

Preparing every student to thrive in a global society.

Agenda Item Details

Meeting Oct 20, 2016 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM,

830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 (CORRECTED)

Category 16. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR

Subject 16.03 Approve Minutes of September 22, 2016, Regular Board Meeting

Access Public
Type Action

Recommended

It is recommended that the Board of Trustees approve the September 22, 2016, Regular Board

Action

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 September 22, 2016, Regular Board Meeting

Attached are the minutes of the September 22, 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 September 22, 2016, Regular Board Meeting minutes as presented.

East Side Union High School District Board of Trustees Approved: October 20, 2016

Minutes_2016_09_22.pdf (797 KB)

Executive Content

Motion & Voting

It is recommended that the Board of Trustees approve the September 22, 2016, Regular Board Meeting minutes as presented.

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



Agenda Item: 16.03

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

September 22, 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 4:00 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.

There were no public speakers.

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

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

2. CLOSED SESSION

2.01 Expulsion(s): A-B

Student A

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

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

Vote: 5/0; Motion Carries

Student B

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

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

Vote: 5/0; Motion Carries

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

Superintendent

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

- Associate Principal (1)
- Assistant Director of Facilities, Construction, Maintenance & Operations(1)
- Coordinator of Student Services (1)

Associate Principal (1)

Motion by Vice President Frank Biehl, second by Clerk J. Manuel Herrera, to approve the employment of Raul Betancourt as Associate Principal.

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

Vote: 5/0; Motion Carries

Assistant Director of Facilities, Construction, Maintenance & Operations(1)

Motion by Vice President Frank Biehl, second by Clerk J. Manuel Herrera, to approve the employment of Richard Rocha as Assistant Director of Facilities, Construction, Maintenance & Operations.

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

Vote: 5/0; Motion Carries

Coordinator of Student Services (1)

Motion by Member Pattie Cortese, second by Member Van Le, to approve the employment of Juanita Linton as Coordinator of Student Services.

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)

Motion by Vice President Frank Biehl, second by Member Pattie Cortese, to approve hearing on appeal on dismissal charges to advisory arbitration per Article 12 of the Collective Bargaining Agreement between the District and CSEA.

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 Clerk J. Manuel Herrera, second by Member Pattie Cortese, to ratify and approve the General Release Agreement with one classified management employee, which includes release of claims and an irrevocable retirement, effective November 1, 2016.

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 Member Pattie Cortese, second by Member Van Le, to approve the General Release Agreement with one classified employee, which includes release of claims and an irrevocable retirement, effective November 1, 2016.

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 Member Van Le, second by Vice President Frank Biehl, to ratify and approve a General Release Agreement with one additional classified employee, which includes release of claims and an irrevocable retirement, effective November 1, 2016.

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, Assistant 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 D. Nguyen;
- Claim for Damages of K. Mick;
- · Claim for Damages of L. Nguyen; and,
- Three (3) Potential Cases

Claim for Damages of K. Mick

Motion by Member Pattie Cortese, second by Vice President Frank Biehl, to reject the claim for damages of K. Mick.

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 L. Nguyen

Motion by Clerk J. Manuel Herrera, second by Vice President Frank Biehl, to reject the claim for damages of L. Nguyen.

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

Vote: 4/0: Motion Carries

Member Van Le abstained and recused herself.

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.

There were no changes to the agenda.

6. BOARD SPECIAL RECOGNITION(S)

No Items on Calendar Under this Section

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.

9. Public Hearing(s) - Operational Items/Board Discussion and/or Action

9.01 Hold Public Hearing at Approximately 6:10 p.m. for Resolution #2016/2017-05
Regarding the GANN Spending Limit - Marcus Battle, Associate Superintendent of
Business Services, and Karen Poon, Director of Finance

Public hearing held. There were no public speakers.

9.02 Discussion and/or Action to Adopt Resolution #2016/2017-05 Establishing Appropriations GANN Spending Limit - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance

Motion by Vice President Frank Biehl, second by Member Pattie Cortese, to adopt resolution #2016/2017-05 establishing appropriations for the GANN Spending Limit.

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

Vote: 5/0: Motion Carries

9.03 Hold Public Hearing at Approximately 6:15 p.m. for Resolution #2016/2017-06
Regarding the Sufficiency of Textbooks and Instructional Materials per Education Code
60119 - Glenn Vander Zee, Associate Superintendent of Educational Services

Public hearing held. There were no public speakers.

9.04 Discussion and/or Action to Adopt Resolution #2016/2017-06 Regarding the Sufficiency of Textbooks and Instructional Materials - Glenn Vander Zee, Associate Superintendent of Educational Services

Motion by Vice President Frank Biehl, second by Member Pattie Cortese, to adopt Resolution #2016/2017-06 Regarding the Sufficiency of Textbooks and Instructional Materials.

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

Vote: 5/0; Motion Carries

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 speakers:

• Julio Pardo, CSEA President

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

11.01 Discussion and/or Action to Approve Resolution #2016/2017-07 to Adopt Conflict of Interest Code and to Receive and Adopt Second Reading of Amended 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

Motion by Vice President Frank Biehl, second by Clerk J. Manuel Herrera, to receive and approve Resolution #2016/2017-07 to adopt the Conflict of Interest Code and receive and adopt the second reading of Board Bylaw 9270 E(b) Conflict of Interest and Revolving Door Policy, Designated Positions/Disclosure Categories.

