Discussion and/or Action regarding District Property and Other Land Use, 830 N. Capitol Avenue, San Jose, CA 95133 - Update #4 - Marcus Battle, Associate Superintendent of Business Services and Julio Lucas, Interim Director of Capital Planning & Design**

Motion by Vice President Frank Biehl, second by Member Pattie Cortese, to initiate the Transportation Yard Project Proposal with the stipulation that administration bring back final plans and final budget for consideration and approval by the Board of Trustees.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

- 13.02 Discussion and/or Action to Receive First Reading of Proposed Amendments to the following Board Policies: BP 3000 Concepts and Roles, BP 3100 Budget, BP 3312 Contracts and BP 3553 Free and Reduced Price Meals - Marcus Battle, Associate Superintendent of Business Services**

Received the first reading of proposed amendments to the following Board Policies: BP 3000 Concepts and Roles, BP 3100 Budget, BP 3312 Contracts and BP 3553 Free and Reduced Price Meals.

- 13.03 Discussion and/or Action regarding Use of Facilities Lease Agreement with San Jose/Evergreen Community College District for the Accel Program - Marcus Battle, Associate Superintendent of Business Services, Andre Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager**

Motion by Vice President Frank Biehl, second by Clerk J. Manuel Herrera, to approve a Facilities Lease Agreement with San Jose/Evergreen Valley Community College District for the of term of August 9, 2016 through June 30, 2016 with two automatic renewals through June 2019 based on a mutual written agreement of the parties. The agreement for the non-exclusive use of two classrooms, two storage areas, and one office space for the estimated annual amount of \$50,750.00 and to delegate authority to the Superintendent or designee to modify such Lease Agreement during the term as needed.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

13.04 Discussion and/or Action to Approve Recordation of Notice of Federal Interest Affecting Yerba Buena High School Site - Marcus Battle, Associate Superintendent of Business Services, Andre Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

Motion by Member Van Le, second by Member Pattie Cortese, to consider and approve the execution and recordation of the Notice of Federal Interest as presented.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

13.05 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

Motion by Vice President Frank Biehl, second by Clerk J. Manuel Herrera, to approve the contract(s) for professional services over \$25,000 as presented and 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 per Board Policy 3312.1.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

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

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

Motion by Member Van Le, second by Clerk J. Manuel Herrera, to approve the provisional internship permit requests for certificated employees as specified.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

14.02 Discussion and/or Action to Approve Variable Term Waiver Requests for Certificated Employees - Cari Vaeth, Associate Superintendent of Human Resources

Motion by Clerk J. Manuel Herrera, second by Member Van Le, to approve the variable term waiver requests for the certificated employees as specified.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

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, Julio Lucas, Interim Director of Capital Planning and Design, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager

Motion by Clerk J. Manuel Herrera, second by Vice President Frank Biehl, 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.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

15.02 Discussion and/or Action to Ratify CUPCCAA Informal Bond Project(s) - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning and Design, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager

Motion by Vice President Frank Biehl, second by Clerk J. Manuel Herrera, to ratify the CUPCCAA informal project(s) as presented.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

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 Clerk J. Manuel Herrera, second by Member Van Le, to approve the entire consent/action calendar as presented.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

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

- 16.01 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/ Workshops/Meetings**
- 16.02 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/Workshops/Meetings**
- 16.03 Approve Minutes of June 9, 2016, Regular Board Meeting**

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

- 17.01 Approve Expulsion Hearing Committee Personnel for 2016-2017**
- 17.02 Approve Academic Criterion for Reclassification of English Learners to English Proficient Students for the 2016-2017 School Year**
- 17.03 Ratify/Approve School Field Trips**
- 17.04 Receive the Second Quarterly Valenzuela/CAHSEE and Williams Settlement Uniform Complaints Quarterly Report for Period covering April 1, 2016 June 30, 2016, as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727)**
- 17.05 Approve Consolidated Program Application (CONAPP) for 2016-2017**

18. Business Services - Consent / Action Calendar

- 18.01 Ratification of Contract(s) for Professional Services At or Below \$25,000**
- 18.02 Approve Purchase Orders**

- 18.03 Approve Change Orders to Purchase Orders
- 18.04 Approve Memoranda of Understanding
- 18.05 Accept Report of Credit Card Purchases for Statements Dated February 22, 2016, and March 22, 2016
- 18.06 Accept Warrant Register for the Months of June and July, 2016
- 18.07 Approve Budget Transfers for the Months of June and July, 2016
- 18.08 Approve Award of Bids and Request for Proposals

19. Human Resources - Consent / Action Calendar

- 19.01 Ratify/Approve Classified Personnel Actions Presented August 18, 2016
- 19.02 Ratify/Approve Certificated Personnel Actions Presented August 18, 2016
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented August 18, 2016

20. Facilities - Consent / Action Calendar

- 20.01 Ratification of Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000
- 20.02 Ratification of Bond/Capital Projects Change Orders to Construction Contracts and Purchase Orders At or Below \$175,000
- 20.03 Approve Award of Bids and Request for Proposals for Bond/Capital Projects
- 20.04 Approve the Capital Program Budget Adjustment Report

21. Written Reports/Recommendation

Items under section 21 are written reports that are received into the public record.

No Items on Calendar Under this Section

22. FUTURE AGENDA ITEMS

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

Lan Nguyen, Board President

Item	Type
Special Education Program	Presentation/Discussion

Frank Biehl, Board Vice President

Item	Type
<i>An analysis and evaluation on the two lease leaseback projects at Independence High School</i>	<i>Presentation/Discussion</i>

Van Le, Board Member

Item	Type
<i>Career Pathways</i>	<i>Presentation/Discussion</i>

22.02 Future Items**Frank Biehl, Board Vice President**

Item	Date (tentative)	Type
Guidance Plan / Naviance	September 29, 2016 Study Session	Presentation/Discussion
LCAP Matrix	September 29, 2016 Study Session	Presentation/Discussion

J. Manuel Herrera, Board Clerk

Item	Date (tentative)	Type
STEAM	September 29, 2016 Study Session	Presentation/Discussion

Van Le, Board Member

Item	Date (tentative)	Type
Failed Courses	Twice Year: October & March	Report
Accel Program	TBD	Report
Vietnamese Heritage Language Program	October 20, 2016	Report

Pattie Cortese, Board Member

Item	Date (tentative)	Type
Teen Parents <ul style="list-style-type: none"> • Support • Child Care at James Lick HS 	TBD	Presentation
Parent Community Involvement Specialists (PCIS) – LCAP Update	September 29, 2016 Study Session	Presentation

22.03 Annual Governance Calendar

July
Summer School Program (concludes session)
Summer School Graduation

August
Board Members' Expenses Report (Apr/May/June)
Expulsion Hearing Panel Committee
First Day of School
Superintendent's Annual Evaluation
Williams Quarterly Report

September
Board Retreat
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
Receive Annual Developer Fees Report
Unaudited Actuals

October
Board Members Expenses' Report (July/Aug/Sept)
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
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

January
Audit Report
Board Audit Committee Selections/Appointments
Board Members' Expenses Report (Oct/Nov/Dec)
Board Retreat
Financial & Performance Audit Report for Bond Measures
Magnet Night
Martin Luther King, Jr. Writing, Art & Multi-Media Awards Ceremony & Reception
Master Business Relationship Agreement between East Side Union High School District and Metropolitan Education District
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
Safety Plan Goals for Each Site
State of the District

March
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
Latino Student Awards Recognition Ceremony
March 15 Notices
NSBA Annual Conference
Second Interim Report
SJPD Secondary Employment Application
Superintendent's Mid-Year Evaluation
Vietnamese Students Achievement Awards

April
Board Members' Expenses Report (Jan/Feb/Mar)
Form 700 – Statement of Economic Interests Due to Santa Clara County (filing)
Honor Nights
Migrant Education Awards Night
Williams Quarterly Report

May
Asian American/Pacific Islander History Month: Poster & Essay Contest Awards/Celebration
Board Self-Evaluation
Board Study Session/Workshop
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)
Budget Advisory Committee: Nominate and Appoint Board Representatives (2) and Alternative Board Representative (1) (2 year term, fiscal year)
Employee Retirement Celebration
ESTA Safety Survey
Master Contracts for Capital Projects
Plan for Expelled Youth (due every three years – next due date: 2018)
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

Board President Lan Nguyen

Welcome back. Hopefully this year will be an even more exciting year than the last year.

