



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting Jun 21, 2018 - ESUHS D REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 -- AMENDED

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

Subject 16.05 Approve Minutes of March 22, 2018, Regular Board Meeting

Access Public

Type Action, Minutes

Recommended Action It is recommended that the Board of Trustees approve the March 22, 2018, 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 March 22, 2018, Regular Board Meeting

Attached are the minutes of the March 22, 2018, 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 March 22, 2018, Regular Board Meeting minutes as presented.

[BA_2018_03_22_Reg_Minutes.pdf \(196 KB\)](#)

Executive Content

East Side Union High School District

APPROVED

Board of Trustees

A handwritten signature in black ink, which appears to be "Chris D. Funk", is written over a horizontal line. To the right of the signature, the date "6-21-18" is handwritten.



Each student graduates prepared for college and career,
empowered to thrive in a global society.

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
March 22, 2018
4:00 p.m.**

1. CALL TO ORDER / ROLL CALL

1.01 Roll Call

President J. Manuel Herrera called the meeting to order at 4:04 PM.

Present for roll call:

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

1.02 Announcement and Public Comment regarding Items to be discussed in Closed Session (Government Code 54957.7). Persons wishing to address the Board on Closed Session items or any subject not on the agenda must fill out a speaker request form, which is located at the entrance of the Board Room.

Rogelio Ruiz, Legal Counsel:

At the February 13 Board meeting, the Board passed and adopted Resolution #2017/2018-16 the resolution ordering an election for the purpose of submitting to the qualified electors of the District the question of levying an education parcel tax upon each parcel in the District for educational purposes and establishing the specifications of the election order. The staff delivered this Resolution, including the approved ballot language to the Registrar of Voters today and the Registrar of Voters has rejected the ballot language because, in the Registrar's opinion, the ballot measure, the short statement, exceeds the 75word limit by two words. The Resolution authorized and delegated to the Superintendent the authority to make any changes to the text of the ballot measure as required upon the advice of the District's Legal Counsel to conform to any requirements of the Registrar of Voters. However, in light of the fact that the deadline for filing is tomorrow, my recommendation would be that the Board adopt an amended resolution with the

revised ballot language that way there is no question or issue for dispute tomorrow when this is filed with the Registrar of Voters.

Under the Brown Act Government Code Section 54954.2 and notwithstanding the 72-hour notice for agendaing and posting agendas, the Board can take action on an item of business not appearing on the posted agenda if upon a determination by a two-thirds vote of this Board that there is a need to take immediate action and that the need for the action came to the attention of the District subsequent to the agenda being posted.

My recommendation is that the Board place on the agenda for today Amendment to Resolution 2017-2018-16 in the open session because there is the need to take immediate action since the filing deadline is tomorrow and that need did not come to the attention of the District until just today, which was after the agenda was posted.

Motion to place on the March 8, 2018, Board meeting agenda, under open session, an Amendment to Resolution 2017-2018-16. There is the need to take immediate action since the filing deadline is tomorrow and that need did not come to the attention of the District until just today, which was after the agenda was posted.

Motion by Pattie Cortese, second by Frank Biehl
Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le
Vote: 5/0; Final Resolution: Motion Carries

This item will be available for public view. It will be placed on the agenda as item 11.01. Announcement of the addition of the item will be made at the start of open session.

1.03 Recess to Closed Session in the Superintendent's Conference Room (Open Session will resume at the end of Closed Session in the Board Room 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 Mindfulness Practice

2.02 Expulsion(s)

- **17-18-013**
- **17-18-014**

Student 17-18-013

Motion to approve expulsion of Student 17-18-013.

Motion by Frank Biehl, second by Lan Nguyen

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

Student 17-18-014

Motion to approve expulsion of Student 17-18-014, with a suspended expulsion as to second semester.

Motion by Pattie Cortese, second by Van Le

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Final Resolution: Motion Carries

2.03 Public Employee Performance Evaluation (Government Code Section 54957)

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

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

2.06 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 Employees:

Administrators

Managers

Confidential Employees

**2.07 Conference with Legal Counsel – Anticipated Litigation:
Significant exposure to litigation pursuant to subdivision (d)(2) of
Government Code Section 54956.9:**

• **Four (4) Potential Cases**

Motion #1

Motion to approve settlement agreement and general release with employee B. Worthy, which includes an agreement to closed EEOC case #556201700635 with no admission of liability by any party, irrevocable resignation, and payment in exchange for resignation, lost wages, and release of all claims.

Motion by Frank Biehl, second by Pattie Cortese

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

Motion #2

Motion to reject the claim for damages of Y. Tsaboukos.

Motion by Van Le, second by Pattie Cortese

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

**3. RESUME OPEN SESSION AT APPROXIMATELY 6:00 P.M. - EDUCATION CENTER
BOARD ROOM**

3.01 Pledge of Allegiance

4. WELCOME AND EXPLANATION TO AUDIENCE

4.01 Any person may address the Board on any item on the meeting agenda. Information explaining Board meeting procedures and how citizens can address the Board will be read. Persons wishing to address the Board must fill out a speaker request form, which is located at the entrance of the Board Room. Written information is located near the entrance to the Board Room.

5. ADOPTION OF AGENDA

5.01 The Superintendent and/or Board Member(s) may request that items be removed from the agenda for consideration and/or carried to a future Board meeting for consideration and/or action, and/or that the Board take action in a regular meeting on a subject not listed on the published agenda on an emergency basis or other basis allowed by law. (Gov. Code 54954.2)

There were no changes to the agenda.

6. BOARD SPECIAL RECOGNITION(S)

No Items on Calendar under this Section

7. STUDENT BOARD LIAISON(S) (5 minutes each school)

7.01 Oak Grove High School

- **Michael Pham, Student Representative**

7.02 Piedmont Hills High School

- **Andrea Nguyen, President – Premier Studios Club**
- **Vanessa Nguyen, Vice President – Premier Studios Club**
- **Nick Shanker, Treasurer - Premier Studios Club**
- **Sophia Belarmino, Publicist – Premier Studios Club**

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 Discussion and/or Action on B. Roberto Cruz Leadership Academy Charter Renewal Petition - Glenn Vander Zee, Associate Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight

Subject to the deficiencies noted and remedial recommendations in Section V.A., motion to approve the proposed B. Roberto Cruz Leadership Academy Charter Renewal Petition submitted by the Foundation for Hispanic Education and that the B. Roberto Cruz Leadership Academy charter be renewed for the required five-year term, commencing on July 1, 2018, to end on June 30, 2023.