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 Approve Senior Manager of Internal Controls' Proposed Work Plan for 2016-2017 – Kelly Kwong, Senior Manager of Internal Controls

Motion by Member Pattie Cortese, second by Member Van Le, to approve the Senior Manager of Internal Controls' proposed Work Plan for 2016-2017.

Board Vice President Frank Biehl requested that the 2015/2016 Work Plan reports presented to the Audit Committee be placed on the October Board meeting agenda under Written Reports.

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

Vote: 5/0; Motion Carries

11.03 Discussion and/or Action to Adopt Resolution 2016/2017-08 in Support of Proposition 56: The California Healthcare, Research and Prevention Tobacco Tax Act of 2016 – Lan Nguyen, Board President

Motion by Clerk J. Manuel Herrera, second by Member Van Le, to adopt Resolution #2016/2017-08 in support of Proposition 56, the California Health Care, Research and Prevention Tobacco Tax 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

11.04 Discussion and/or Action to Adopt Resolution 2016/2017-10 in Support of Proposition 58: The LEARN Initiative - Frank Biehl, Board Vice President

Public speakers:

• Marissa Hanson, ESTA President

Motion by Vice President Frank Biehl, second by Member Pattie Cortese, to adopt Resolution #2016/2017-10 in support of Proposition 58, the LEARN Initiative.

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

Vote: 5/0; Motion Carries

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

12.01 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

Received the first reading of proposed amendments to Board Policy #1312.3 Uniform Complaint Procedures and Exhibit #1312.3E Uniform Complaint Procedures.

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

13.01 Presentation, Discussion and/or Action to Accept the Unaudited Actual Financial Report for Fiscal Year 2015/2016 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance

Public speakers:

• Marissa Hanson, ESTA President

Motion by Vice President Frank Biehl, second by Member Van Le, to approve and accept the Unaudited Actual for 2015/2016 fiscal year report as presented with permission to proceed with any additional fiscal year-end adjustments that may be necessary.

Yea: President Lan Nguyen, Vice President Frank Biehl, Member Pattie Cortese, Member Van Le

Vote: 4/0: Motion Carries

Clerk J. Manuel Herrera out of room/not present at vote.

13.02 Discussion and/or Action to Receive and Adopt Second 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

Motion by Member Van Le, second by Vice President Frank Biehl, to receive and adopt the second reading of the proposed amendments to the following Board Policies: BP 3000, BP 3100, BP 3312 and BP 3553.

Yea: President Lan Nguyen, Vice President Frank Biehl, Member Pattie Cortese, Member Van Le

Vote: 4/0; Motion Carries

Clerk J. Manuel Herrera out of room/not present at vote.

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

Motion by Vice President Frank Biehl, second by Member Pattie Cortese, to 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. (attached)

Board Vice President Frank Biehl requested a presentation some time in the future regarding the dual enrollment program with San Jose/Evergreen Community College District.

Yea: President Lan Nguyen, Vice President Frank Biehl, Member Pattie Cortese, Member Van Le

Vote: 4/0; Motion Carries

Clerk J. Manuel Herrera out of room/not present at vote.

13.04 Discussion and/or Action to Ratify CUPCCAA Informal General Purchasing Project(s) Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of
Purchasing and Capital Accounting, and Francine Brissey, General Purchasing
Manager

Motion by Member Van Le, second by Member Pattie Cortese, to ratify the CUPCCAA informal project(s) as presented.

Yea: President Lan Nguyen, Vice President Frank Biehl, Member Pattie Cortese, Member Van Le

Vote: 4/0; Motion Carries

Clerk J. Manuel Herrera out of room/not present at vote.

13.05 Discussion and/or Action Rescind Award of Contract and to Approve the Termination of Contract/Purchase Orders Issued as a Result of RFP GP051516: Food for Child Nutrition Services, between East Side Union High School District and Gold Star Foods - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, Julie Kasberger, Director of General Services, and Francine Brissey, General Purchasing Manager

Motion by Member Van Le, second by Vice President Frank Biehl, to approve proposed rescission of contract award and termination of Contract/Purchase Orders with Gold Star Foods by allowing the District to cancel the agreements with Gold Star Foods, per their request, and mutual understanding.

Yea: President Lan Nguyen, Vice President Frank Biehl, Member Pattie Cortese, Member Van Le

Vote: 4/0; Motion Carries

Clerk J. Manuel Herrera out of room/not present at vote.

13.06 Discussion and/or Action to Approve the Award of Contract/Purchase Orders for RFP GP051516 Food for Child Nutrition Services: Between East Side Union High School District and Chef's Choice Produce Company; and East Side Union High School District and Sysco - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, Julie Kasberger, Director of General Services, and Francine Brissey, General Purchasing Manager

Motion by Member Van Le, second by President Lan Nguyen, to approve proposed award of Contract/Purchase Orders with Chef's Choice and Sysco in the total amount of \$346,043.70. The term of the contract will be from September 23, 2016, to July 31, 2017, with the ability to extend four additional twelve month periods. It is also recommended that the Board authorize administration to execute change orders in accordance with 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 Request for Certificated Employees – Cari Vaeth, Associate Superintendent of Human Resources

Motion by Vice President Frank Biehl, second by Member Van Le, to approve the provisional internship permit request 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 Vice President Frank Biehl, 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

14.03 Approve Request for Use of Education Code Section 44258.3 – Teachers on Special Assignment Authorizations for the 2016-2017 School Year - Cari Vaeth, Associate Superintendent of Human Resources

Motion by Member Pattie Cortese, second by Member Van Le, to approve the request for use of California Education Code 44258.3 for the 2016-2017 school year.