Board Vice President Frank Biehl (no comments made)

Board Clerk J. Manuel Herrera

Just wanted to advise the Board that with the end of the summer break, the beginning of the new school year, and a new fiscal year, that activities are going to be getting underway with the Point Counterpoint Budget Task Force that was authorized I need to be in touch with some people around potential dates in October, mid to late October. Folks have been on vacation. We'll be sending out an informational notice to all concerned parties and something will start in October. We hope to have the first round of this process completed in time for the first interim report that will be issued by the Administration in December, but more to come.

Board Member Pattie Cortese

Happy new year. Happy to be back.

Board Member Van Le

MetroED Report:

We have kicked off the new year with the new strategic plan that focuses on improving instruction, increasing enrollment, building collaborative cultural achievement, and financial stability. During the summer, they have two more classes that were UC approved, Heating Ventilation and Air Conditioning and Fire Science. They have a new Cyber Security class open this fall and Superintendent Alyssa Lynch will be setting the date to attend the Board Meeting to provide an update on the Silicon Valley Career Tech.

I want to recognize the work of Linda Ornelas on the Independence Adult Education project by reaching out to the community and the communication with the Vietnamese media.

I want to recognize Marcus Battle and his staff regarding the Education Center's support to the community on the furniture surplus.

I invite everyone to join at the Moon Festival on September 10 at Yerba Buena High School from 2 PM to 10 PM. The best time to come around is 4:30 PM. I invited students from East Side to perform and to showcase their talents. This will be mark the 25th anniversary.

23.02 Chris D. Funk, Superintendent

I want to thank all of our stakeholders for the amazing amount of work they did this summer to get our schools ready, the hiring process, the training that went on, and the opening of school. I was extremely impressed with the first week of school; it was very quiet. I was amazed at all our sites students were in classrooms. I saw minimal lines for schedule pickups. I saw larger lines for people that were registering their students for the first time. That was exciting! It

really took the entire effort of this entire organization to have it be that smooth. A round of applause for everyone. I appreciate that. Thank you.

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.

Board President Lan Nguyen adjourned the meeting at 10:23 PM.

Respectfully submitted,

A handwritten signature in black ink that reads "J. Manuel Herrera". The signature is written in a cursive style with a large, sweeping initial "J".

Board Clerk



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting	Aug 18, 2016 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	13. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION
Subject	13.05 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager
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

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

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.

[0818 Over 25k.pdf \(156 KB\)](#)

Executive Content

Motion & Voting

It is recommended that the Board of Trustees approve the contract(s) for professional services over \$25,000 as recommended and 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 per Board Policy 3312.1.

Motion by Vice President Frank Biehl, second by Clerk J Manuel Herrera.

Final Resolution: Motion Carries

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

EAST SIDE UNION HIGH SCHOOL DISTRICT

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

Board Meeting of August 18, 2016 – Item 13.05

1. AchieveKids – Change Order

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Francine Brissey	July 1, 2015– June 30, 2016	Original: \$650,000.00 Change order: \$209,500.00 Total: \$859,000.00 Special Education - Tuition	Barbara Moore, Director of Special Services

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the change order to the contract with AcheiveKids. AcheiveKids will not provide public school service and other related services for special education students per IEP requirements. The new total cost for the contract is \$859,000.00 will have a term beginning July 1, 2015, through June 30, 2016.

Selection Process

No Solicitation took place for this service.

Recommendation

It is recommended that the Board of Trustees approve the change order in the contract with AchieveKids in the amount of \$209,500.00 totaling \$859,000.00 for the term of July 1, 2015, through June 30, 2016.

2. Lozano Smith – Attorneys at Law

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Chris D. Funk Francine Brissey	July 1, 2016– June 30, 2017	\$25,000.00 Not to exceed General Fund	Chris D. Funk, Superintendent

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Lozano Smith. Lozano Smith will provide legal services to the District upon request according to 1/10 of an hour increments outlined in the professional rate schedule included with contract. The total cost for the year is not to exceed \$25,000.00 and will have a term beginning July 1, 2016, through June 30, 2017.

Selection Process

No Solicitation took place for this service.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000
Board Meeting of August 18, 2016 – Item 13.05

Recommendation

It is recommended that the Board of Trustees approve the contract with Lozano Smith in the amount not to exceed \$25,000.00 for the term of July 1, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

3. New Hope for Youth/ Philip Rodriguez

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Martha Brazil Glenn Vander Zee Francine Brissey	July 1, 2016 – June 30, 2017	\$36,000.00 EIA and Title I	Glenn Vander Zee, Associate Superintendent of Instructional Services

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with New Hope for Youth. New Hope for Youth serves and reaches out to all gang impacted and at-risk young adults, their families, and communities three times a week, to provide intervention services, educational programs, evidence based practices, and resource opportunities that support a healthy, positive and productive lifestyle. The total cost of the program will be \$36,000.00 and will have a term beginning July 1, 2016, through June 30, 2017.

Selection Process

No Solicitation took place for this service.

Recommendation

It is recommended that the Board of Trustees approve the contract with New Hope for Youth in the amount of \$36,000.00 for the term of July 1, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

4. New Hope for Youth/ Philip Rodriguez

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Vito Chiala Kelly Daugherty Martha Guerrero Tom Huynh Glenn Vander Zee Francine Brissey	September 4, 2016 – June 30, 2017	\$72,000.00 General Fund and EIA	Glenn Vander Zee, Associate Superintendent of Instructional Services

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with New Hope for Youth. New Hope for Youth serves and reaches out to all gang impacted and at-risk young adults, their families, and communities three times a week, to provide intervention services, educational programs, evidence based practices, and resource opportunities that support a healthy, positive and productive lifestyle.

EAST SIDE UNION HIGH SCHOOL DISTRICT

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

Board Meeting of August 18, 2016 – Item 13.05

The total cost of the program will be \$72,000.00 and will have a term beginning July 1, 2016, through June 30, 2017.

Selection Process

No Solicitation took place for this service.