Motion by Lan Nguyen, second by Van Le

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

8.03 Discussion and/or Action on Luis Valdez Leadership Academy Charter Renewal Petition - Glenn Vander Zee, Associate Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight

Subject to the deficiencies noted and remedial recommendations in Section V., motion to approve the proposed Luis Valdez Leadership Academy Charter Renewal Petition submitted by The Foundation for Hispanic Education and that the that the Luis Valdez Leadership Academy charter be renewed for the required five-year term, commencing on July 1, 2018, to end on June 30, 2023.

Motion by Lan Nguyen, second by Frank Biehl

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

8.04 Discussion and/or Action on Escuela Popular Center for Training and Careers Revised Charter Renewal Petition - Glenn Vander Zee, Associate Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight

Subject to the concerns and deficiencies and remedial recommendations in Section V.A., motion to approve the proposed revised Escuela Popular Center for Training and Careers Charter Renewal Petition submitted by Escuela Popular del Pueblo and that the Escuela Popular Center for Training and Careers charter be renewed for the required five-year term, commencing on July 1, 2018, to end on June 30, 2023.

Public speakers:

- Nigel T. Gully
- Banqui Domagoing
- Patricia Reguerin
- Maria Hernandez

Motion by Frank Biehl, second by Lan Nguyen

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

8.05 Presentation, Discussion and/or Action to Approve Award of Bids and Request for Proposals for Third Party Administrators - Benefits - Cari Vaeth, Associate Superintendent of Human Resources

Motion to approve the award of bids and request for proposals for Third Party Administrators as presented.

Motion by Frank Biehl, second by Van Le

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

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

9.01 No Items on Calendar under this Section

10. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

10.01 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:

- Michelle Verrochi
- Alexis Sanchez
- Norma Guintero
- Farah Alonzo
- Maria Yopez
- Alma Cardenas
- Natira Plaminter
- Hector Barruiza
- Senaida Rios
- Caren Trejo

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

11.01 Discussion and/or Action to Appoint Two Board Members to Serve on a Committee to Review 2017 Citizens Bond Oversight Committee (CBOC) Applications - Chris D. Funk, Superintendent

Motion to appoint two Board Members, Frank Biehl and Patti Cortese, to serve on a committee to review the 2018 Citizens Bond Oversight Committee (CBOC) applications.

Motion by Van Le, second by Lan Nguyen

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

11.02 Discussion and/or Action to Adopt Resolution #2017/2018-28 regarding School Safety - Frank Biehl, Board Member

Motion to adopt Resolution #2017/2018-28 School Safety.

Motion by Frank Biehl, second by Van Le

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

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

12.01 Presentation, Discussion and/or Action on Family Learning Center and Teen Parent Supports - Glenn Vander Zee, Associate Superintendent of Educational Services, George Sanchez, Principal, Foothill High School, and Connie Dionisio, Site Supervisor Family Learning Center

Presentation item; no action taken

12.02 Presentation, Discussion and/or Action on Alternative Schools – Glenn Vander Zee, Associate Superintendent of Educational Services

Presentation item; no action taken

12.03 Presentation, Discussion and/or Action on Stakeholder Equity Committee's (SEC) Role and Responsibilities - Glenn Vander Zee, Associate Superintendent, and Shakenya Edison, Director II of Student Services

Presentation item; no action taken

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

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

Motion to approve the amended/corrected 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.

Specific amendment/correction is the date in item #4 of the contracts for professional services, June 30, 2021.

Motion by Frank Biehl, second by Van Le

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

13.02 Discussion and/or Action to Adopt Resolution #2017/2018-30 to Hire Short-Term Non-Certificated Summer Staffing - Marcus Battle, Associate Superintendent of Business Services

Motion to adopt Resolution #2017/2018-30 to hire short-term Non-Certificated Summer Staffing.

Motion by Van Le, second by Lan Nguyen

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

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

14.01 Discussion/Action Regarding Approval of Resolution #2017/2018-31 Creating “Senior Manager of the Bond Program” and Designating the Position as Senior Management Position of the Classified Service (Education Code §45100.5) and Approving the Job Description and Salary - Cari Vaeth, Associate Superintendent of Human Resources

Motion to approve Resolution #2017/2018-31, and approve the job description and salary for the proposed classified senior management position of Senior Manager of the Bond Program.

Motion by J Manuel Herrera, second by Pattie Cortese

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

14.02 Discussion and/or Action to Approve New Classified Management Job Description and Salary Range for Construction Bond Program Controls Manager - Cari Vaeth, Associate Superintendent of Human Resources

Motion to approve the job description and salary for the proposed classified management position of Construction Bond Program Controls Manager.

Motion by Van Le, second by Lan Nguyen

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

15. FACILITIES/BOND - 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, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, Capital Projects Purchasing Manager

Motion 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.

Motion by Lan Nguyen, second by Van Le

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: 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 to approve the entire Consent Calendar as presented.

