



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

August 7, 2006

CALL TO ORDER AND ROLL CALL

President Betsy Bechtel declared a quorum was present and called the meeting to order at 1:00 p.m. in the San Felipe Room of the Taaffe House, 26580 Taaffe Road, Los Altos Hills, CA 94022.

Trustees Present:

Betsy Bechtel, President
Hal Plotkin, Vice President
Paul Fong
Laura Casas Frier
Bruce Swenson

CLOSED SESSION

The Board immediately adjourned into closed session with the individuals listed below to discuss:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Position Title: Chancellor

Executive Administrator Present:

Martha Kanter, Chancellor

PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL / RELEASE

Executive Administrators Present:

Martha Kanter, Chancellor
Mike Brandy, Vice Chancellor of Business Services
Jane Enright, Vice Chancellor of Human Resources and Equal Opportunity
Penny Patz, Interim President of Foothill College

RE-CONVENE PUBLIC SESSION

President Bechtel re-convened the public session at 2:02 p.m. in the San Felipe Room. The following staff, press, students and members of the public were present:

<i>Staff:</i>	Mike Brandy	Martha Kanter	Willie Pritchard
	Jane Enright	Sharon Luciw	Hector Quinonez
	Rich Hansen	Brian Murphy	John Schulze
	Jeanine Hawk	Jon O'Bergh	
	Ken Horowitz	Penny Patz	

Press: None

Students: None

Public: Karen Dillon
Natalie Perkins
Jack Raubolt

John Sheldon
Terry Terman

REPORTING OUT FROM CLOSED SESSION

President Bechtel reported that no action was taken in closed session. She added that there was a very positive evaluation of the Chancellor.

Item 1

MEASURE C PLANNING AND IMPLEMENTATION – PART 1

B. Review of Measure C Finance Plan

Vice Chancellor of Business Services Mike Brandy requested that Item 1B be discussed first since it would likely take the longest. Bond counsel John Sheldon from Morgan Stanley presented an analysis of Measure C financing. He reviewed the key assumption from the pre-election analysis, pointing out that the tax rate was based on several relatively conservative assumptions. He also pointed out that the list of projects has not changed, but the District has refined the timetable for the expenditure of capital projects.

Mr. Sheldon presented three scenarios that would meet the District's tax rate objectives: issuing all of the bonds at once, issuing four series of bonds over ten years, and a hybrid approach for issuing three series of bonds. Vice Chancellor of Business Services Mike Brandy recommended the third scenario. Terry Terman, representing the League of Women Voters, asked which scenario would best protect the District if oil costs skyrocket and affect interest rates. Mr. Sheldon responded factors other than oil costs are more influential on interest rates. Trustee Plotkin noted that the Audit & Finance Committee expressed support for maximizing interest earnings by taking advantage of the current historically low interest rates and therefore supported issuing all bonds at once. The pros and cons of one issuance were discussed; it was pointed out that the interest earnings differential is so great between a single issuance scenario and the other scenarios that there is a lot of flexibility to accommodate cashing in investments before maturity even if conditions are not optimal.

Vice Chancellor Brandy said that the Board should decide which scenario to approve at the August 28 meeting. Board members expressed interest in both the single issuance scenario and the three issuances scenario, but asked for more information regarding the estimate of the differential in interest earnings and whether investors would support a single issuance.

A. Measure C Issues and Tasks

Responding to a question from Trustee Swenson, Vice Chancellor Brandy reviewed the steps and timetable for considering the feasibility of utilizing the Griffin House in plans for the Central Services office project. Vice Chancellor Brandy noted for the benefit of Trustee Plotkin and Trustee Casas Frier that discussion of the "design build" option and project labor agreements are on the list. Vice Chancellor Brandy had hoped to discuss lessons learned from Measure E at the August 28 meeting, but he needs additional time to prepare background and will bring the issue up at a later date.

C. Communication

Chancellor Martha Kanter noted plans for an annual Measure C report incorporated in the proposed Foothill-De Anza Report to the Community to be provided to the Board annually at year-end. She discussed other communication efforts, including regular District and college newsletters, website pages, posting of Audit & Finance Committee reports, a link to the Citizens Bond Oversight Committee website, and community notification and press releases for groundbreaking and building openings.