Recommendation

It is recommended that the Board of Trustees approve the contract with New Hope for Youth in the amount of \$72,000.00 for the term of July 1, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

5. New Technology Network, LLC – Year 3

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Chris Funk Glenn Vander Zee Francine Brissey	September 4, 2016 – June 30, 2017	\$184,200.00 Supplemental - LCAP	Glenn Vander Zee, Associate Superintendent of Instructional Services

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with New Technology Network. New Technology Network offers a school education program for the legitimate educational interest of preparing students to excel in an information based, technologically advanced society, raising graduation rates and achievement test scores, and increasing college enrollment and the completion of college. The total cost of year three of the program will be \$184,200.00 and will have a term beginning July 1, 2016, through June 30, 2017.

Selection Process

No Solicitation took place for this service.

Recommendation

It is recommended that the Board of Trustees approve the third year of the contract with New Technology Network in the amount of \$184,200.00 for the term of July 1, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000
Board Meeting of August 18, 2016 – Item 13.05

6. RaaWee

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Marcus Battle André Bell Francine Brissey	August 1, 2016 – June 30, 2017	\$80,000.00 Not to Exceed Safety & Student Services	Glenn Vander Zee, Associate Superintendent of Instructional Services Shakenya Edison, Director of Student Services

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with RaaWee. RaaWee will provide a customizable truancy and dropout prevention system for the District. RaaWee will also provide a 6 hour training program to ensure successful implementation of the software. The total cost of the software will be \$62,100.00 for setup and \$16,896.00 for licensing fees for all 16 sites for a total contract not to exceed \$80,000.00 and will have a term beginning August 1, 2016, through June 30, 2017.

Selection Process

Three quotes were obtained by Business Services, RaaWee, SI&A and AIM.

Recommendation

It is recommended that the Board of Trustees approve the contract with RaaWee in the amount of \$80,000.00 for the term of August 1, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

7. Regents of the University of California/Santa Cruz – (Cal SOAP)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Glenn Vander Zee Francine Brissey	September 4, 2016 – June 30, 2017	\$106,500.00 Supplemental – LCAP	Glenn Vander Zee, Associate Superintendent of Instructional Services

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Regents of the University of California/Santa Cruz - Cal SOAP. The overall program goal of Cal –SOAP is to provide college and career readiness support services to prepare ESUHSD students to pursue and succeed in post-secondary education and careers through regular collaboration with school site and higher education partners. The total cost of the program will be \$106,500.00 and will have a term beginning September 4, 2016, through June 30, 2017.

Selection Process

No Solicitation took place for this service.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000
Board Meeting of August 18, 2016 – Item 13.05

Recommendation

It is recommended that the Board of Trustees approve the contract with Cal- SOAP in the amount of \$106,500.00 for the term of September 4, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

8. Regents of the University of California/Berkeley – Destination College Advising Corps (DCAC)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Glenn Vander Zee Francine Brissey	July 1, 2016 – June 30, 2017	\$180,000.00 Supplemental – LCAP	Glenn Vander Zee, Associate Superintendent of Instructional Services

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Regents of the University of California/Berkeley - DCAC. The overall program goal of DCAC is to make college a viable option for all students. DCAC looks to achieve this by working collaboratively with target schools and partner programs focused on research-based best practices that enable low-income and first generation to college students to access post-secondary education. The total cost of the program will be \$180,000.00 and will have a term beginning July 1, 2016, through June 30, 2017.

Selection Process

No Solicitation took place for this service.

Recommendation

It is recommended that the Board of Trustees approve the contract with DCAC in the amount of \$106,500.00 for the term of September 4, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

9. Safir and Associates

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Glenn Vander Zee Francine Brissey	August 1, 2016 – June 30, 2017	\$60,000.00 Supplemental – LCAP	Glenn Vander Zee, Associate Superintendent of Instructional Services

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Safir and Associates. Safir and Associates will provide

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000
Board Meeting of August 18, 2016 – Item 13.05

instructional coaching once per month, including two training days for SAC's prior to the start of school and quarterly learning seminars, and continue providing instructional coaching with assistant principals. The total cost of the program will be \$60,000.00 and will have a term beginning August 1, 2016, through June 30, 2017.

Selection Process

No Solicitation took place for this service.

Recommendation

It is recommended that the Board of Trustees approve the contract with Safir and Associates in the amount of \$60,000.00 for the term of August 1, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

10. Safir and Associates

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Glenn Vander Zee Martha Brazil Francine Brissey	July 1, 2016 – June 30, 2017	\$38,500.00 EIA and Title I	Martha Brazil, Principal

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Safir and Associates. Safir and Associates will provide executive level coaching/capacity-building for the principal and her admin team as well as provide the development of a shared instructional lens and language among teacher leaders and administration. The total cost of the program will be \$38,500.00 and will have a term beginning July 1, 2016, through June 30, 2017.

Selection Process

No Solicitation took place for this service.

Recommendation

It is recommended that the Board of Trustees approve the contract with Safir and Associates in the amount of \$38,500.00 for the term of July 1, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

11. Santa Cruz County Office of Education - Santa Cruz/ Silicon Valley New Teacher Program (SC/SVNTTP)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Glenn Vander Zee Teresa Marquez Francine Brissey	July 1, 2016 – June 30, 2017	\$150,000.00 Educator Effectiveness	Teresa Marquez, Director of Professional Development and Curriculum

EAST SIDE UNION HIGH SCHOOL DISTRICT

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

Board Meeting of August 18, 2016 – Item 13.05

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Santa Cruz County Office of Education - Santa Cruz/Silicon Valley New Teacher Project. Santa Cruz/Silicon Valley New Teacher Project will partner with ESUHSD to carry out California State Approved induction, which was formerly BTSA. The purpose of this contract is to establish a formal working relationship between the SC/SVNTP and ESUHSD and to set forth the operative conditions that will govern this partnership. The total cost of the program will be \$150,000.00 and will have a term beginning July 1, 2016, through June 30, 2017.

Selection Process

No Solicitation took place for this service.

Recommendation

It is recommended that the Board of Trustees approve the contract with Santa Cruz County Office of Education - Santa Cruz/Silicon Valley New Teacher Project in the amount of \$150,000.00 for the term of July 1, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

12. Silicon Valley Urban Debate League

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Glenn Vander Zee Teresa Marquez Francine Brissey	July 1, 2016 – June 30, 2017	\$27,500.00 Title I	Teresa Marquez, Director of Professional Development and Curriculum

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Silicon Valley Urban Debate League. Silicon Valley Urban Debate League will bring debate programs to three schools, including coach orientation workshops, organizing debate tournaments, and developing debate strategies. The total cost of the program will be \$27,500.00 and will have a term beginning July 1, 2016, through June 30, 2017.

Selection Process

No Solicitation took place for this service.

Recommendation

It is recommended that the Board of Trustees approve the contract with Silicon Valley Urban Debate League in the amount of \$27,500.00 for the term of July 1, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

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

Board Meeting of August 18, 2016 – Item 13.05

13. SJSU Research Foundation on behalf of San Jose State University MESA School Programs (SJSU MESA Program)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Glenn Vander Zee Chris D. Funk Francine Brissey	August 1, 2016 – May 31, 2017	\$42,000.00 Title I	Chris D. Funk, Superintendent

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with SJSU MESA Program. The SJSU MESA Program has developed a model for helping educationally disadvantaged student successfully complete a college preparatory, math based plan of study in order to be competitively eligible for admittance into selective four-year institutions and major in math based majors like engineering. This program will be implemented at 10 ESUHSD sites. The total cost of the program will be \$150,000.00 and will have a term beginning August 1, 2016, through May 31, 2017.

Selection Process

No Solicitation took place for this service.