Motion by Lan Nguyen, second by Frank Biehl

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

Vote: 5/0; Final Resolution: Motion Carries

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

16.01 Approve Minutes of December 7, 2017, Annual Organizational and Regular Board Meeting

16.02 Approve Minutes of January 11, 2018, Board Study Session/Workshop

17. EDUCATIONAL SERVICES / STUDENT SERVICES - CONSENT/ACTION CALENDAR

17.01 Ratify/Approve School Field Trips

18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

18.01 Ratify/Approve Contract(s) for Professional Services At or Below \$25,000

18.02 Ratify/Approve California Uniform Public Construction Cost Accounting Act (CUPCCAA) Informal General Purchasing Project(s)

18.03 Ratify/Approve Purchase Orders Dated January 31, through March 1, 2018

18.04 Ratify/Approve Change Orders to Purchase Orders

18.05 Ratify/Approve Memorandum of Understanding

18.06 Adopt Resolution #2017/2018-32 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546

19. HUMAN RESOURCES - CONSENT/ACTION CALENDAR

19.01 Ratify/Approve Classified Personnel Actions Presented March 22, 2018

19.02 Ratify/Approve Certificated Personnel Actions Presented March 22, 2018

19.03 Ratify/Approve Student Aide Personnel Actions Presented March 22, 2018

20. FACILITIES/BOND - CONSENT/ACTION CALENDAR

20.01 Approve the Capital Program Budget Adjustment Report

20.02 Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

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

20.04 Ratification of Bond/Capital Projects Change Orders to Construction Contracts and Purchase Orders At or Below \$175,000

20.05 Ratify/Approve California Uniform Public Construction Cost Accounting Act (CUPCAA) Informal Bond Project(s)

20.06 Accept Amendments to Total School Solutions Report regarding Measure E, G, I, and Tech I Proposition 39 Bond Fund Performance Audit Report for Fiscal Years Ended June 30, 2016, and June 30, 2017

21. WRITTEN REPORTS/RECOMMENDATIONS

No Items on Calendar under this Section

22. FUTURE AGENDA ITEMS

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

Member Van Le:

- Update/Presentation on Food Services Program

Member Lan Nguyen:

- Presentation on International Baccalaureate (IB) Program

22.02 Future Items

Board Vice President Pattie Cortese

Item	Date (tentative)	Type
Recycling Program	April, 2018	Presentation/Discussion
Burns Institute	April, 2018	Presentation/Discussion

Board Member Van Le

Item	Date (tentative)	Type
Status of Construction Building Projects	June, 2018	Report

22.03 Annual Governance Calendar

<p>July:</p> <ul style="list-style-type: none"> •Summer School Program (concludes session) •Summer School Graduation <p>August:</p> <ul style="list-style-type: none"> •Board Members' Expenses Report (Apr/May/June) •Expulsion Hearing Panel Committee •First Day of School •Superintendent's Annual Evaluation •Williams Quarterly Report <p>September:</p> <ul style="list-style-type: none"> •Board Study Session/Workshop •College Night •Conflict of Interest Board Policy (updates) •Public Hearing and Adoption: Gann Spending Limit •Public Hearing: Sufficiency/Insufficiency of Textbooks •Receive Annual Developer Fees Report •Unaudited Actuals <p>October:</p> <ul style="list-style-type: none"> •Bond Program Presentation •Solar Energy Presentation •Student Achievement Presentation •Williams Quarterly Report <p>November:</p> <ul style="list-style-type: none"> •Academic Success Analysis Biannual Presentation •Board Members Expenses' Report (July/Aug/Sept) •Board Study Session/Workshop •Election Orientation for New Board Members <p>December:</p> <ul style="list-style-type: none"> •Annual Organizational Board Meeting •CSBA Annual Conference •Election Orientation for New Board Members •End of First Semester •First Interim Report <p>January:</p> <ul style="list-style-type: none"> •Audit Report •Board Audit Committee Selections/Appointments •Board Retreat •Financial & Performance Audit Report for Bond Measures •Magnet Night •Martin Luther King, Jr. Writing, Art & Multi-Media Awards Ceremony & Reception •Master Business Relationship Agreement between ESUHSD and MetroED •Policies & ByLaws (Begin Review by Series) •Sports Recognitions (Fall) •Technology Report •Williams Quarterly Report 	<p>February:</p> <ul style="list-style-type: none"> •African American Students Achievement Awards •Audit Committee Charter Amendment(s) •Board Members' Expenses Report (Oct/Nov/Dec) •CSBA Delegate Assembly Election •IPC Annual Presentation •Non-Re-Elects •Safety Plan Goals for Each Site •State of the District <p>March:</p> <ul style="list-style-type: none"> •Academic Success Analysis Biannual Presentation •Cesar Chavez Writing, Art & Multi-Media Awards Luncheon •Latino Student Awards Recognition Ceremony •March 15 Notices •NSBA Annual Conference (<i>March or April</i>) •Second Interim Report •SJPD Secondary Employment Application •Superintendent's Mid-Year Evaluation •Vietnamese Students Achievement Awards <p>April:</p> <ul style="list-style-type: none"> •Board Study Session/Workshop •Form 700 – Statement of Economic Interests Due to Santa Clara County (filing) •Honor Nights (April/May) •Migrant Education Awards Night •Williams Quarterly Report <p>May:</p> <ul style="list-style-type: none"> •Asian American/Pacific Islander History Month Poster & Essay Contest Awards/Celebration •Board Members' Expenses Report (Jan/Feb/Mar) •Board Self-Evaluation •Board Study Session/Workshop •Budget (Preliminary/Draft) Presentation •Employee Retiree & Recognition Event •Graduations •Honor Nights (April/May) •Last Day of School •Preliminary Review of Proposed LCAP <p>June:</p> <ul style="list-style-type: none"> •Annual Consolidated Program Application (CONAPP) •Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting) •Budget Adoption (second June Board Meeting) •Budget Advisory Committee: Nominate/Appoint Board Reps (2) & Alternative Board Rep (1) -- (2-yr term, fiscal year) •Employee Retirement Celebration •ESTA Safety Survey •International Student Program Annual Presentation •Master Contracts for Capital Projects •Plan for Expelled Youth (due every 3 years; due 2018) •Safety Plan Assessment for Each School •Single Plan for Student Achievement (SPSA) Each School •Sports Recognitions (Winter/Spring) •Summer School Program (session begins)
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23. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

23.01 Board of Trustees:

- **J. Manuel Herrera, President**
-- MetroED
- **Pattie Cortese, Vice President**
- **Lan Nguyen, Clerk**
- **Frank Biehl, Member**
-- Board Audit Committee
- **Van Le, Member**

23.02 Chris D. Funk, Superintendent

24. REPORT CLOSED SESSION ACTION(S)

24.01 Legal Counsel will Report on Closed Session Actions

25. ADJOURNMENT

25.01 President Adjourns the Meeting

Board President J. Manuel Herrera adjourned the meeting at 9:01 PM.