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 Vice President Frank Biehl, second by Clerk J. Manuel Herrera, to approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1. (attached)

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

Vote: 4/0; Motion Carries

Board Member Van Le out of room/not present at vote.

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 Member Pattie Cortese, 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

Vote: 4/0; Motion Carries

Board Member Van Le out of room/not present at vote.

Consent / Action Calendar Sections 16-20

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

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

Motion by Member Pattie Cortese, second by Vice President J. Manuel Herrera, to approve the entire consent/action calendar as presented.

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

Vote: 4/0; Motion Carries

Board Member Van Le out of room/not present at vote.

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 23, 2016, Regular Board Meeting
- 16.04 Approve Minutes of August 18, 2016, Regular Board Meeting

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

17.01 Ratify/Approve School Field Trips

18. Business Services - Consent / Action Calendar

- 18.01 Ratification of Contract(s) for Professional Services At or Below \$25,000 (attached)
- 18.02 Approve Purchase Orders
- 18.03 Approve Change Orders to Purchase Orders
- 18.04 Approve Award of Bids and Request for Proposals
- 18.05 Approve Memoranda of Understanding
- 18.06 Adopt Resolution #2016/2017-09 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546

	18.07	Approve Facilities Use Agreement
	18.08	Accept Warrant Register for the Month of August, 2016
	18.09	Approve Budget Transfers for the Month of August, 2016
	18.10	Approve Use of Carnival Equipment at Evergreen Valley High School for Homecoming Celebration and Multi-Cultural Winterfest
19.	<u>Human</u>	Resources - Consent / Action Calendar
	19.01	Ratify/Approve Classified Personnel Actions Presented September 22, 2016
	19.02	Ratify/Approve Certificated Personnel Actions Presented September 22, 2016
	19.03	Ratify/Approve Student Aide Personnel Actions Presented September 22, 2016
20.	<u>Facilitie</u>	es - Consent / Action Calendar
	20.01	Approve Award of Bids and Request for Proposals for Bond/Capital Projects
	20.02	Ratification of Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000 (attached)
	20.03	Ratification of Bond/Capital Projects Change Orders to Construction Contracts and Purchase Orders At or Below \$175,000
	20.04	Approve the Capital Program Budget Adjustment Report
	20.05	Approve Qualified Professional Service Providers
21.	Written	Reports/Recommendation
	Items u	nder section 21 are written reports that are received into the public record.
	21.01	Receive Report of Legal Expenses for Fiscal Year 2015-16
		Report Received
	21.02	Receive the Annual Energy Savings and Performance Report of the Solar Program, Year 5
		Report Received
	21.03	Receive Self Insured Schools of California GASB 45 Trust B (SISC) Annual Financial Report Ending June 30, 2016
		Report Received

21.04 Receive Report regarding Common Vision Orchard Installation Program at Santa Teresa High School

Report Received

22. FUTURE AGENDA ITEMS

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

Frank Biehl, Board Vice President

Item	Туре
Dual Enrollment Program with San Jose / Evergreen Community College District	Presentation/Discussion
Process to Implement a New Course	Presentation/Discussion

Van Le, Board Member

Item	Туре
Challenge Exams for Course Advancement	Report

22.02 Future Items

Lan Nguyen, President

Item	Date (tentative)	Туре
Special Education Program	November 3, 2016 Study Session	Presentation/Discussion

Frank Biehl, Vice President

Item	Date (tentative)	Туре
Guidance Plan / Naviance	September 29, 2016 Study Session	Presentation/Discussion
LCAP Matrix	September 29, 2016 Study Session	Presentation/Discussion
Lease Leaseback Projects (2) at Independence High School • Presentation/Analysis	September 22, 2016	Presentation/Discussion

J. Manuel Herrera, Board Clerk

Item	Date (tentative)	Туре
STEAM	November 3, 2016 Study Session	Presentation/Discussion

Van Le, Board Member

Item	Date (tentative)	Туре
Failed Courses	Twice Year: October & March	Report
ACES Request for 2.25%	October 20, 2016	Discussion
Accel Program	November 3, 2016 Study Session	Presentation/Discussion
Vietnamese Heritage Language Program	October 20, 2016	Report
Career Pathways	March, 2017	Presentation/Discussion

Pattie Cortese, Board Member

Item	Date (tentative)	Туре
Teen Parents	October 20, 2016	Presentation/Discussion
Parent Community Involvement Specialists (PCIS) – LCAP Update	September 29, 2016 Study Session	Presentation/Discussion

22.03 Annual Governance Calendar

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 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

End of First Semester

First Interim Report

January

Audit Report

Board Audit Committee Selections/Appointments

Board Members' Expenses Report (Oct/Nov/Dec)

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

Sports Recognitions (Fall)

Technology Report

Williams Quarterly Report

February

African American Students Achievement Awards

Audit Committee Charter Amendment(s)

Board Retreat

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 (March or April)

NSBA Annual Conference

Second Interim Report

SJPD Secondary Employment Application

Superintendent's Mid-Year Evaluation

Vietnamese Students Achievement Awards

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

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)

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

LCAP Public Hearing (first June Board Meeting)

LCAP Adoption (second June Board Meeting)

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)

23. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

23.01 Board of Trustees

Board President Lan Nguyen

So, last Saturday, along with Vice President Biehl and the Superintendent, almost with 30 or more of our administrators, staff, teachers, we also had parents and students from the district participate in this wonderful strategic, positive, envisioning workshop. It was a whole day thing and it was exciting to see so many great ideas come out of it. It was especially, not only enlightening, but touching for me to see that our teachers and staff and parents are so passionate about our facilities and what comes out of it. A lot of the organization will have to thank one of our staff members who, I know, probably spent more efforts on that project than anyone else; that was Julio Lucas. He made it happen and we are happy with what came out of it. Thank you. I appreciate all the teachers and staff and principals who attended. They stayed the whole day, which was great. Thank you.