Recommendation

It is recommended that the Board of Trustees approve the contract with SJSU Research Foundation on behalf of San Jose State University MESA School Programs in the amount of \$42,000.00 for the term of August 1, 2016, through May 31, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

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

Board Meeting of August 18, 2016 – Item 13.05

14. West Ed

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Glenn Vander Zee Tim Nguyen Francine Brissey	July 1, 2016 – June 30, 2017	\$130,000.00 CA Career Pathways	Tim Nguyen, Director of Career Services

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with West Ed. West Ed will develop training, coaching and implementation of Pathways Standards for the high school sites. The total cost of the program will be \$130,000.00 and will have a term beginning July 1, 2016, through June 30, 2017.

Selection Process

No Solicitation took place for this service.

Recommendation

It is recommended that the Board of Trustees approve the contract with West Ed in the amount of \$130,000.00 for the term of July 1, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting	Aug 18, 2016 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	15. FACILITIES/BOND - 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, Julio Lucas, Interim Director of Capital Planning and Design, André Bell, Director of Purchasing and Capital Accounting, 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

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning and Design, André Bell, Director of Purchasing and Capital Accounting, 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.

[2016 0818 Contract Over \\$50K.pdf \(177 KB\)](#)

[Attachment A.pdf \(98 KB\)](#)

[Attachment B.pdf \(663 KB\)](#)

[Attachment C.pdf \(111 KB\)](#)

[Attachment D.pdf \(928 KB\)](#)

[Attachment E.pdf \(701 KB\)](#)

[Attachment F.pdf \(444 KB\)](#)

[Attachment G.pdf \(696 KB\)](#)

[Attachment H.pdf \(701 KB\)](#)

[Attachment I.pdf \(204 KB\)](#)

[Attachment K.pdf \(4,241 KB\)](#)

[Attachment J.pdf \(1,019 KB\)](#)

[Attachment L.pdf \(317 KB\)](#)

[Attachment M.pdf \(2,109 KB\)](#)

[Attachment N.pdf \(170 KB\)](#)

[Attachment O.pdf \(97 KB\)](#)

[Attachment P.pdf \(681 KB\)](#)

Executive Content

Motion & Voting

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.

Motion by Clerk J Manuel Herrera, second by Vice President Frank Biehl.

Final Resolution: Motion Carries

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

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contract(s) for Services over \$50,000
Board Meeting August 18, 2016 – Item 15.01

1. Artik Art & Architecture

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Andre Bell Janice Unger	December 12, 2014 through project closeout	\$ 1,080.00 (not to exceed increased amount) Measure I	Andrew Hill High School/Facilities Jose Hernandez, Principal Julio Lucas, Interim Director of Capital Planning/Design

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify Change Order No. 02 to Purchase Order 501939 and Amendment #01 to Work Authorization #03 for the Andrew Hill High School Courtyard Improvements (Project No: Z-025-601).

On December 11, 2014, (Item No. 21.02) the Board of Trustees approved Administration's recommendation to award (RFP-11-14-15) Architectural Services for the Andrew Hill High School Courtyard & Miscellaneous Projects to Artik Art & Architecture for the final negotiated amount of \$195,600.00 (Attachment A).

Internal Change Order No. 01 on August 14, 2015, reallocated funds to the proper project's account numbers. No change in contract amount.

This Change Order No. 02 is to pay reimbursable expense to fabricate a 16 gauge plate required for the project.

Original Contract Amount	\$195,600.00
Contract Amount Prior to Change Order No. 02-Reallocation of funds	\$0.00
Change Order No. 02 - Reimbursement	\$1,080.00
Revised Contract Amount	\$196,680.00

RECOMMENDATION

It is recommended that the Board of Trustees ratify Amendment No. 01 to Work Authorization #03 and Change Order No. 02 to Purchase Order 501939 with **Artik Art & Architecture** for additional consultant reimbursable services for an amount not to exceed \$1,080.00 for the Andrew Hill High School Courtyard Improvements (Project No: Z-025-601).

2. Artik Art & Architecture

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Andre Bell Janice Unger	August 21, 2015 through project closeout	\$ 3,118.00 (not to exceed increased amount) Measure I	Santa Teresa/Phoenix High School/Facilities Greg Louie, Principal Julio Lucas, Interim Director of Capital Planning/Design

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify Change Order Nos. 01 and 02 to Purchase Order 600979 and Amendments Nos. 01 and 02 to Work Authorization #08 for the Santa Teresa & Phoenix High School Campus Improvements (Project No: Z-071-601).

On August 20, 2015, (Item No. 20.02) the Board of Trustees approved Administration's recommendation to award (RFP-24-14-15) Architectural Services for the Santa Teresa & Phoenix Campus Improvements Project to Artik Art & Architecture for the final negotiated amount of \$447,245.00 (Attachment B).

Change Order No. 01 on July 05, 2016, was issued for reimbursement expense fees for the San Jose Fire Department. (Invoice 160146R, 01/31/2016, \$309.00, Invoice 160545R, 05/31/2016, \$309.00)

Change Order No. 02 is for additional services required Flood Zone D Analysis for Phoenix Science Classroom to be able to submit to the City of San Jose for review/approval.

Original Contract Amount	\$447,245.00
Contract Amount Prior to Change Order No. 02-Reimbursement-fees	\$618.00
Change Order No. 02 – additional services required	\$2,500.00
Revised Contract Amount	\$450,363.00

RECOMMENDATION

It is recommended that the Board of Trustees ratify Amendments Nos. 01 and 02 to Work Authorization #08 and Change Order Nos. 01 and 02 to Purchase Order 600979 with **Artik Art & Architecture** for additional consultant reimbursable and analysis services for an amount not to exceed \$3,118.00 for the Santa Teresa & Phoenix High School Campus Improvements (Project No: Z-071-601).

3. Artik Art & Architecture

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Andre Bell Janice Unger	May, 2016 through project closeout	\$ 9,350.00 not to exceed increased amount) Measure E	Yerba Buena High School/Facilities Tom Huynh, Principal Julio Lucas, Interim Director of Capital Planning/Design

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify Change Order No. 01 to Purchase Order 603479 and Amendment No. 01 to Work Authorization #12 for the Yerba Buena High School Alternative Ed Mini-Campus Improvements (Project No: E-060-008).

On April 21, 2016, (Item No.20.03) the Board of Trustees approved Administration’s recommendation to award (RFP-31-15-16) Architectural Services for the Yerba Buena High School Alternative Ed Mini-Campus Improvements Project to Artik Art & Architecture for the final negotiated amount of \$175,643.00 (Attachment C).

This Change Order No. 01 is for additional services for consultant to do two (2) partial topographic ground surveys for Yerba Buena High School and LVLA areas performed by BRIO Engineering.

Original Contract Amount	\$175,643.00
Contract Amount Prior to Change Order No. 01	\$0.00
Change Order No. 01 – Reimbursement for add services	\$9,350.00
Revised Contract Amount	\$184,993.00

RECOMMENDATION

It is recommended that the Board of Trustees ratify Amendment No. 01 to Work Authorization #12 and Change Order No. 01 to Purchase Order #603479 with **Artik Art & Architecture** for additional consultant reimbursable services for an amount not to exceed \$9,350.00 for the Yerba Buena High School Alternative Ed Mini-Campus Improvements (Project No: E-060-008).