Item 2

ANNUAL STAFFING AND COMPENSATION REPORT

Vice Chancellor of Human Resources and Equal Opportunity Jane Enright presented the Staffing and Compensation Report. She pointed out a slight increase in the use of temporary employees, which the Human Resources office will look into since the goal is to reduce reliance on temporary employees. She noted that the average years of service number has remained steady. The ethnicity of new hires has kept pace with retirements. President Bechtel expressed interest in knowing the overall percentages related to hiring by gender. Vice Chancellor of Business Services Mike Brandy reviewed the Per Employee Per Year cost of health care benefits.

President Bechtel declared a five-minute recess at 3:37 p.m., after which the Board adjourned into closed session to discuss the following.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: The Friends of the Griffin House v. Foothill-De Anza CCD

Executive Administrators Present:

Martha Kanter, Chancellor

Mike Brandy, Vice Chancellor of Business Services

Jane Enright, Vice Chancellor of Human Resources and Equal Opportunity

Brian Murphy, President of De Anza College

Penny Patz, Interim President of Foothill College

John Schulze, Executive Director of Facilities, Operations & Construction Management

Legal Counsel Present:

Douglas Aikins

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Foothill-De Anza Community College District v. All Interested Persons and related cross-complaints filed by interested persons Melvin Emerich and Aaron Katz

Executive Administrators Present:

Martha Kanter, Chancellor

Mike Brandy, Vice Chancellor of Business Services

Jane Enright, Vice Chancellor of Human Resources and Equal Opportunity

Brian Murphy, President of De Anza College

Penny Patz, Interim President of Foothill College

John Schulze, Executive Director of Facilities, Operations & Construction Management

Executive Administrators Present:

Sean Absher
David Casnocha
Tom Coffin
John Shupe

President Bechtel declared a fifteen-minute recess at 5:45 p.m. to provide time for participants to get to the District Offices.

RE-CONVENE PUBLIC SESSION

President Betsy Bechtel re-convened meeting at 6:05 p.m. in the District Board Room of the Foothill-De Anza Community College District, 12345 El Monte Road, Los Altos Hills, CA 94022.

Trustees Present:

Betsy Bechtel, President
Hal Plotkin, Vice President
Paul Fong
Laura Casas Frier
Bruce Swenson

Joseph Derflinger, De Anza College Student Trustee
Adrian Diaz, Foothill College Student Trustee

President Bechtel led the Board and those present in the Pledge of Allegiance. The following staff, press, students and members of the public were present:

<i>Staff:</i>	Mike Brandy	Michael Hegg Lund	Jon O’Bergh
	Claudette Brero-Gow	Ken Horowitz	Penny Patz
	Jane Enright	Martha Kanter	Willie Pritchard
	Robert Griffin	Marsha Kelly	Hector Quinonez
	Rich Hansen	Ron Levine	Carmen Redmond
	Jeanine Hawk	Brian Murphy	John Schulze
	Lydia Hearn	Frank Nunez	Bernata Slater

Press: None

Students: None

<i>Public:</i>	David Casnocha	Mark Newton	Terry Terman
	Jim Klingensmith	Karen Powell	Kathy Williams
	Selene Lenox	Jack Raubolt	

REPORTING OUT FROM CLOSED SESSION

President Bechtel reported that no action was taken in closed session.

APPROVAL OF MINUTES

M/S/C: Fong/Plotkin
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved the minutes of the July 10-11, 2006 meeting

AUDIT & FINANCE COMMITTEE REPORT

Trustee Plotkin said there was nothing to report since the Committee had not met since the last Board meeting.

CORRESPONDENCE

President Bechtel asked if there was any correspondence which should be brought to the Board's attention. Trustee Fong reported that he received invitations from the Santa Clara County Open Space Authority and the Building Trades of San Benito and Santa Clara Counties, which the other trustees also acknowledged receiving. Trustee Plotkin reported that he received communication from the spouse of a deceased employee regarding difficulties with the health benefits insurer, which was satisfactorily resolved after he referred the issue to Vice Chancellor of Human Resources and Equal Opportunity Jane Enright and Benefits Specialist Christine Vo.

HEARINGS: ITEMS NOT ON THE AGENDA

Public/Students

There were no students or members of the public who wished to address the Board on items not on the agenda.