Board Vice President Frank Biehl

I just wanted to reiterate a comment that was made by Marisa Hanson earlier. Member Herrera, Marisa Hanson from ESTA, and myself attended, a very helpful workshop on school finances. We attended it together. Manuel and I were the only two Board Members who were present and Marisa was the only ESTA union person who was there. Everyone else were all, they all looked a lot like Mr. Marcus Battle here. In terms of being top finance people and what happened, it was very valuable. We asked a number of questions. I thought it was helpful and I'm glad that we're all working together to try to get ourselves all on the same page.

Board Clerk J. Manuel Herrera (no comments made)

Board Member Pattie Cortese (no comments made)

Board Member Van Le

I just want to report back from MetroED. I visited a Sports Medical class. This is a new course. They have the increased enrollment for this class. I visited with teachers and some parents and learned a few things about nutrition

I gave to the Superintendent certificates of recognition for all the schools that participated in the Moon Festival, including JROTC and Santa Teresa High School students.

I want to thank Superintendent Funk for connecting me with Peter Katz, CEO of the Genesys Works Program. My office is going to sponsor a District student to learn and operate and have the experience as a business person. I think that's something that I am really thrilled about. I am happy that this program is really helping in our district.

Also, one of my customers has a student that was an alumni from Independence High School. She has graduated and wants to attend San Jose City College or San Jose State and she is taking the teaching credential classes. Do we have any programs/internship for our students to support them to go to the next level since we have a demand of teachers in this district. If we could have a program to support our students who want to go to the next level in teacher credentialing or any other class, such as the Child Development Program we have with Educare.

23.02 Chris D. Funk, Superintendent (no comments made)

24. REPORT CLOSED SESSION ACTION(S)

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

See section 2.0 for reporting out of Closed Session items.

25. ADJOURNMENT

President adjourns the meeting.

Board President Lan Nguyen adjourned the meeting at 7:24 PM.

Respectfully submitted,

Board Clerk



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

Subject 13.03 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 -

Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and

Capital Accounting, and Francine Brissey, General Purchasing Manager

Access Public

Type Action

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.



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.

Board Clerk J. Manuel Herrera out of room/not present at vote.

Board Vice President Frank Biehl requested a presentation some time in the future regarding the dual enrollment program with San Jose/Evergreen Community College District.

Motion by Vice President Frank Biehl, second by Member Pattie Cortese.

Final Resolution: Motion Carries

Yea: President Lan Nguyen, Vice President Frank Biehl, Member Pattie Cortese, Member Van Le

Not Present at Vote: Clerk J Manuel Herrera

Contract(s) for Professional Services Over \$25,000 Board Meeting of September 22, 2016 – Item 13.03

1. 180 Degrees - Agape Foundation

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Glenn Vander Zee	July 1, 2016 –	Agape Foundation:	Glenn Vander Zee,
Francine Brissey	June 30, 2017	\$430,835.00	Associate
	,		Superintendent of
		ESUHSD: \$167,500.00	Instructional
		Total: \$598,335.00	Services
		180-Agape Foundation	
		Grant	

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with 180 Degrees. 180 Degrees will coordinate an interactive character and life skills education. The total cost for the contract is \$598,335.00, the Agape Foundation will contribute \$430,835.00, ESUHSD will contribute \$167,500.00. ESUHSD will act as fiscal agent, making two payments each semester to the 180 Degrees Program. The contract will have a term beginning July 1, 2016, through June 30, 2017.

Selection Process

Continuing partnership.

Recommendation

It is recommended that the Board of Trustees approve the contract with 180 Degrees in the amount of \$598,335.00, \$167,500.00 of which will come from ESUHSD 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.

2. Alpha Vista Services, Inc.

-: /p.: /				
Reviewed by:	Contract	Fiscal Impact/	School/Department/	
	Period	Funding Source	Manager	
Barbara Moore	August 8, 2016 –	\$117,000.00	Barbara Moore,	
Francine Brissey	June 30, 2017		Director of Special	
Transmit Bridgey	Julic 30, 2017	Special Day Classes	Services	

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Alpha Vista Services, Inc. Alpha Vista Services, Inc. will provide psychological services for ESUHSD special education students in accordance with their IEPs. The contract will have a total value of \$117,000.00 with a term beginning August 8, 2016, through June 30, 2017.

Selection Process

Interviews were conducted with Barbara Moore.

Contract(s) for Professional Services Over \$25,000 Board Meeting of September 22, 2016 – Item 13.03

Recommendation

It is recommended that the Board of Trustees approve the contract with Alpha Vista Services in the amount of \$117,000.00, for the term of August 8, 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. State of California, California Department of Education

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Deborah Barnes	July 1, 2016–	California State Preschool	Andrew Hill
Francine Brissey	June 30, 2017	Program (CSPP)-6535:	Evergreen Valley
	,	\$569,102.00	Foothill
			Independence
		Preschool Program	James Lick
		_	Overfelt
		General Child Care and	Santa Teresa
		Development Program	Yerba Buena
		(CCTR)-6268:	
		\$930,363.00	Deborah Barnes,
			Coordinator of Child
		General Child Care	Development

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to ratify the revenue contract with the California Department of Education, for the funding of child care development centers within ESUHSD. Both contracts have a term of July 1, 2016, through June 30, 2017. The ESUHSD child care development program will operate eight child care centers in 2016-2017 to service infants, toddlers, and preschoolers at Andrew Hill, Evergreen Valley, Foothill, Independence, James Lick, W. C. Overfelt, Santa Teresa, and Yerba Buena High Schools.