26. NEXT MEETING

- **April 19, 2018: Regular Board Meeting**
- **May 3, 2018: Board Study Session/Workshop**
- **May 17, 2018: Regular Board Meeting**

Respectfully submitted,



Board Clerk



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting	Mar 22, 2018 - ESUHS D 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	13.01 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, Janice Unger, 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, Janice Unger, 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.

[2018 0322 Contracts Over \\$25k.pdf \(95 KB\)](#)

[Attachment A.pdf \(118 KB\)](#)

Executive Content

Motion & Voting

Motion to approve the amended/corrected 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.

Specific amendment/correction is the date in item #4 of the contracts for professional services, June 30, 2021.

Motion by Frank Biehl, second by Van Le.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of March 22, 2018

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

1. The Master Teacher, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Teresa Marquez Marcus Battle Janice Unger Francine Brissey	April 1, 2018 – March 31, 2021	\$25,647.00 Educator Effectiveness	Education Center/ Instructional Services/ Teresa Marquez

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to approve the contract service agreement with The Master Teacher, Inc. The Master Teacher, Inc., will provide online training programs for ParaEducators. ParaEducators will have access to over 130 courses designed from research and evidenced based experts and practitioners. Course Categories include: Title I, Basic Knowledge and Skills, Disabilities and Exceptionalities, and English as a Second Language.

Selection Process

None

Recommendation

It is recommended that the Board of Trustees approve the contract service agreement with The Master Teacher, Inc., in the amount of \$25,647.00 for the term April 1, 2018, through March 31, 2021. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

2. Santa Clara County Office of Education

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Chris Funk Marcus Battle Janice Unger Francine Brissey	No Change	Amendment No. 02 \$5,862.40 Educare	Child Development/ Richard Uribe

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve Amendment No. 02 with the Santa Clara County Office of Education to provide Early Head Start family child care enhancement services to 40 children for each year.

On June 18, 2015 the Board of Trustees approved the revenue contract with Santa Clara County Office of Education, in the amount of \$970,000.00.

On February 16, 2017, the Board of Trustees approved Amendment No. 1 to the revenue contract with Santa Clara County Office of Education, for \$102,256.00.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of March 22, 2018

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

Amendment No. 2 will reflect a rate per child increase from \$450 to \$458.10 from May 1, 2017, to August 31, 2017, as well as a 1% Cost of Living Adjustment (COLA) effective September 1, 2017, at a new rate of \$462.68. Locations to be provided: Educare, Evergreen Valley High School, Foothill High School, and James Lick High School.

Original Amount	\$ 970,000.00
Amendment No. 01	\$ 102,256.00
Amendment No. 02	\$ 5,862.40
Total Amount	\$ 1,078,118.40

Selection Process

None

Recommendation

It is recommended that the Board of Trustees approve Amendment No. 02 with Santa Clara County Office of Education in the amount of \$5,862.40. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

3. Heartspring, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Marcus Battle Janice Unger Francine Brissey	July 1, 2017 – June 30, 2018	\$85,000.00 Special Ed Mental Health	Special Services/ Barbara Moore

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve Change Order No. 02 with Heartspring, Inc.

October 12, 2017, The Board of Trustees awarded a contract with Heartspring, Inc. in the amount of \$107,240.00

November 16, 2017, The Board of Trustees approved Change Order No. 01 with Heartsprings, Inc. in the increase amount of \$119,468.00

This Change Order No. 02 is being requested due to an underestimate of residential expenses.

Original Amount	\$ 107,240.00
Amendment No. 01	\$ 119,468.00
Amendment No. 02	\$ 85,000.00
Total Amount	\$ 311,708.00

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of March 22, 2018

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

Selection Process

Special Education Local Plan Area (SELPA)

Recommendation

It is recommended that the Board of Trustees approve Change Order No. 02 to PO 801419, with Heartspring, Inc., in the amount of \$85,000.00 due to an underestimate of residential costs. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

4. Safir and Associates, LLC

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Teresa Marquez Chris Funk Marcus Battle Janice Unger Francine Brissey	July 1, 2017 – June 30, 2018, (Amendment No. 1 continue use of “Materials” through June 30, 2021)	Amendment No. 01 \$0.00 Educator Effectiveness/ General Administration	Education Center/ Instructional Services/ Teresa Marquez

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve Amendment No. 01 to the contract service agreements awarded to Safir and Associates, LLC.

Safir and Associates, LLC provides a series of workshops surrounding the topic of Equity Leadership and Instructional Leadership Development, this included working with staff, planning and organizing retreats drafting equity statements and core beliefs. The consultant has developed tools rubrics, assessments, handouts, program agendas, PowerPoint slides and other related materials used and/or developed by Safir & Associates, LLC in the preparation and the performance of services pursuant to the CSA # 1 and CSA #2 (collectively, the “Materials”)

The District is now requesting the continued use and benefit of the “Materials” in District training and programs following the expiration of CSA #1 and CSA #2 through June 30, 2021, without any additional consideration or payment to consultant.

All Materials are and shall remain the exclusive property of Safir & Associates, LLC. Commencing July 1, 2022, District shall not use the “Materials” without the express written consent of the consultant. (Attachment A)

Selection Process

Grant Recommended Vendor

Recommendation

It is recommended that the Board of Trustees approve Amendment No. 01 to the contract service agreements (CSA #1 and CSA #2) with Safir and Associates, LLC to continue to use and benefit of the “Materials” in District training and programs through June 30, 2021 without any additional consideration or payment to consultant.



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting	Mar 22, 2018 - 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, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, 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, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, 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.