Staff

Chancellor Martha Kanter reported that she was able to convince State Chancellor Drummond to revisit the funding formula affecting equalization. She announced that the Cupertino City Council is creating a Cupertino Veterans Memorial in the park across from De Anza. Foothill Interim President Penny Patz thanked trustees for attending the Foothill Gala. She announced that \$125,000 net proceeds were raised for President's Innovation Fund, and she commended Gala chair Barbara Swenson and the Foothill Commission for coordinating a successful event. Trustee Swenson added that the Gala had attracted its largest turnout yet. De Anza President Brian Murphy announced that Rolling Stone Magazine named De Anza as one of the top ten schools nationally for programs in Film/TV Studies.

Trustees

Trustee Fong reported that several trustees joined him at the Asian/Pacific American Leadership Institute (APALI) ceremony last week. He also announced the staff member Jon O'Bergh was selected for the Pacific Region Professional Board Staff Member Award given by the Association of Community College Trustees (ACCT). Trustee Plotkin reported that his joint presentation proposal with Chancellor Martha Kanter on public domain had been selected for both the League for Innovation's Conference on Information Technology and the ACCT Annual Leadership Congress. President Bechtel reported reading an article about Sierra College and was surprised that the college claimed to be number one in students receiving A.A. degrees. Student Trustee Diaz reported that he participated in the Campus Abroad program and spent the past month studying in China.

Item 3

MEASURE C PLANNING AND IMPLEMENTATION – PART 2

D. Resolution to Form Citizens bond Oversight Committee and Approval of Bylaws

Bond consultant David Casnocha clarified that it is not legally required that committee members reside within the District, but the Board supported including that requirement in section 5.2(a) under Qualification Standards. Responding to a question from Trustee Swenson, Mr. Casnocha explained that there was no special rationale for the proposed committee terms. President Bechtel requested deletion of the last sentence regarding the ethics policy in section 5.3 (Ethics: Conflicts of Interest) since the policy would be incorporated into Board Policy.

M/S/C: Plotkin/Fong
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Resolution #2006-23 Establishing a Citizens’ Bond Oversight Committee and approved the bylaws as corrected

E. Solicitation of Membership for Oversight Committee

Chancellor Martha Kanter proposed a solicitation and appointment process similar to the process used to fill the Board vacancy in 2005. President Bechtel suggested forming a Board subcommittee, and Trustee Plotkin further suggested that the Board President chair the subcommittee and select another trustee to serve on the subcommittee with her. Board members expressed support for this approach. President Bechtel said all applications will be shared with the full Board and she will solicit feedback from each trustee. The Board requested that each applicant submit a resume and cover letter specifying which category he or she qualifies for. Bond consultant David Casnocha reminded the Board that the bylaws stipulate how the chair of the Citizens’ Oversight Committee will be appointed. A detailed solicitation and appointment process will be brought to the Board for approval on August 28.

League of Women Voters representative Terry Terman asked about the status of the validation action for Measure C, and Vice Chancellor of Business Services Mike Brandy responded that actions have been filed in court by two individuals.

APPROVAL OF CONSENT CALENDAR

President Bechtel asked to remove Item 8 and Trustee Plotkin asked to remove Item 14.

M/S/C: Fong/Plotkin
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified Items 1-7, 9-13, and 15-16 of the Consent Calendar as follows:

Item 4 — **Ratified** CONTRACTS AND AGREEMENTS

Item 5 — **Ratified** B WARRANTS GREATER THAN \$5,000 FOR MAY AND JUNE 2006

Item 6 — **Approved** RESOLUTION #2006-25 FOR CHILD CARE CONTRACT #CRPM-5084

Item 7 — **Approved** COMMUNITY EDUCATION SHORT COURSES

Item 9 — **Approved** SALE OF MISCELLANEOUS SURPLUS DISTRICT EQUIPMENT AND FURNITURE

Made a finding that the property does not exceed \$5,000 in value and authorized the Director of Purchasing Services to sell the items in accordance with Education Code 81452(a)

Item 10 — **Approved** SALE OF MISCELLANEOUS SURPLUS DISTRICT ELECTRONIC EQUIPMENT

Made a finding that the property does not exceed \$5,000 in value and authorized the Director of Purchasing Services to sell the items in accordance with Education Code 81452(a)

Item 11 — **Approved** SALE OF MISCELLANEOUS SURPLUS DISTRICT EQUIPMENT AND FURNITURE FOR DE ANZA

Made a finding that the property does not exceed \$5,000 in value and authorized the Director of Purchasing Services to sell the items in accordance with Education Code 81452(a)