Selection Process

No solicitation took place.

Recommendation

It is recommended that the Board of Trustees ratify the two Contracts with the State of California, Department of Education to receive funding for Child Care Services to be provided by ESUHSD in the amounts of \$569,102.00 for the California State Preschool Program (CSPP-6535) and \$930,363.00 for the General Child Care & Development Programs (CCTR-6268). The term of each contract shall be July 1, 2016, through June 30, 2017, and to authorize Administration to execute change orders in accordance with Board Policy 3312.1.

Contract(s) for Professional Services Over \$25,000 Board Meeting of September 22, 2016 – Item 13.03

4. New Direction Solutions LLC dba Procare Therapy- Change Order

Reviewed by:	Contract	Fiscal Impact/	School/Department/
	Period	Funding Source	Manager
Barbara Moore Francine Brissey	July 1, 2016 – June 30, 2017	Original: \$570,000.00 Change order: \$123,000.00 Total: \$693,000.00 Special Day Classes	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 New Direction Solutions LLC. New Direction Solutions LLC will be adding Psychology Services to their scope of work. The new total cost for the contract is \$693,000.00 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 change order in the contract with New Directions Solutions LLC in the amount of \$123,000.00 totaling \$693,000.00 for the term of July 1, 2016, through June 30, 2017.

5. San Jose City College

o. Gair Good Gity	Conogo		
Reviewed by:	Contract	Fiscal Impact/	School/Department/
	Period	Funding Source	Manager
Glenn Vander Zee	July 1, 2016 –	\$215,750.00	Glenn Vander Zee,
Francine Brissey	June 30, 2017		Associate
	,	CA Career Pathways	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 San Jose City College. San Jose City College will assist ESUHSD in designing and implementing a dual/concurrent enrollment program for ESUHSD students. The contract will have a total value of \$215,750.00 with 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 San Jose City College in the amount of \$215,750.00, 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.

Contract(s) for Professional Services Over \$25,000 Board Meeting of September 22, 2016 – Item 13.03

6. Work 2 Future Foundation

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Tim Nguyen	July 1, 2016 –	\$160,00000	Tim Nguyen, Director
Francine Brissey	June 30, 2017		of Career Services
	·	CA Career Pathways	

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Work 2 Future Foundation. Work 2 Future Foundation will provide case management and work readiness assessment, job placement, and support services for eligible ESUHSD CTE students. The contract will have a total value of \$160,000.00 with 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 Work 2 Future Foundation in the amount of \$160,000.00, 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 Sep 22, 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

Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital

PREPARED BY: 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 0922 Contract Over \$	550K.pdf (137 KB)	Attachmer	nt A.pdf (19,784 KB)	Attach	nment B.pdf (135 KB)
Attachment C.pdf (71 KB)	Attachment D.	pdf (116 KB)	Attachment E.pdf	(799 KB)	

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.

Member Van Le out of room/not present at vote.

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

Not Present at Vote: Member Van Le

Bond/Capital Projects Contract(s) for Services over \$50,000 Board Meeting September 22, 2016 – Item 15.01

1. Kitchell CEM - CM Services

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle	September 23, 2016 through project	\$56,000 (not to exceed)	Yerba Buena/Facilities
Andre Bell Janice Unger	completion	Measure E	Tom Huynh, Principal
			Julio Lucas, Interim Director of Capital Planning/Design

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to award a construction management agreement for project and construction management services for Yerba Buena High School Concession/Restroom Bld. Project (Project No.: E-060-009).

Selection Process

Capital Purchasing staff solicited proposals from our Construction Management pool of qualified firms. Staff received (3) three proposals:

Consulting Firm	Proposed Fees
Kitchell CEM	\$56,000
Van Pelt Construction Services	\$60,000
Gilbane Building Company	\$55,750

Proposals were received by three (3) of the solicited construction management firms. Three proposals received were evaluated by the Interim Directors for Facilities Planning/Design, and Construction, Maintenance and Operations.

District staff review of respondents' proposed services and fee, qualifications and experience, past project successes as it pertains to providing project and construction management services. Upon completion of the review, it is staff's recommendation to be in the best interest for the District to award a construction management agreement to Kitchell CEM. (Attachment A)

RECOMMENDATION

It is recommended that the Board of Trustees approve the construction management agreement with **Kitchell CEM** for a total amount not to exceed **\$56,000** for the Yerba Buena High School Concession/Restroom Bld. (Project No.: E-060-009) and authorize administration to execute change orders in accordance with Board Policy 3312.1, if needed.

2. G4S Secure Integration, LLC

Reviewed by:	Contract Period Fiscal Impact/ Funding Source		School/Department/ Manager
Julio Lucas	July 9, 2015 through	\$201,691.66 (not to exceed	District Wide/Facilities
Marcus Battle	December 21, 2016	increased amount)	
Andre Bell	(Increase days)		Julio Lucas, Interim Director of
Janice Unger		Measure G & E	Capital Planning/Design

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees approve Change Order No. 06 to Purchase Order 600077 for additional construction services for the District Wide Security Camera Upgrade (Project No.: Z-XXX-703).