[2018 0322 Contract Over \\$50K.pdf \(141 KB\)](#)[Attachment A.pdf \(142 KB\)](#)[Attachment B.pdf \(106 KB\)](#)[Attachment C.pdf \(165 KB\)](#)[Attachment D.pdf \(332 KB\)](#)[Attachment E.pdf \(1,634 KB\)](#)[Attachment F.pdf \(56 KB\)](#)

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 Lan Nguyen, second by Van Le.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

EAST SIDE UNION HIGH SCHOOL DISTRICT
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Bond/Capital Projects Contract(s) for Services over \$50,000

1. Beals Martin & Associates, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Marcus Battle Julio Lucas Janice Unger Tu Nguyen	September 17, 2015 through project completion (No change)	\$14,373.00 (Not to exceed amount) Fund 24 – Measure I	Independence High School School/Facilities/Construction Bjorn Berg, Principal Julio Lucas, Director of Construction, Maintenance, and Facilities

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve Change Order No. 04 to Purchase Order 702625 for the increase to the construction agreement for the IH Blds G, H, K, and L Modernization (Blds G & H Mod) Project (Project No.: Z-065-603).

On January 19, 2017, the Board of Trustees approved a construction agreement (Item No. 20.01) for the modernization of IH Blds G, H, K, L (Blds G & H Mod) Project with Beals Martin & Associates, Inc., in the amount of \$3,396,797.00.

On August 17, 2017, the Board of Trustees ratified the Construction Change Order Under \$175,000 Report (Item No. 20.02) Change Order No. 01 to Purchase Order 702625 increase per PCO's for the total amount of \$170,858.00.

On August 17, 2017, the Board of Trustees approved Change Order No. 02 (Item No. 15.02) to Purchase Order 702625 increase per PCO's for the total amount of \$49,338.00.

On February 13, 2018, the Board of Trustees approved Change Order No. 03 (Item No. 15.03) to Purchase Order 702625 per PCO's for the total amount of \$105,091.00.

This Change Order No. 04 is for PCO's 45, 47, 48R1, 49, 50, 51, 52 for the total amount of \$14,373.00 which represents 10.0% in change orders to date for this project. (Attachment A)

Original Contract Amount	\$3,396,797.00
Previous Change Order Amounts	\$ 325,287.00
Contract Amount Prior to This Change Order	\$3,722,084.00
Change Order No. 04	\$ 14,373.00
Revised Contract Amount	\$3,736,457.00

EAST SIDE UNION HIGH SCHOOL DISTRICT
Board Meeting of March 22, 2018
Bond/Capital Projects Contract(s) for Services over \$50,000

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order No. 04 to Purchase Order 702625 for construction services with Beals Martin & Associates, Inc., for IH Blds G, H, K, and L Modernization (Blds G & H Mod) Project in the increased amount of \$14,373.00 and authorize administration to execute change orders in accordance with Board Policy 3312.1.

2. Rae Crowther Company (Sole Source Vendor)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Marcus Battle Julio Lucas Janice Unger Tu Nguyen	None	\$ 11,316.35 (Not to exceed amount) Fund 24 – Measure I	Silver Creek High School/ Facilities/Construction Chantal Chatman, Principal Julio Lucas, Director of Construction, Maintenance, and Facilities

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees ratify Change Order No. 02 to Purchase Order 603861 and approve Change Order No. 03 to Purchase Order 603861 for increase in added scope and the purchase of additional athletic equipment for SC Bld N Mod and New Quad Marquee Project (Project No.: Z-055-603).

On June 9, the Board of Trustees approved Rae Crowther, Co., as a sole source vendor to furnish, deliver, and install weight training items in an effort to provide a wide range of equipment that will appeal to users, including all grade levels, sport teams, and participants with special needs. 2015 (Item 15.01)

On August 18, 2016, the Board of Trustees ratified a purchase order agreement for Purchase Order 603861 with Rae Crowther Co., in the amount of \$93,770.04. (Item 18.02)

On June 20, 2017, Change Order No. 01 to Purchase Order 603861 was issued in the amount of \$387.14. This was an internal adjustment to the sales tax due to the tax rate increase.

This Change Order No. 02 to Purchase Order 603861 is for added scope, relocation and reinstallation of some fairly new equipment for the total amount of \$3,216.32. (Attachment B)

This Change Order No. 03 to Purchase Order 603861 is for additional athletic equipment; Quote #1703291252 and Quote #1706010505 for the total amount of \$8,100.03. (Attachment C)

Original Contract Amount	\$ 93,770.04
Previous Change Order Amounts	\$ 387.14
Contract Amount Prior to This Change Order	\$ 94,157.18
Change Order No. 02	\$ 3,216.32
Change Order No. 03	\$ 8,100.03
Revised Contract Amount	\$105,473.53

EAST SIDE UNION HIGH SCHOOL DISTRICT
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RECOMMENDATION

It is recommended that the Board of Trustees ratify Change Order No. 02 to Purchase Order 603861 and approve Change Order No. 03 to Purchase Order 603861 for increase in added scope and for purchase of additional athletic equipment with Rae Crowther Company for SC Bld N Mod and New Quad Marquee Project (Project No.: Z-055-603) in the increased amount of \$11,316.35 and authorize administration to execute change orders in accordance with Board Policy 3312.1.

3. Flint Builders, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Janice Unger Tu Nguyen	December 11, 2015 through May 11, 2018	\$215,354.00 (Not to exceed) Fund 23 - Measure E	Yerba Buena High School/Facilities/Construction Tom Huynh, Principal Julio Lucas, Director of Construction, Maintenance, and Facilities

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve Change Order No. 09 to Purchase Order 602168 for the increase to the design/build construction agreement for the YB New Student Union and Quad Modernization Project (Project No.: Z-060-601).

On December 10, 2015, the Board of Trustees approved a design/build construction agreement for the YB New Student Union and Quad Modernization Project with Flint Builders, Inc., in the amount of \$17,609,268.00. (Item No. 16.01)

On March 01, 2016, Change Order No. 01 to Purchase Order 602168 was issued to correct account object code and funding, no change to original amount of the contract.

On December 05, 2016, Change Order No. 02 to Purchase Order 602168 was issued due to the date for start of project on the NTP was prior to actual date of issuance of the NTP. Add twenty (20) calendar days to contract time.