Item 12 — **Authorized** PURCHASE OF APPLE COMPUTERS WITHOUT ADVERTISING FOR BIDS IN THE AMOUNT OF \$70,856.12

Item 13 — **Authorized** PURCHASE OF APPLE COMPUTERS, SOFTWARE AND SPEAKERS WITHOUT ADVERTISING FOR BIDS IN THE AMOUNT OF \$72,968.08

Item 15 — **Approved** PERSONNEL ACTIONS:

Name: **Debra Blodgett**
Position: Director, Radiation Therapy Program/Instructor
College: Foothill
Division: Biological and Health Sciences
Action: **Increase Contract to 12 Months**
Effective Date: July 1, 2006

Name: **Susan Dean**
Position: Instructor
College: De Anza
Division: Physical Sciences, Mathematics and Engineering
Action: **Resignation for the Purpose of Retirement**
Effective Date: June 29, 2007
Comments: In accordance with Article 20 of the *Agreement* between the District and the Faculty Association
Note: Corrects Board action of July 10, 2006

Name: **Harmanpal Dhaliwal**
Position: Mathematics Instructor
College: De Anza
Division: Physical Sciences, Mathematics and Engineering
Action: **Employment**
Effective Date: September 21, 2006 # of Months: 10
Compensation: Column III, Step A @ \$5,470.41 per month

Name: **Howard Irvin**
Position: Dean, Counseling and Matriculation
College: De Anza
Division: Student Services and Institutional Research
Action: **Ratify Employment**
Effective Date: August 1, 2006 # of Months: 12
Compensation: Level J, Step 3 @ \$9,322.22 per month

Name: **Bertrand Soong Fai Lo**
Position: Mathematics Instructor
College: De Anza
Division: Physical Sciences, Mathematics and Engineering
Action: **Employment**
Effective Date: September 21, 2006 # of Months: 10
Compensation: Column II, Step D @ \$5,999.42 per month

Name: **Julie Madigan**
Position: ESL Instructor
College: De Anza
Division: Language Arts
Action: **Unpaid Leave of Absence**
Effective Date: January 8, 2007 – June 29, 2007

Name: **Kathleen Moberg**
Position: Dean, Admissions and Records
College: De Anza
Division: Student Services and Institutional Research
Action: **Employment**
Effective Date: August 21, 2006 # of Months: 12
Compensation: Level I, Step 3 @ \$8,461.59 per month

Name: **Ron Oburn**
Position: Interim Division Dean
College: Foothill
Division: Physical Education and Human Performance
Action: **Ratify Employment**
Effective Date: August 1, 2006 – June 30, 2007
Compensation: Level J, Step 4 @ \$9,787.75 per month

Name: **Warrick Rosten**
Position: Director, Small Business Development
College: De Anza
Division: Professional and Workforce Development
Action: **Ratify Employment**
Effective Date: July 24, 2006 # of Months: 12
Compensation: Level G, Step 2 @ \$6,712.65 per month

Name: **Angel Sierra**
Position: Instructor
College: Foothill
Division: Physical Sciences, Mathematics and Engineering
Action: **Rescind Resignation for the Purpose of Retirement**
Comments: Corrects Board action item of July 10, 2006

Name: **Sandi Urabe**
Position: Acting Dean, Middlefield
College: Foothill
Division: President's Office
Action: **Extend Temporary Assignment**
Effective Date: January 1, 2007 – June 30, 2007

Item 16 — **Approved HUMAN RESOURCES REPORT**

Item 8

STRATEGIC PLANNING INDEPENDENT CONTRACTOR AGREEMENT — DISSERO PARTNERS, INC.

President Bechtel asked how the work ties into the college's Master Plan and other planning efforts. De Anza President Brian Murphy described the process the college used to address strategic planning and the recommendation of a faculty committee to use "story-based" planning in which teams imagine the end result a decade from now in terms of the kinds of students enrolled, how those students will succeed and what it will take from the college to support that. Dissero Partners turns the outcomes from each team into concrete, measurable goals.