4. Borderlan Security

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Randy Phelps Marcus Battle André Bell Janice Unger	October 19, 2016 through October 18, 2017	\$41,325.00 (annually) Measure I (Technology)	Education Center/Information Technology Randy Phelps, CTO

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees approve the agreement with Borderlan Security for the purpose of providing the iBoss Web filter license.

On October 16, 2014, (Item 13.01), the Board of Trustees ratified an agreement for (12) months with Borderlan Security. (Attachment D)

On August 20, 2015, (Item 15.01), the Board of Trustees approved the 1st year of a (3) year agreement, (August 01, 2015 to October 18, 2016) in the amount not to exceed \$44,940.94. (Attachment E)

The iBoss device provides the appropriate filtering to both protect ESUHSD students and staff; and comply with federal guidelines and standards as they relate to Children's Internet Protection Act (CIPA) and requirements for E-Rate funding. The iBoss provides several other elements that are critical to current and future success in providing access and bandwidth to our users. It allows us, for the first time, the ability to meter and expand bandwidth for specific applications and websites. It allows us to prioritize traffic and, by doing so, it will maximize our current bandwidth. In the future, when we have additional bandwidth, it will provide us the ability to customize the quality of service different groups receive.

RECOMMENDATION

It is recommended that the Board of Trustees approve the 2nd year of the agreement with **Borderlan Security** for the contract term of October 19, 2016, through October 18, 2017, for the annual amount of \$41,325.00 for the purpose of providing the iBoss Web Filter license with the option of entering into remaining additional (1) one year agreement and authorize Administration to execute change orders in accordance with Board Policy 3312.1.

5. Cody Anderson Wasney Architects (CAW)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Andre Bell Janice Unger	August 22, 2015 through project closeout	\$ 309.00 (not to exceed increased amount) Measure E	James Lick High School/Facilities Kelly Daugherty, Principal Julio Lucas, Interim Director of Capital Planning/Design

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify Change Order No. 01 to Purchase Order 601008 and Amendment No. 01 to Work Authorization #06 for the James Lick Student Center & Quad Modernization. (Project No: E-030-601).

On August 20, 2015, (Item No. 20.02) the Board of Trustees approved Administration's recommendation to award (RFP-24-15-16) Architectural Services for the 2013/2014 Project Lists to Cody Anderson Wasney Architects for the final negotiated amount of \$898,593.00 (Attachment F).

This Change Order No. 01 is to reimburse the architect for preliminary review fees of \$309.00 paid to San Jose Fire Department on behalf of the East Side Union High School District.

Original Contract Amount	\$898,593.00
Contract Amount Prior to Change Order No. 01	\$0.00
Change Order No. 01 - Reimbursement	\$309.00
Revised Contract Amount	\$898,902.00

RECOMMENDATION

It is recommended that the Board of Trustees ratify Amendment No. 01 to Work Authorization #06 and Change Order No. 01 to Purchase Order 601008 with **Cody Anderson Wasney Architects** for additional consultant services for an amount not to exceed \$309.00 for the James Lick Student Center & Quad Modernization (Project No. E-030-601).

6. Gilbane Building Company

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Andre Bell Janice Unger	April 18, 2015 through project closeout	{\$ 170,499.19} (deductive credit amount) Multiple funding (Measures G, E & I)	Santa Teresa High School/Facilities Greg Louie, Principal Julio Lucas, Interim Director of Capital Planning/Design

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees approve Amendment #01 to the construction management agreement and Change Order No. 01 to Purchase Order 503301 for the Santa Teresa High School and Phoenix Campus Improvements (Project No: Z-070-XXX).

On April 16, 2015, (Item No. 20.02) the Board of Trustees approved Administration’s recommendation to award (RFP-17-15-16) Construction Management Services for the 2013/2014 Project Lists to Gilbane Building Company for the final negotiated amount of \$808,053.19 (Attachment G).

This Change Order No. 01 is to credit and issue contract agreement modification resulting from the deletion of three projects and the reallocation of the funds associated with the Santa Teresa High School Projects.

Original Contract Amount	\$808,053.19
Contract Amount Prior to Change Order No. 01	\$0.00
Change Order No. 01 – Deductive credit/project modification	{\$ 170,499.19}
Revised Contract Amount	\$637,554.00

RECOMMENDATION

It is recommended that the Board of Trustees approve Amendment #01 and Change Order No. 01 to Purchase Order 503301 with **Gilbane Building Company** for the deductive credit and modification to the construction management services agreement for an deductive amount of **{\$ 170,499.19}** for the Santa Teresa High School and Phoenix Campus Improvements (Project No: Z-070-XXX).

7. Gould Evans, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Andre Bell Janice Unger	October 16, 2015 through project closeout	\$ 23,700.00 (not to exceed increased amount) Measure I	Mt. Pleasant High School/Facilities Martha Guerrero, Principal Julio Lucas, Interim Director of Capital Planning/Design

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify Change Order No. 02 to Purchase Order 602072 and Amendment #02 to Work Authorization #01 for the Mt. Pleasant High School New Student Center Modernization. (Project No: Z-035-601).

On October 15, 2015, (Item No. 20.02) the Board of Trustees approved Administration's recommendation to award (RFP-08-15-16) Architectural Services for the 2013/2014 Project Lists to Gould Evans, Inc., for the final negotiated amount of \$484,444.00 (Attachment H).

Internal Change Order No. 01 on June 15, 2016, reallocated funds to the proper project's account numbers. No change in contract amount.

This Change Order No. 02 is to add scope of roof replacement for the Administration Building and the canopies.

Original Contract Amount	\$484,444.00
Contract Amount Prior to Change Order No. 02- Allocation of funds	\$0.00
Change Order No. 02	\$23,700.00
Revised Contract Amount	\$508,144.00

RECOMMENDATION

It is recommended that the Board of Trustees ratify Amendment #02 to Work Authorization #01 and Change Order No. 02 to Purchase Order 602072 with **Gould Evans, Inc.**, for additional consultant services for an amount not to exceed \$23,700.00 for the Mt. Pleasant High School New Student Center Modernization. (Project No: Z-035-601).

8. LPA, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Andre Bell Janice Unger	October 16, 2015 through project closeout	\$ 535.16 (not to exceed increased amount) Measure E	Oak Grove High School/Facilities Martha Brazil, Principal Julio Lucas, Interim Director of Capital Planning/Design

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify Change Order No. 01 to Purchase Order 602053 and Amendment No. 01 to Work Authorization #02 for the Oak Grove High School New Student Center & Quad Renovation. (Project No: Z-050-602).

On October 15, 2015, (Item No. 20.02) the Board of Trustees approved Administration's recommendation to award (RFP-08-15-16) Architectural Services for the 2013/2014 Project Lists to LPA, Inc., for the final negotiated amount of \$728,836.00 (Attachment H).

This Change Order No. 01 is to pay for reimbursable expenses, outside reprographic CAD plotting services. (Attachment I).

Original Contract Amount	\$728,836.00
Contract Amount Prior to Change Order No. 01	\$0.00
Change Order No. 01	\$535.16
Revised Contract Amount	\$729,371.16

RECOMMENDATION

It is recommended that the Board of Trustees ratify Amendment #01 to Work Authorization #02 and Change Order No. 01 to Purchase Order 602053 with **LPA, Inc.**, for reimbursable expense services for an amount not to exceed \$535.16 for the Oak Grove High School New Student Center & Quad Renovation. (Project No: Z-050-602).