On June 18, 2015, (Item 8.05) the Board of Trustees awarded a construction agreement with G4S Secure Integration, LLC in the amount of \$7,554,269.00 (Attachment B)

On August 18, 2016, (Item 20.02) the Board of Trustees awarded Change Order No. 01 and 02 with G4S Secure Integration, LLC in the amount of \$15,385.09 and \$23, 247.70. (Attachment C)

On September 22, 2016, (Item 20.02) the Board of Trustees is being asked to ratify change order no. 03, 04, and 05 with G4S Secure Integration, LLC in the amount of \$41,640.74, \$43,455.68, and \$41,909.27. (Attachment D)

Change Order No. 06, (Item 15.01) the change order is for PCO's 1.2, 20.1, 24.1, 28.1, 29.1, 33, 36, 38, 39, 40, 42, 43, 44, 48, 50, and 53. (Attachment E).

Original Contract Amount	\$7,554,269.00
Previous Change Order Amounts	\$165,738.48
Contract Amount Prior to these	\$7,720,007.48
Change Orders	\$7,720,007.40
Total Amount of Change Orders	\$367,430.14
(cumulative) to date	φ307,430.14
Revised Contract Amount	\$7,921,699.14

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order No. 06 to Purchase Order 600077 with **G4S Secure Integration**, **LLC**, for an increased amount of \$201.691.66 for the District Wide Security Camera Upgrade (Project No.: Z-XXX-703).



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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 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.

Motion & Voting

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.

Board Member Van Le not present at vote/out of room.

Motion by Member Pattie Cortese, 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

Not Present at Vote: Member Van Le

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

Board Meeting of September 22, 2016 – Item 18.01

Consultant	Contract Period	Contract Amount	PO Number	Location of Services	Description of Services	Date Contract Assigned
A Pro Pest Control Services	July 1, 2016 – June 30, 2017	\$20,000.00	700684	All Sites	Provide pest control services at all ESUHSD sites as needed in accordance with the contract and Exhibit "A" (Scope of Services).	August 10, 2016
AmeriPride Uniform Services	July 1, 2016 – June 30, 2017	\$15,000.00	700637	Education Center	Provide weekly rental and cleaning services of uniforms in accordance with the contract and Exhibit "A" (scope of services).	September 6, 2016
Backflow Guy Inc.	July 1, 2016 – June 30, 2017	\$8,000.00	700686	All Sites	Provide services to repair, test and certify all backflow devices at all ESUHSD sites as needed in accordance with the contract and Exhibit "A" (Scope of Services).	August 10, 2016
CA Special Ed Services LLC	August 22, 2016 – June 30, 2017	\$10,000.00	701123	Education Center	Provide technical assistance services based on the districts requirements to complete the Significant Disproportionate Coordinated Early Intervening Services (SD-CEIS) Plan.	September 6, 2016
Chelsea's Busy Hands	July 1, 2016 – June 30, 2017	\$10,000.00	N/A	District Wide	Provide sign language interpretation services to ESUHSD on an as needed basis.	August 22, 2016
ClassTech	July 1, 2016 – June 30, 2017	\$379.00	700875	Piedmont Hills	Provide labor services to uninstall and re- install existing SMART Board and projector from one room to another room.	August 22, 2016
ClassTech	July 1, 2016 – June 30, 2017	\$10,000.00	N/A	District Wide	Provide labor services to uninstall and re- install SMART boards systems including board and SMART projectors at all school sites including district office on an as needed basis.	August 22, 2016
Don Johnston Inc.	October 1, 2016 – November 30, 2016	\$6,000.00	701011	Education Center	Provide 2 days of training time for hands-on training for "Snap & Read Universal and uPAR" literacy programs at ESUHSD.	August 30, 2016
Environmental.com	July 1, 2016 – June 30, 2017	\$2,500.00	701032	Education Center	Provide Annual Monitoring Compliance Program Management fees for 1 year, includes site visit, training, SWPPP and SMARTS updates.	August 31, 2016

Family & Children Services	July 1, 2016 – June 30, 2017	\$6,000.00	701013	Education Center	Provide mental health services for deaf/hard of hearing students at East Side Union High School District in accordance with the student's IEP. These students' profiles are complex, and present with academic, social and behavioral concerns.	August 30, 2016
Gail K. Tsuboi dba Tsuboi Design	July 1, 2016 – June 30, 2017	\$1425.00	700749	Education Center	Provide recording services for the discussions during the Business Services Strategic Planning retreats for 2016/17.	September 6, 2016
ICS-Integrated Communications Systems	July 1, 2016 – June 30, 2017	\$10,000.00	701016	Education Center	Provide Telecor maintenance and repairs as requested at all ESUHSD sites in accordance with the contract and Exhibit "A" (Scope of Service)	August 30, 2016
Jerold Snyder	April 28, 2016	\$175.00	701133	Education Center	Provide Adjudication services for district guitar festival.	September 6, 2016
John H. Burn	March 8 - 9, 2016	\$350.00	701132	Education Center	Provide Adjudication services for district band festival.	September 6, 2016
Louis De La Rosa	March 22 - 23, 2016	\$350.00	701135	Education Center	Provide Adjudication services for district choir festival.	September 6, 2016
Maria Norma Martinez-Palmer Ed.D	August 15, 2016 – June 30, 2017	\$7,500.00	701165	Education Center	Provide coaching services to two high schools principals at ESUHSD.	September 9, 2016
Michael Kambeitz	March 10, 2016	\$175.00	701134	Education Center	Provide Adjudication services for district band festival.	September 6, 2016
Pacific Material Handling Solutions	July 1, 2016 – June 30, 2017	\$2,000.00	700516	Education Center	Provide semi-annual preventive maintenance of forklifts and supplies for maintenance at ESUHSD in accordance with the contract.	August 10, 2016
PAPE Material Handling	July 1, 2016 – June 30, 2017	\$4,000.00	700515	Education Center	Provide services for lift repairs at ESUHSD in accordance with the contract.	August 10, 2016
Passageworks Institute	August 1 - 2, 2016	\$17,800.00	701163	Education Center	Provide services to engage Teaching Professional Development sessions with 2 PWI faculty for 30 teachers at ESUHSD.	September 9, 2016
Passageworks Institute	September 20 - 21, 2016	\$17,950.00	701164	Education Center	Provide services for CEC Practicum Course-Integrating Engaged Teaching Principles & Practices for 15 participants and for Creating Engaged Classrooms course for 25 participants at ESUHSD.	September 9, 2016