On May 18, 2017, the Board of Trustees ratified Construction Change Order Under \$175,000 report, Change Order No. 03, dated 4/3/2017 to Purchase Order 602168 increase per Proposed Change Order (PCOs) for the total amount of \$144,411.00. (Item No. 20.04)

On May 18, 2017, the Board of Trustees ratified Construction Change Order Under \$175,000 report, Change Order No. 04, dated 4/27/17 to Purchase Order 602168 increase per PCO's for the total amount of \$23,819.00. (Item No. 20.04)

On August 17, 2017, the Board of Trustees ratified the Construction Change Order Under \$175,000 report, Change Order No. 05, dated July 19, 2017, to Purchase Order 602168 increase per PCO's for the total amount of \$4,936.00. (Item No. 20.04)

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of March 22, 2018

Bond/Capital Projects Contract(s) for Services over \$50,000

On August 17, 2017, the Board of Trustees approved Change Order No. 06 to Purchase Order 602168 per PCO's for the total amount of \$127,203.00. (Item No. 15.02)

On October 12, 2017, the Board of Trustees approved Change Order No. 07 to Purchase Order 602168 per PCO's for the total amount of \$125,917.00. (Item No. 15.02)

On February 13, 2018, the Board of Trustees approved Change Order No. 08 to Purchase Order 602168 per PCO's for the total amount of \$168,207.00. (Item No. 15.03)

This Change Order No. 09 is for PCO's 029, 032, 033, 034R1, 035R1, 036, 037, 038, 039R1, 040, 043, 044, and 045 for the total amount of \$215,354.00, which represents 4.6% in change orders to date for this project. (Attachment D)

Original Contract Amount	\$17,609,268.00
Previous Change Order Amounts	\$594,493.00
Contract Amount Prior to This Change Order	\$18,203,761.00
Change Order No. 09	\$215,354.00
Revised Contract Amount	\$18,419,115.00

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order No. 09 to Purchase Order 602168 for design/build construction services with Flint Builders, Inc., for the YB New Student Union and Quad Modernization Project (Project No.: Z-060-601) in the increased amount of \$215,354.00 and authorize administration to execute change orders in accordance with Board Policy 3312.1.

4. Electronic Textbook Software: Cengage Learning

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Randy Phelps Marcus Battle Janice Unger Tu Nguyen	March 11, 2018 through March 10, 2019	\$59,479.87 Fund 24 – Measure Tech I	District Wide / Information Technology Services Randy Phelps, Chief Technology Officer

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the renewal for a subscription license for electronic textbooks with Cengage Learning. This subscription license will allow students to use these textbooks with any computer, tablet or other device currently used in the classroom.

Contract Number: 499181

EAST SIDE UNION HIGH SCHOOL DISTRICT
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RECOMMENDATION

It is recommended that the Board of Trustees approve the annual one-year subscription license with Cengage Learning for an amount not to exceed \$59,479.87 for the subscription term starting March 11, 2018 through March 10, 2019 and authorize administration to execute change orders in accordance with Board Policy 3312.1.

5. Workspace Interiors – Office Depot (Piggyback Contract)

Awarding Agency	Award Date	Legal Advertisements	Advertisement Date(s)	Project Description
TCPN – Region 4 ESC, Contract No. R142212-RFP No. 14.22 0 Furniture & Installation	May 1, 2015 through April 30, 2018 with (2) year renewal	Done by Region 4 Education Service Center	Done by Region 4 Education Service Center	Purchase furniture and installation services for the Yerba Buena High School New Student Union and Quad Modernization Project.

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve a Purchase Order agreement for furniture and installation services for the Yerba Buena High School New Student Union and Quad Modernization Project (Project No.: Z-060-601)

On August 17, 2017, the Board of Trustees approved administration's recommendation to establish a pool of Furniture, Fixtures & Equipment (FF&E) vendor/suppliers that have met the qualification requirements of RFQ-45-16-17, and further recommended that the Board of Trustees approve the use of these piggyback bids/contracts (in accordance with Public Contract Code 20118, 20118.2 & Section 1101) from various national cooperative contracts, government and/or other piggyback contracts from public corporation or agencies. (Item No. 20.02)

On March 23, 2017, the Board of Trustees approved administration to use the piggyback bid (in accordance with Public Contract Code 20118, 20118.2 & Section 1101) from The Cooperative Purchasing Network (TCPN) finding that it is in the District's best interest to enter into purchase order contracts with MeTEOR Education, LLC., for an amount not to exceed \$1,100,000.00. (Item 20.02),

On January 18, 2018, (Item 15.01) and February 13, 2018 (Item 15.03), the Board of Trustees ratified Purchase Order 801946 in the amount of \$90,362.83 (Item 15.01) and approved Purchase Order 802351 in the amount of \$293,914.14 (Item 15.03), totaling \$384,276.97 for MeTEOR Education, LLC. Unfortunately, due to reasons outside of MeTEOR Education's control, they were not able to meet the schedule and provide the remainder of the furniture items that were originally approved to not exceed \$1,100,000.00.

A collaborative decision from Facilities staff as well as school site staff was to use Global products, which Workspace Interiors – Office Depot are able to provide. Workspace Interiors – Office Depot will

EAST SIDE UNION HIGH SCHOOL DISTRICT
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Bond/Capital Projects Contract(s) for Services over \$50,000

pick up the remainder of the Global products that MeTEOR was not able to quote for in order to meet project schedule. With the existing purchase orders for MeTEOR totaling \$384,276.97, this request to approve the purchase of the furniture and installation services with Workspace Interiors – Office Depot in the amount of \$458,850.33 needed, the total amount for the balance of the furniture requirements will be \$843,127.30, which is under the original approved amount of \$1,100,000.00

This request is being brought to the Board of Trustees to approve the purchase of the furniture and installation services in the amount of \$458,850.33 (includes tax and labor) per Quote Reference # 397877, 398489, and 400957. There will be three separate purchase order contracts for each Quote reference. (Attachment E)

RECOMMENDATION

It is recommended that the Board of Trustees approve the purchase order agreements for furniture and installation services with Workspace Interiors – Office Depot for the Yerba Buena High School New Student Union and Quad Modernization Project (Project No.: Z-060-601) in the amount of \$458,850.33 and authorize administration to execute change orders in accordance with Board Policy 3312.1.