M/S/C: Swenson/Casas Frier
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved the strategic planning independent contractor agreement with Dissero Partners, Inc. in the amount of \$61,000

Item 14

PURCHASE ORDERS FOR NEXTEL CELLULAR SERVICES, RADIO SERVICES, EQUIPMENT AND REPAIRS

Trustee Plotkin asked why the District needs to supply cell phones to 346 employees and why the Nextel service cost is increasing when telecommunication costs are generally decreasing. Director of Purchasing and Material Services Carmen Redmond explained specifics of the contract. Executive Director of Facilities, Operations and Construction Management John Schulze explained the Nextel cell phone's direct connect feature with functions like a walkie-talkie and has no usage charge and is used by maintenance and tech staff to communicate with dispatchers. He added that the cell phones are part of the District's emergency preparedness plan and Nextel grandfathered in

the District's service plan at a very low rate. In addition to maintenance and tech staff, all administrators are provided a cell phone. Responding to a question from Trustee Fong, Vice Chancellor of Business Services Mike Brandy reviewed how the District monitors proper usage of the cell phones by employees. Trustee Casas Frier asked why half of the cell phones are replaced each year, and Executive Director Schulze explained how it is less expensive to replace the cell phone than replace the battery. Trustee Plotkin said he would support the purchase orders for Nextel cellular services but would like the District to consider ways to reduce telecommunication costs once the wireless network is operational.

M/S/C: Plotkin/Derflinger
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the District Purchasing Director to award purchase orders to Sprint Nextel Corporation and Star Cellular in accordance with State of California contract prices or less in an aggregate amount not to exceed \$170,000 per fiscal year as long as State of California contract IS-05-58-01 remains in effect, with the understanding that the District will consider other communication options once the wireless network is operational

Item 17

RESTORE ADMINISTRATIVE CONTRACT TO 100%

Item 18

RESTORE SEIU POSITIONS TO 100%

De Anza Vice President of Finance and College Services Jeanine Hawk explained that the business strategies that were enacted to improve Printing Services operations were successful.

M/S/C: Plotkin/Casas Frier
Advisory vote: 2 yes
Board vote: unanimous
Action: 1) Restored the contract for the position of Director of Printing Services at De Anza to 12 months at 100% effective August 1, 2006; and
2) Restored the following positions to 12 months at 100% effective August 1, 2006:
Press Operator I – Printing Services/De Anza College
Press Operation, Senior – Printing Services/De Anza College
Office Coordinator – Printing Services/De Anza College

Item 19

REVISIONS TO BOARD POLICIES 4105 (ANTI-DISCRIMINATION) AND 4110 (MUTUAL RESPECT)

Chancellor Martha Kanter presented the proposed revisions for a first reading.

Item 20

BIANNUAL REVIEW OF CONFLICT OF INTEREST CODE (BOARD POLICY 9200)

Chancellor Martha Kanter presented the proposed revisions for a first reading.

Item 21

RESOLUTION IN SUPPORT OF PROPOSITION 1D, “KINDERGARTEN-UNIVERSITY PUBLIC EDUCATION FACILITIES BOND ACT OF 2006”

Chancellor Martha Kanter clarified that the bond would not particularly benefit Foothill-De Anza but would most definitely benefit community colleges statewide.

M/S/C: Casas Frier/Derflinger
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Resolution #2006-20 in support of Proposition 1D, the “Kindergarten-University Public Education Facilities Bond Act of 2006”

Item 22

REVIEW 2006-07 GENERAL FUND SUMMARY

Vice Chancellor of Business Services Mike Brandy reviewed significant changes in revenues and expenses that will be reflected in the adopted budget, scheduled for presentation on August 28. He also expects to bring forward a plan at that meeting to address the unfunded retiree medical benefits liability. Trustee Swenson pointed out that some of the \$7 million ending balance would be well used to make up the difference between what the District has reserved the past few years for the unfunded liability and what was recommended to be put aside. Vice Chancellor Brandy discussed the growth model and the suggestion to build new faculty and staff positions into the budget to serve this growth.

Vice Chancellor Brandy discussed the “B budget” discretionary operational budgets and how they have been cut drastically during the last few budget cycles, on top of having received no COLA adjustments although expenses have increased. He suggested that some of the ending balance could be used to augment B budgets. Trustee Swenson pointed out how restoring B budgets also provides a cushion during times of budget reductions since B budgets can be reduced less painfully than reducing personnel.

Faculty Association President Rich Hansen reminded the Board of the new sources of ongoing revenue that have been incorporated into the budget and asked the Board to keep people in mind as decisions are made about how to use the ending balance.