9. Williams Scotsman

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Andre Bell Janice Unger	Piggyback Contract Term: December 14, 2010 through December 14, 2015 (18) month lease term 2/28/16 through August 28, 2017	\$3,455.05 (not to exceed increased amount) Measure E	Independence High (IAC) School/Facilities Bjorn Berg, Principal Julio Lucas, Facilities and Planning Division

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees ratify Change Order No. 01 to Purchase Order 602028 for the IH IAC Portable Village (Project No.: E-065-007).

On February 12, 2015, (Item 21.02) the Board of Trustees approved a (18) month lease agreement for (5) classroom portables with Williams Scotsman for the final negotiated amount of \$82,165.30. (Attachment J)

This Amendment/Change Order No. 01 is adding tax for the initial cost which was to be determined upon invoice receipt per lease agreement. (Attachment K)

Original Contract Amount	\$82,165.30
Previous Change Order Amount	\$0.00
Contract Amount Prior to Change Orders	\$82,165.30
Total Amount of Change Orders (cumulative) to date	\$3,455.05
Revised Contract Amount	\$85,620.35

RECOMMENDATION

It is recommended that the Board of Trustees ratify Change Order No. 01 to Purchase Order 602028 with **William Scotsman** for an increased amount of \$3,455.05 for the IH IAC Portable Village (Project No.: E-065-007).

10. Structure Groups (formerly Structure Consultants Group)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Andre Bell Janice Unger	December 10, 2015 through December 5, 2016 (no change)	\$ 116,270.00 (not to exceed increased amount) Measure E	District Wide Swimming Pool Modernization Projects/Facilities Julio Lucas, Facilities and Planning Division

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees approve Professional Services Amendment No. 01 for the District Wide Swimming Pool Modernization Projects (Project No.: Z-XXX-701).

On November 19, 2015, (Item 20.02) the Board of Trustees approved a professional services agreement for the District Wide Swimming Pool Modernization Projects with Structure Consultants Group for the GMP amount of \$120,960.00. (Attachment L)

This amendment No. 01 is requesting additional services total of \$116,270.00 based upon DSA's requirement for a second inspector on the original seven (7) swimming pool projects. This request is utilizing a lump sum method which is within the professional service agreement's language to award additional services and will be an all-inclusive cost for DSA inspection services through December 05, 2016, including reasonable amount of overtime, when required. No other modifications are made to the original agreement. Purchase Order 602059, as of June 30, 2016, has been fully expensed; a new purchase order will be generated for additional services, if approved. (Attachment M)

Original Contract Amount	\$120,960.00
Previous Change Order Amount	\$0.00
Contract Amount Prior to these Change Orders	\$120,960.00
Total Amount of Change Orders (cumulative) to date	\$116,270.00
Revised Contract Amount	\$237,230.00

RECOMMENDATION

It is recommended that the Board of Trustees approve Amendment No. 01 to the Professional Services Agreement with **Structure Groups** for an increased lump sum amount of \$116,270.00 for the District Wide Swimming Pool Modernization Projects (Project No.: Z-XXX-701).

11. Strawn Construction, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Marcus Battle Andre Bell Janice Unger	June 12, 2015 – February 17, 2017	\$91,572.54 (not to exceed increased amount) Measure E	District Wide Swimming Pool Modernization Projects/Facilities Julio Lucas, Facilities and Planning Division

East Side Union High School District (ESUHSD) Administration is requesting that the Board approve Change Order No. 02 to Purchase Order #503550 to increase design/build agreement for the District Wide Swimming Pool Modernization Project, (Z-060-601).

On May 14, 2015, (Item No. 15.01) the Board of Trustees awarded a design/build agreement for the Districtwide Swimming Pool Modernization Project with Strawn Construction, Inc. in the amount of \$18,900,985.00. (Attachment N)

On December 10, 2015, (Item No. 16.04) the Board of Trustees approved Change Order No. 01 in the amount of \$350,000.00. (Attachment O)

This Change Order No. 02 is being recommended to the Board of Trustees for approval for an increase design/build agreement total amount of \$91,572.54 for PCO PH05, Replacement of HW Pipe at Piedmont Hills HS and PCO PH03 New Sanitary Sewer Line. Both are unforeseen conditions. (Attachment P)

Original Contract Amount	\$18,900,985.00
Previous Change Order Amount	\$350,000.00
Contract Amount Prior to these Change Orders	\$19,250,985.00
Total Amount of Change Orders (cumulative) to date	\$441,572.54
Revised Contract Amount	\$19,342,557.54

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order No. 02 to Purchase Order 503550 with **Strawn Construction, Inc.** for the District Wide Swimming Pool Modernization Project, (Z-060-601) in the increased amount not to exceed \$91,572.54.



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Agenda Item Details

Meeting	Aug 18, 2016 - ESUHSD REGULAR 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 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

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing

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 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.

[8-18-16 Prof Serv Contracts under \\$25K.pdf \(92 KB\)](#)

Executive Content

Motion & Voting

It is recommended that the Board of Trustees ratify the projects contract(s) for professional services at or below \$25,000 as presented and 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 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.

Motion by Clerk J Manuel Herrera, second by Member Van Le.

Final Resolution: Motion Carries

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

EAST SIDE UNION HIGH SCHOOL DISTRICT
Contract(s) for Professional Services At or Below \$25,000
Board Meeting of August 18, 2016 – Item 18.01

Consultant	Contract Period	Contract Amount	PO Number	Location of Services	Description of Services	Date Contract Assigned
1-800-Party DJ	July 26, 2016	\$800.00	700424	Education Center	Provide services for sound system for summer school rehearsal and graduation ceremony.	07/25/2016
Alfredo Castaneda	September 1, 2016 – November 2, 2016	\$4,000.00	700473	Calero	Provide a 9-week training program for Calero High School parents with the Early College Outreach Parent Program - the two hour classes will be offered in both English and Spanish - dates 9/7, 9/14, 9/21, 9/28, 10/5, 10/12, 10/19, 10/26, and 11/2.	07/28/2016
Alpha Public Schools	July 1, 2016 – June 30, 2017	Revenue Contract	N/A	Education Center	ESUHSD will provide meal services to Alpha Public Schools	7/29/16
California Army National Guard	May 9, 2016 – May 8, 2017	\$2,500.00	Revenue	Andrew Hill	ESUHSD accepts a sponsorship with the California Army National Guard for advertisement by posting a National Guard banner on the football field and placing a job kiosk in the cafeteria during the 2016 football season at Andrew Hill High School.	04/29/2016
Classtech	May 18, 2016 – June 30, 2016	\$1,745.00	603803	Independence	Provide services to install smart board, projector arm and projector in 5 rooms at Independence High School.	06/14/2016
Eileen N. Becker	September 1, 2016 – June 15, 2017	\$13,350.00	700472	Education Center	Provide CTE credential advising and monitoring for teachers needing CTE credentials.	07/28/2016
EquipOne	July 1, 2016 – June 30, 2016	Revenue Contract ESUHSD will receive 70% of any sale from e-waste in accordance with contract.	N/A	Education Center	EquipOne will haul and destroy all e-waste at ESUSHD.	07/29/2016