Perseus Associates LLC	July 1, 2016 – June 30, 2017	\$12,225.00	701166	Education Center	To maintain/hosted/license online transportation software data management system for Trans Traks and to provide access for 20 users for the Transportation Department at ESUHSD.	September 9, 2016
Photo Waste Recycling Services	July 1, 2016 – June 30, 2017	\$20,000.00	700687	All Sites	Provide services for science and photo labs hazardous waste disposal and on-call services for the disposal of any other hazardous waste as requested at all ESUHSD sites as needed in accordance with the contract and Exhibit "A"	August 10, 2016
Scantech Utility Locating Services	July 1, 2016 – June 30, 2017	\$3,000.00	700682	All Sites	Locate underground utilities and provide mapping and video at ESUHSD for all sites as needed in accordance with the contract and Exhibit "A".	August 10, 2016
School Services of California	July 1, 2016 – June 16, 2017	\$15,000.00	701002	Education Center	Provide assistance with the budget review for negotiations.	August 30, 2016
Silicon Valley Math Initiative	July 1, 2016 – June 30, 2017	\$20,980.00	701012	Mt. Pleasant	Provide professional development services and mathematics coaching to teachers at Mt. Pleasant High School.	August 30, 2016
Smith's Gopher Trapping Service	July 1, 2016 – June 30, 2017	\$12,000.00	700681	All Sites	Provide pest control services, specifically, gopher control services at all ESUHSD sites as needed in accordance with the contract and Exhibit "A" (Scope of Services).	August 10, 2016
Snider and Associates	July 1, 2016 – June 30, 2017	\$5,200.00	700541	Education Center	Provide facilitation and consultation services to the Division of Business Services in developing a district wide strategic plan for delivery of the Business Services.	September 6, 2016
Special Olympics Northern California Inc.	July 1, 2016 – June 30, 2017	\$3,500.00	Revenue	Education Center	Special Olympics and ESUHSD agree to implement the Special Olympics Northern California Schools Partnership Program for students with and without disabilities through sports and Whole School Involvement.	September 6, 2016

The Tenacious Group Inc.	July 18, 2016 – July 22, 2016	\$4,000.00	700707	Yerba Buena	Provide Summer App Camp services for students to learn how to build and use apps at Yerba Buena High School. Also included in contract app management services, internet hotspots, workbooks and meals.	August 10, 2016
West Shield Adolescent Services Inc. dba Family Crisis	August 1, 2016 – June 30, 2017	\$10,000.00	700690	Education Center	Provide transportation services for ESUHSD special education students to facilities and programs per IEP requirements	August 10, 2016
Western Interpreting Network	July 1, 2016 – June 30, 2017	\$5,000.00	701122	Education Center	Provide deaf/hard of hearing services to special needs students, parents and staff at ESUHSD.	September 6, 2016
William Lazo Translations	July 1, 2016 – June 30, 2017	\$10,000.00	700689	Education Center	Provide translation and interpretation services from English to Spanish/Spanish to English for various documents and oral interpretation services for meetings.	August 10, 2016



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 20. FACILITIES/BOND - CONSENT/ACTION CALENDAR

Subject 20.02 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

Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital

PREPARED BY: 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.

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 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.

Board Member Van Le not present at vote/out of room.

Motion by Member Pattie Cortese, 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

Not Present at Vote: Member Van Le

Project Number & Name	Project Description	Purchase Order Number / Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
IT-013-005 / DW License & Renewal	Contract Service Agreement: Provide services and software support for 23,278 students per student district wide and per the "Cruncher 2016-2017 service and software license agreement"	700547 / CP1514	August 2, 2016 thru June 30, 2017	PathToExcel, LLC	\$27,933.60	8/2/2016
Z-071-601 / ST Phoenix Classroom/RR Bld & Courtyard	To provide all in-plant special inspection and materials testing required by DSA for Santa Teresa/Phoenix High School classroom/restroom relocatable building at American Modular. Total fee includes shop welding, wood framing, electrical, mechanical, reinforced concrete, inspection and testing, project management and a final report	700552 / CP1498	August 5, 2016 to project completion	North American Technical Services	\$2,600.00	8/2/2016
IT-013-001 / DW Network Equipment	Service labor installation for Board Room wireless mic upgrade. Total purchase order also includes the cost of equipments	700571 / CP1519	August 1, 2016 to project completion	Audio Images Corporation	\$43,256.00	8/4/2016
Z-065-603 / IH Blds GHKLB Modernization	Provide moving services for the book move at Independence High School. Move approximately 73 cart loads of books + 100 small boxes of books. Disassemble and move 24 sections of shelving. Pound down old anchors. Total cost includes materials, labor, tax, and delivery	700601 / CP1501	August 8, 2016 to project completion	Mont-Rose Moving Systems, Inc	\$2,847.63	8/8/2016