6. Landscape Forms, Inc. (CMAS – Piggyback) – “Chase Park” Litter Receptacles and other outdoor furniture for all school sites

Awarding Agency	Award Date	Legal Advertisements	Advertisement Date(s)	Project Description
California Multiple Award Schedules (CMAS) CMAS Contract No. 4-16-78-0082B	December 28, 2016 – December 31, 2021	Done by the CMAS	Done by the CMAS	Purchase litter receptacles, side opening, 36 gallon capacity with keyed lock, and other outdoor furniture for school sites requiring these items for the sites projects

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve a Purchase Order agreement for purchase of furniture for the Yerba Buena High School New Student Union and Quad Modernization Project (Project No.: Z-060-601)

On January 19, 2017, (Item 20.03), the Board of Trustees approved GSA Contract No.: GS-03F-0115AA (Award Date: October 1, 2011 – September 30, 2021) for the purchase of litter receptacles and other outdoor furniture items.

On February 13, 2018, (Item 20.01), the Board of Trustees approved CMAS Contract No.: 4-16-78-0082B (Award Date: December 28, 2016 – December 31, 2021), which is being used because as of 2018, the GSA Contract No. GS-03F-0115AA can no longer be used unless it is truly a government purchase, no longer can schools or cities use the GSA contract; however, Landscape Forms, Inc. can still match the pricing from the GSA contract.

EAST SIDE UNION HIGH SCHOOL DISTRICT
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This request is being brought back to the Board of Trustees to approve the purchase of furniture for Yerba Buena High School New Student Union and Quad Modernization Project in the amount of \$103,172.87 (includes tax) per Quote 0000252610. (Attachment F)

RECOMMENDATION

It is recommended that the Board of Trustees approve the purchase order agreement for furniture with Landscape Forms, Inc. for the Yerba Buena High School New Student Union and Quad Modernization Project (Project No.: Z-060-601) in the amount of \$103,172.87 and authorize administration to execute change orders in accordance with Board Policy 3312.1.



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Agenda Item Details

Meeting	Mar 22, 2018 - 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 Ratify/Approve 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, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing

SUBJECT: Ratify/Approve 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.

2018 0322 Contracts under \$25K.pdf (102 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 Lan Nguyen, second by Frank Biehl.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of March 22, 2018

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

A Conflict of Interest Statement has been collected for each service contract listed below.

Consultant	Contract Period	Contract Amount/ Funding Source	PO Number	Location of Services	Description of Services	Date Contract Assigned
Accelerate Learning	November 18, 2017	\$900.00/ Professional Development	802350	Education Center	Provide professional development services specific to the stem scopes next generation science standards.	February 14, 2018
Accelerate Learning	January 27, 2018	\$900.00/ Professional Development	802254	Education Center	Provide professional development services specific to the stem scopes next generation science standards.	February 5, 2018
American Immigration & Multi Services	January 17, 2018 – June 30, 2018	\$10,900.00/ Foreign Exchange Student Program	802568	Education Center	Provide promotional assistance to ESUHSD international student program. Includes 2 seminars, one in Saigon and the other in Hanoi.	March 9, 2018
Angela Estrella	December 1, 2017 – June 30, 2018	\$10,000.00/ Supplement E	802420	W.C. Overfelt	Provide professional development services for teachers and their Professional Learning Communities (PLC's).	February 27, 2018
Cresci Fire Equipment	July 1, 2017 – June 30, 2018	\$23,000.00/ Deferred Maintenance	802378	Education Center	Provide services for fire extinguisher certifications, repairs and replacements as required at East Side Union High School District (ESUHSD).	February 16, 2018
Eileen N. Becker	July 1, 2017 – June 30, 2018	\$5,000.00/ Cal Career Pathways	802423	Education Center	Provide career technical education (CTE) credential advising and mentoring services for teachers needing CTE credentialing at ESUHSD.	February 27, 2018
Grail Family Services	January 9, 2018 – June 30, 2018	\$15,300.00/ Adult Education	802425	Adult Education	Provide child care for infants and toddlers of Adult English as a second language (ESL) students while they attend classes provided by East Side Adult Education.	February 27, 2018
Maria Norma Martinez-Palmer Ed.	November 1, 2017 – June 30, 2018	\$3,000.00/ Educator Effectiveness	802424	Education Center	Provide leadership coaching to a high school first year principal at least twice monthly.	February 27, 2018

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of March 22, 2018

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

A Conflict of Interest Statement has been collected for each service contract listed below.

Consultant	Contract Period	Contract Amount/ Funding Source	PO Number	Location of Services	Description of Services	Date Contract Assigned
Pape Material Handling	July 1, 2017 – June 30, 2018	\$4,000.00/ Restricted Maintenance	802483	Education Center	Provide services and repairs to boom lift and scissor lift at ESUHSD in accordance with the contract.	March 7, 2018
Passageworks	February 27, 2018 – June 30, 2018	\$10,600.00/ Transformation Learning Mindful	802421	Education Center	Provide professional development for the Culturally Responsive Leadership workshop at ESUHSD.	February 27, 2018
Photo Waste Recycling Co.	July 1, 2017 – June 30, 2018	\$25,000.00/ Deferred Maintenance	802360	District Wide	Provide services for science and photo labs hazardous waste disposal as needed for all sites at ESUHSD.	February 14, 2018
Santa Clara County Fairgrounds	February 1, 2019 – February 3, 2019	No Cost to ESUHSD	Not Applicable	Education Center	To rent the fairgrounds to have the Science Palooza for 2019. 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.	February 26, 2019
Silicon Valley Faces	January 12, 2018	\$1,000.00/ Principal	802359	Evergreen Valley	Provide services for the Student Leadership Institute Program.	February 14, 2018
W. Haywood Burns Institute	February 15, 2018 – December 31, 2018	\$15,000.00/ Supplement E	802422	Mt. Pleasant	Provide developing and implementing strategies to reduce racial and ethnic disparities in school discipline.	February 27, 2018
Yvana Uranga-Hernandez	December 1, 2017 – June 30, 2018	\$10,000.00/ Special Services	802347	Education Center	Provide speech-language assessments for special education students as needed for ESUHSD.	February 14, 2018
Zaretta Hammond	January 19, 2018	\$5,250.00/ Professional Development	802372	Education Center	Provide professional development workshop on teaching Racially Sensitive Literature for educators.	February 15, 2018



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting	Mar 22, 2018 - 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 Ratify 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, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, Capital Projects Purchasing Manager

SUBJECT: Ratify 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.