Foothill College	June 1, 2016 – June 30, 2017	\$7,200.00	603813	W.C. Overfelt	Provide Early Summer Programming delivery of Family Engagement services with students and families of W.C. Overfelt High School for the Summer 2016 and in the Fall, Winter & Spring of 2016/2017.	06/15/2016
Houghton Mifflin Harcourt Publishing Co.	June 10, 2016	\$2,950.00	603744	Education Center	Provide services for System 44 Next Generation implementation training for 1 day for up to 20 participants at ESUHSD.	06/09/2016
Il Fornaio San Jose	June 2, 2016 – June 3, 2016	\$12,449.70	603871	Education Center	Provide accommodations and services, which includes meeting rooms, equipment, meals, and beverages for ESUHSD annual Administration Retreat.	06/28/2016
Leadership Public Schools	July 1, 2016 – June 30, 2017	Revenue Contract	N/A	Education Center	ESUHSD will provide meal services to Leadership Public Schools	7/29/16
Nigro and Nigro	March 9, 2016 – March 31, 2016	\$9,000.00	603918	Education Center	Provide Consulting Services for the Payroll Department at ESUHSD.	07/15/2016
Ray C. Easler Jr.	August 1, 2016 – June 30, 2017	\$24,900.00	700475	Education Center	Provide Assessment services, training for school psychologists and Audit of Special Education ED files including assessments and IEP's.	07/28/2016
Santa Clara County Fairgrounds	February 2, 2017 – February 5, 2017	no cost to ESUHSD	N/A	Education Center	For facility rental of the Santa Clara County Fairgrounds for the 2016 Science Palooza. ESUHSD does not pay the costs for the Science Palooza, the non-profit Synopsys Outreach Foundation will pay the costs as they have in the past. ESUHSD will sign the contract and provide the insurance coverage and Synopsys will pay the costs and run the event.	06/09/2016
Santa Clara University	July 1, 2016 – June 30, 2019	Revenue Contract ESUHSD's teachers will be compensated	N/A	Education Center	ESUHSD will provide teaching experience through practice teaching to students enrolled in teacher training programs at Santa Clara University.	07/29/2016

		in accordance with the rate scheduled within the agreement.				
Sylvan Learning Center	September 1, 2016 – June 30, 2017	\$4,308.00	603929	W.C. Overfelt	Provide services as part of the agreement to instruct students in a 24 hour instructional program which includes Math and Language Arts to students referred by the School Link Services coordinator at W.C. Overfelt High School.	07/20/2016
United Site Services of CA	May 25, 2016	\$245.81	603499	Silver Creek	Provide portable restrooms for graduation ceremony at Silver Creek High School.	05/11/2016
United Site Services of CA	January 1, 2016 – July 1, 2016	\$242.35	603783	Silver Creek	Provide portable restrooms for various events being held throughout the school at Silver Creek High School.	06/14/2016
Western Interpreting Network	July 27, 2016 – July 28, 2016	\$2,233.76	603876	Independence	Provide interpreting services for a staff member for the Math 180 workshop at Independence High School.	06/28/2016
Yazmin Y. Espinoza Hernandez	June 1, 2016 – June 30, 2016	\$770.00	603880	W.C. Overfelt	Provide Zumba classes at W.C. Overfelt High School for parents.	06/28/2016



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Agenda Item Details

Meeting	Aug 18, 2016 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	20. FACILITIES/BOND - 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

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning and Design, André Bell, Director of Purchasing and Capital Accounting, 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.

[Prof Serv Contract under \\$50K-Ratified.pdf \(116 KB\)](#)

Executive Content

Motion & Voting

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 and 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 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.

Motion by Clerk J Manuel Herrera, second by Member Van Le.

Final Resolution: Motion Carries

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

East Side Union High School District
Construction-Related Professional Services Contracts under \$50,000 for Ratification
Board Meeting of August 18, 2016 - Item 20.01

Project Number & Name	Project Description	Purchase Order Number / Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
Z-070-601 / ST Field Concession Bld	C/O #1: Amendment #1 for additional boring on the existing basketball court that was not included in the original contract scope	601648 / CP1136	No change	Cleary Consultants, Inc.	Original contract amt: \$12,100.00 + \$1,000.00 = \$13,100.00	6/1/2016
Z-060-601 / YB New Student Union and Quad Modernization	Clean existing snack shack in Building 400. This area is going to be the temporary food service area during the construction of the new student center. Scope of work includes: remove all dust, dirt, grease, fingerprints, labels, spills, and splatters on walls and interior surfaces. Clean all baseboards, existing refrigerators, and polish all stainless steel including sink	603684 / CP1393	May 31, 2016 to June 10, 2016	California Commercial Cleaning	\$700.00	6/1/2016
Z-065-603 / IH Bldg GHKLB Modernization (Bld L Mod)	Provide labor, materials, and equipment to relocate contents of DCP classrooms B202, B309, K07, and K22 to modernized classrooms K2, L10, L32, and L34 at Independence High School	603685 / CP1363	May 20, 2016 to June 20, 2016	Mont/Rose Moving Systems, Inc.	\$3,852.59	6/1/2016
I-045-003 / PH Site Infrastructure Improvements	Consultant shall furnish material and labor to perform video inspection of the storm sewer line near Building L at Piedmont Hills High School	603686 / CP1361	June 6, 2016 to July 5, 2016	Scantech Utility Locating Services	\$450.00	6/1/2016

East Side Union High School District
Construction-Related Professional Services Contracts under \$50,000 for Ratification
Board Meeting of August 18, 2016 - Item 20.01

Project Number & Name	Project Description	Purchase Order Number / Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
I-075-003 / EV Science Classroom Refurbishment	Provide labor, materials, and equipment for relocation of science classroom materials at 14 rooms (Blds A, B, P). This is in preparation (and return move) for classroom refurbishment	603739 / CP1324	June 1, 2016 to August 31, 2016	Mont/Rose Moving Systems, Inc.	\$14,063.23	6/8/2016
I-075-003 / EV Science Classroom Refurbishment	C/O #1: Amendment #1 for move resulted in more trash than initially anticipated. Movers to haul trash to dumpster on site	603739 / CP1324	No change	Mont/Rose Moving Systems, Inc.	Original contract amt: \$14,063.23 + \$935 = \$14,998.23	7/7/2016
Z-060-601 / YB New Student Union and Quad Modernization	Moving services to move existing kitchen equipment from kitchen to temporary serving area at Yerba Buena High School	603753 / CP1396	June 9, 2016 to June 17, 2016	Mont/Rose Moving Systems, Inc.	\$594.00	6/9/2016
Z-XXX-702 / DW Mechanical and Electrical Upgrades (EV EMS Upgrade - Package B)	Scope of work is to prepare a detailed commissioning plan for the DDC upgrade of the EMS to include functional and other specific testing requirements, review and offer comment on critical EMS hardware submittal, and review and comment on the tab plan, or participate in at least two onsite meetings	603749 / CP1390	June 9, 2016 to August 24, 2016	GRD Energy, Inc.	\$14,220.00	6/9/2016
Z-065-603 / IH Blds GHKLB Modernization (Bid L Mod)	Provide site topographic ground survey, underground utility locating services, and building staking corners for two new toilet buildings at Independence High School	603774 / CP1392	May 25, 2016 to November 16, 2016	Underwood & Rosenblum, Inc.	\$8,500.00	6/13/2016

East Side Union High School District
Construction-Related Professional Services Contracts under \$50,000 for Ratification
Board Meeting of August 18, 2016 - Item 20.01