Project Number & Name	Project Description	Purchase Order Number / Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
Z-060-601 / YB New Student Union & Quad Modernization	Provide supplemental geologic hazards evaluation and geotechnical engineering study at Yerba Buena High School. The scope of work includes boring testing, provide report and response to comments from California Geological Survey (CGS) letter dated June 22, 2016	700603 / CP1512	August 8, 2016 to project completion	Earth Systems Pacific	\$5,650.00	8/8/2016
IT-013-006 / DW Projection Devices	Relocated 3 each recordex monitors in classrooms in Room Q1 at Oak Grove, Room 1001 at James Lick, and Room 607 at Mt. Pleasant High School	700657 / CP1530	Professional services completed August 3, 2016	Fortune Cabling Services	\$855.00	8/9/2016
I-030-003 / JL Site Infrastructure Improvements	Work will be performed on a time and material basis for up to 6 hours. Consultants shall provide labor, materials, and equipment to perform electrical site survey and analysis of the existing tennis court lighting system at James Lick High School. Work includes a written report of findings and recommendations submitted to District	700829 / CP1532	August 17, 2016 to project completion	Radiant Electric, Inc	\$950.00	8/17/2016
F35-052-002 / EC Interior/Exterior Facility Improvements	Reconfiguration labor. Purchase order include labor and material to reconfigure HR cubicle space #26.	700828 / CP1540	August 22, 2016 to project completion	Campbell Keller	\$2,698.40	8/22/2016
IT-013-004 / DW Professional Services	Scope of work is to integrate filemaker to help maintain data flow. Contract is for 117 service hours	700868 / CP1533	August 22, 2016 to March 15, 2017	Accelatron	\$9,945.00	8/22/2016

Project Number & Name	Project Description	Purchase Order Number / Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
Z-055-602 / SC Field Concession Bld	Scope of work includes temporary relocation of existing storage containers and provide one (1) 40ft rental storage container for the duration of construction; includes transferring the contents of two (2) storage sheds and one (1) container into the 40ft rental container. Scope also includes a second mobilization and relocation of the aforementioned containers from the temporary phasing area to the newly constructed adjacent crushed rock/gravel pads	700869 / CP1548	August 25, 2016 to project completion	Chipman Relocation & Logistics	\$18,278.00	8/22/2016
and Electrical Upgrades (Package C.1: Hazardous Materials Testing for Boiler	Scope of work includes inspection, sampling, testing, and reporting of materials for one (1) abandoned boiler tank in the mechanical room of Building H. The boiler will be removed for the purpose of installing the replacement AHU	700870 / CP1550	August 22, 2016 to project completion	Hazmat Doc	\$1,225.00	8/22/2016
F25-060-002 / YB CCA New Buildings	Geotechnical construction observation and testing services for the two modular buildings at Yerba Buena High School. Scope of services include but not limited to prepare DSA progress reports and final closeout documents to DSA	700878 / CP1547	August 23, 2016 to project completion	Cleary Consultants, Inc	\$3,500.00	8/23/2016
,	Provide moving services to relocate 15 cement trash holders and 20 picnic benches at Andrew Hill High School. Total cost includes materials, labor, tax, and delivery	700879 / CP1513	August 23, 2016 to project completion		\$935.00	8/23/2016

Project Number & Name	Project Description	Purchase Order Number / Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
Z-XXX-702 / DW Mechanical and Electrical Upgrades (Package C.1: Phase I Inc I - HVAC Replacement at PH & IH)	Provide DSA project inspector services per plan and specifications for DWME - HVAC Replacement project at Piedmont Hills High School and Independence High School	700881 / CP1537	August 23, 2016 to project completion	CIS, Inc	\$6,400.00	8/23/2016
E-065-008 / IH Bld J Modernization	Scope of work includes providing hazardous material survey and report with specifications for Independence Building J	700954 / CP1559	August 26, 2016 to project completion	Millennium Consulting Associates	\$6,097.00	8/26/2016
Z-055-602 / SC Field Concession Bld	Provide DSA project inspection services for Silver Creek High School Field Concession Building	701004 / CP1556	September 1, 2016 to project completion	Santa Clara Valley Construction Inspections (SCVCI)	\$15,330.00	8/30/2016
Z-055-602 / SC Field Concession Bld	For geotechnical construction observation and testing services for the new concession building at Silver Creek High School. Scope of services include but not limited to prepare testing reports, DSA progress reports, and final closeout documents to DSA	701005 / CP1555	September 1, 2016 to project completion	Cleary Consultants, Inc	\$12,100.00	8/30/2016
E-060-008 / YB Alt Ed MiniCampus Impr Phase 1 Facility Includes: P4-P7, Landscape Hardscape	Provide DSA project inspection services for Yerba Buena High School Alt Ed MiniCampus	701010 / CP1561	November 14, 2016 to project completion	Santa Clara Valley Construction Inspections (SCVCI)	\$23,360.00	8/30/2016