2018 0322 Contracts Under 50K.pdf (94 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 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 Lan Nguyen, second by Frank Biehl.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of March 22, 2018

Capital Projects Professional Contracts Under \$50,000.00

Consultant	Contract Period	Contract Amount	Purchase Order Number / CP Number	Location of Services	Project Number / Project Name	Description of Services	Date Purchase Order Assigned
Construction Testing Services	January 31, 2018 through project completion	\$3,000.00	802197 / CP2385	Independence Adult Center	Z-043-602 / IAC Admin New Bld & Misc Improvements	Consultant to provide the following scope of work: Gather concrete cylinders at the time of the footing pour, break cylinders and provide reports for the project at Independence Adult Center	January 31, 2018
Millennium Consulting Associates	No Change	Original Amount: \$12,130.00 + \$13,889.10 = \$26,019.10	703440 / CP1956	Independence High School	Z-065-008 / IH Building J Modernization	Change Order (C/O) #1 dated 02/05/2018 for additional unforeseen materials during abatement. Longer abatement duration than anticipated per Amendment No. 01 to Contract Services Agreement	February 5, 2018
Mont/Rose Moving Systems, Inc.	February 6, 2018 through project completion	\$2,420.00	802258 / CP2338	Piedmont Hills High School	Z-045-602 / PH New CR Building D1 & D2	Consultant to provide the following scope of work: Moving services for portable D1 at Piedmont Hills High School	February 6, 2018
Managed Facilities Solutions	No Change	Original Amount: \$3,051.99 + \$299.35 = \$3,351.34	801809 / CP2334	Andrew Hill, Independence High School	G-XXX-212 / DW Interior Flooring (PKG 11-AH, IH)	C/O #1 dated 02/07/2018 for additional time for mover to come back for the move back of the furniture because the new floor replacement was not ready per Amendment #1 to Contract Services Agreement	February 7, 2018

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of March 22, 2018

Capital Projects Professional Contracts Under \$50,000.00

Consultant	Contract Period	Contract Amount	Purchase Order Number / CP Number	Location of Services	Project Number / Project Name	Description of Services	Date Purchase Order Assigned
Cleary Consultants, Inc.	February 12, 2018 through project completion	\$13,250.00	802312 / CP2410	Ed Center Adult Transition Program North	F26-066-001 / EC Adult Transition Program North	Consultant to provide the following scope of work: Geotechnical and Geohazard investigations and utility locator service for four (4) exploratory borings locations for Adult Program North	February 12, 2018
Mont/Rose Moving Systems, Inc.	February 13, 2018 through project completion	\$11,602.41	802329 / CP2402	Independence High School	Z-065-008 / IH Building J Modernization	Consultant to provide the following scope of work: Provide moving services of 6 portables and 2 storage containers to IH BLD J for Pegasus School. Scope: Relocate contents of 6 portables to renovated library and disposal items into dumpsters.	February 13, 2018
Cleary Consultants, Inc.	February 15, 2018 through project completion	\$13,500.00	802358 / CP2434	James Lick High School (Science Garden)	Z-089-601 / JL New Parking Lot (Science Garden)	Consultant to provide the following scope of work: Provide Geo-technical inspection and testing services as needed for the project at James Lick. (DSA-43-EPDP / APPL#1-116369	February 15, 2018
Mont/Rose Moving Systems, Inc.	February 21, 2018 through project completion	\$4,564.00	802384 / CP2465	Independence Adult Education Center	Z-043-602 / IAC Admin New Bld & Misc Improvements	Consultant to provide the following scope of work: Provide moving services to relocate approximately 80 files, to bookcases, 7 desks for recycle, 90 tables, to 40 yard dumpster at IAC. Move date starts February 21, 2018. Total cost includes materials, labor, tax, and delivery. Move from 625 Educational Park Drive 1st Floor to recycle center and dumpster	February 16, 2018

EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of March 22, 2018

Capital Projects Professional Contracts Under \$50,000.00

Consultant	Contract Period	Contract Amount	Purchase Order Number / CP Number	Location of Services	Project Number / Project Name	Description of Services	Date Purchase Order Assigned
Artik Art & Architecture	March 1, 2018 through project completion	\$13,750.00	802433 / CP2427	Andrew Hill High School	E-025-007 / AH Gymnasium Windows Replacement	Consultant to provide the following scope of work: Provide architectural services for AH Gymnasium windows replacement at Andrew Hill High School	March 1, 2018
Underwood & Rosenblum, Inc.	March 1, 2018 through project completion	\$7,400.00	802431 / CP2433	Foothill High School	F26-005-818 / DW Infrastructure-Synthetic Turf Field (FH)	Consultant to provide the following scope of work: Provide underground utility locating and topographical surveys at Foothill High School	March 1, 2018
Santa Clara Valley Construction Inspections (SCVCI)	February 7, 2018 through project completion	\$3,000.00	802260 / CP2403	Yerba Buena High School	F25-060-003 YB Alt Ed Mini Campus Improvements - New Restroom Bld	Consultant to provide DSA project inspection services for DSA#:01-116945, for the project at Yerba Buena High School	February 7, 2018
Hazmat Doc	No Change	Original Amount: \$22,985.00 + Amount of Original and All Approved CO: \$29,279.00 + Amount to be Increased: \$4,495.00 = \$33,774.00	703770 / CP2034	Mount Pleasant High School	Z-035-601 / MP New Student Center & Quads	C/O #2 dated 03/01/2018 for added scope of work for hazardous material abatement monitoring at Building 900 windows per Amendment #2 to the Contract Services Agreement	March 1, 2018
Mont/Rose Moving Systems, Inc.	December 21, 2017 through project completion	\$7,377.31	801983 / CP2351	Oak Grove High School	Z-050-601 / OG New Student Center & Quad Reno	Consultant to provide the following scope of work: provide services to relocate library furniture prior to construction for the project at Oak Grove High School	December 21, 2017