Project Number & Name	Project Description	Purchase Order Number / Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
Z-025-601 / AH Courtyards Improvements (ROTC Moving Services)	Provide moving services to move materials in ROTC office to new storage container at Andrew Hill High School	603778 / CP1404	June 13, 2016 to July 29, 2016	Mont/Rose Moving Systems, Inc.	\$2,335.11	6/13/2016
I-035-001 / MP Site Infrastructure Improvements	Consultant shall furnish material and labor to perform underground utility survey for the four quads at Mount Pleasant High School	603777 / CP1398	June 14, 2016 to project completion	Cruz Brothers Locators	\$2,320.00	6/14/2016
Z-065-603 / IH Bids GHKLB Modernization (Bld L Mod)	Provide labor and materials to monitor abatement for work in Building L2, L3, L4 at Independence High School. Total fee includes field technician time, monitoring sample collection, laboratory analysis, final clearance samples and analysis, project management time, and a final written report identifying all materials sampled, their locations, quantities, and analysis	603819 / CP1391	June 13, 2016 to July 22, 2016	Hazmat Doc	\$6,500.00	6/15/2016
E-040-004 / WCO Bld J (L) Modernization	Provide DSA special testing and inspection services for WCO Building J (L) Modernization	603831 / CP1414	June 20, 2016 to project completion	Construction Testing Services	\$16,770.00	6/20/2016
IT-013-004 / DW Professional Services	Contract services to assist with E-rate application process. E-rate management services for Category 1, Fiscal Year 07/01/2016 - 06/30/2017	603849 / CP1433	July 1, 2016 to June 30, 2017	Learningtech.org	\$11,614.00	6/23/2016
Z-052-993 / District Program Cost	Coordination to administer the project labor agreement for the District	603896 / CP1430	July 1, 2016 to June 30, 2019 (Three Year Term Consultant Contract)	Employers' Advocate, Inc.	\$14,500.00	6/29/2016

East Side Union High School District
Construction-Related Professional Services Contracts under \$50,000 for Ratification
Board Meeting of August 18, 2016 - Item 20.01

Project Number & Name	Project Description	Purchase Order Number / Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
E-060-009 / YB Concession/Restroom Bld	Perform a partial topographical ground survey in relation to the concessions at Yerba Buena High School per Proposal No. BD1.16.01.20	603898 / CP1441	Professional services rendered through February 29, 2016	Brio Engineering Associates, Inc.	\$2,900.00	6/30/2016
I-065-003 / IH Mod - Performing Arts Center Bld F	Provide supplemental geotechnical services due to general contractor performing additional excavation as a result of poor soil needing removal and recompaction. Reference original contract/PO#503082	603907 / CP1449	Professional services rendered through March 11, 2016	Cleary Consultants, Inc.	\$1,600.00	6/30/2016
G-070-202 / ST Track Resurfacing	Provide supplemental subsurface investigation per proposal dated January 30, 2015, project no. 978.6G, Ser. 4612	603910 / CP1450	Professional services rendered through December 15, 2015	Cleary Consultants, Inc.	\$6,800.00	7/7/2016
E-050-005/E-050-006 / OG Mod Building U and Theater Building I	Additional construction observation and testing services required on the project during the period of April 6, 2015 to May 18, 2015 and the final DSA 293 submitted on July 1, 2015	603912 / CP1458	Professional services rendered April 6, 2015 to May 18, 2015	Cleary Consultants, Inc.	\$7,200.00	7/11/2016
Z-065-601 / IH Building B Modernization	C/O #1: Amendment #1 for additional technician shifts that were required due to unexpected dry rot and other abatement efforts required on the roof of building B at Independence High School	402047 / CP1459	No change	Hazmat Doc	Original contract amt: \$20,125.00 + \$1,200.00 = \$21,325.00	7/11/2016

East Side Union High School District
Construction-Related Professional Services Contracts under \$50,000 for Ratification
Board Meeting of August 18, 2016 - Item 20.01

Project Number & Name	Project Description	Purchase Order Number / Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
F25-060-002 / YB CCA New Buildings	C/O #2: Amendment #2 to Work Authorization #13. Reimbursement for topographic services performed by Brio Engineering	603287 / CP1322	No change	Artik Art & Architecture	Original contract amt: \$36,400.00 + \$3,200.00 = \$39,600.00	7/11/2016
Z-030-601 / JL Student Center & Quad Mod (Swing Space)	Providing roofing inspection services for the Comet Studio at James Lick High School. The scope of work includes providing project observation services for the roof replacement and providing quality control visit report after each visit	700049 / CP1469	July 13, 2016 to Project Completion	Skyline Engineering	\$3,600.00	7/13/2016
IT-013-007 / DW Backend System Phase II	Scope of work includes 100 Ad-Hoc hours of technical support and assistance	700050 / CP1467	September 1, 2016 to June 30, 2017	Colligo Systems, LLC	\$18,000.00	7/13/2016
I-065-003 / IH Mod - Performing Arts Center Bld F	Provide additional steel shop inspections as well as added soils test for asbestos, VOC's and pesticides	603914 / CP1472	Professional services rendered March 1, 2015 to December 31, 2015	Construction Testing Services	\$16,679.00	7/13/2016
Z-055-602 / SC Field Concession Bld	To provide all in-plant welding & fabrication inspections required by DSA for the Silver Creek concessions modular building at Enviroplex, Inc	700211 / CP1486	July 15, 2016 to October 31, 2016	Joseph R. Renda Construction Services, Inc	\$2,500.00	7/19/2016
Z-065-601 / IH Building B Modernization	Provide commissioning for Building B Modernization from 05/13/2016 to 06/10/2016	603922 / CP1489	Professional services rendered May 13, 2016 to June 30, 2016	GRD Energy, Inc.	\$11,520.00	7/20/2016

East Side Union High School District
Construction-Related Professional Services Contracts under \$50,000 for Ratification
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Z-035-601 / MP New Student Center and Quads	Contractor to incorporate the new underground utilities locations information gathered by another consultant. U&R will take the information and add to topographic surveys using autocad and PDF files for a complete topographic survey drawing. Deliverables to District in a digital autocad file	700366 / CP1473	July 20, 2016 to project completion	Underwood & Rosenblum, Inc.	\$900.00	7/20/2016
I-035-001 / MP Site Infrastructure Improvements	Consultant shall provide labor, materials, and equipment to perform underground utilities mapping at the four (4) quads at Mount Pleasant High School (second contract due to over 10% limit)	700368 / CP1471	July 20, 2016 to project completion	Cruz Brothers Locators	\$2,320.00	7/20/2016
Z-035-601 / MP New Student Center and Quads	Consultant shall provide moving supplies for the library move and moving supplies/services for swing space in building 500 at Mt. Pleasant High School	700402 / CP1488	July 25, 2016 to project completion	Chipman Relocation & Logistics	\$13,190.50	7/25/2016
Z-055-602 / SC Field Concession Bld	Provide all in-plant special inspection and materials testing required by DSA for the Silver Creek High School concessions modular building at Enviroplex, Inc	700403 / CP1495	July 15, 2016 to project completion	Geocon Consultants, Inc	\$1,500.00	7/25/2016
F25-075-002 / EV Restroom Refurb	DSA inspection services to be provided for the Evergreen Valley HS Restroom Refurb project	700428 / CP1470	July 26, 2016 to project completion	Construction Inspection Services, Inc (CIS)	\$15,300.00	7/26/2016