Item 23

MEASURE E CONSENT CALENDAR

M/S/C: Plotkin/Derflinger
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified the Measure E Consent Calendar, A-M as follows:

- A.** *Title:* Change Order #1
Vendor: Coast Side Associates
Agreement Date: March 22, 2006
Campus: De Anza College
Project No.: 226
Project Name: Planetarium Renovation
Amount: \$18,216
For: Miscellaneous construction changes primarily consisting of electrical revisions
Action: Ratification
- B.** *Title:* Standard Form of Agreement
Vendor: Consolidated Engineering Laboratories
Agreement Date: August 7, 2006
Campus: De Anza College
Project No.: 276
Project Name: Science Center HVAC Repairs
Amount: \$4,990
For: Provide materials testing and special inspection services
Action: Ratification
- C.** *Title:* Revision #2 to PO #H555291
Vendor: Netcor Design Systems, Inc.
Agreement Date: June 3, 2004
Campus: Foothill College
Project No.: 117
Project Name: Administration Building Modernization
Amount: \$2,400
For: Re-design services for Data Room
Action: Ratification
- D.** *Title:* Revision #6 to PO #M555151
Vendor: DES Architects & Engineers
Agreement Date: May 19, 2004
Campus: Foothill College
Project No.: 117
Project Name: Administration Building Modernization
Amount: \$1,900
For: Additional services to coordinate and documentation with DSA for the Glue-Lam repairs
Action: Ratification

- E.** *Title:* Change Order #9
Vendor: Aztec Consultants
Agreement Date: June 28, 2005
Campus: Foothill College
Project No.: 146
Project Name: Fieldhouse and Restrooms
Amount: \$10,332
For: Rework restroom retaining wall footings to add slurry due to ground water and add framing for skylights in restrooms
Action: Ratification
- F.** *Title:* Change Order #31
Vendor: S.J. Amoroso Construction Co., Inc.
Agreement Date: February 24, 2005
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$47,389
For: Add DOW 790 to seal screw attachments for fleming slot at brick veneer; revised duct sizes and concrete penetration opening at building 7100 theatre; added changes to canopy piers, formwork, reinforcing steel, anchor bolts and base plates due to design conflicts; added downturn wall at grid 1.7/A.b for 2nd and 3rd floors, Building 7500
Action: Ratification
- G.** *Title:* Change Order #30
Vendor: S.J. Amoroso Construction Co., Inc.
Agreement Date: February 24, 2005
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$47,689
For: Added water proofing details for 2” isolation joint at Building 7100; revisions and addition to fan stack and architectural sheet metal work at Buildings 7100 and 7500; duct penetration and wall type change from A61 to A81 at 2nd floor, Building 7500
Action: Ratification

- H.** *Title:* Change Order #11
Vendor: S.J. Amoroso Construction Co., Inc.
Agreement Date: June 3, 2005
Campus: Foothill College
Project No.: 171
Project Name: Central Plant
Amount: \$5,750
For: Transfer emergency generator startup to job #152 Lower Campus Complex and miscellaneous electrical revision including: Dolphin Filtration System power circuit, automatic transfer switch for emergency power, side stream filter power circuit and exhaust fan control circuit
Action: Ratification
- I.** *Title:* Revision #2 to #F02
Vendor: Consolidated Engineering Laboratories
Agreement Date: January 14, 2005
Campus: Foothill College
Project No.: 153
Project Name: Campus Center Project
Amount: \$42,500
For: Additional testing and inspection for structural glu-lam beams, steel, rebar and concrete.
Action: Ratification
- J.** *Title:* Revision #1 to PO #M555763
Vendor: Consolidated Engineering Laboratories
Agreement Date: January 12, 2005
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$48,000
For: Additional special inspection and testing services
Action: Ratification
- K.** *Title:* Change Order #7
Vendor: Trident Builders, Inc.
Agreement Date: February 4, 2005
Campus: Foothill College
Project No.: 133
Project Name: Sciences II
Amount: \$2,158
For: New dimensions for instructor cabinets in 5300 and 6100 and a lockable wardrobe cabinet at room 5316
Action: Ratification

- L.** *Title:* Change Order #8
Vendor: Trident Builders, Inc.
Agreement Date: February 4, 2005
Campus: Foothill College
Project No.: 133
Project Name: Sciences II
Amount: \$6,840.40
For: Leveling the floor in 6101 due to abandoned drains, additional asbestos in room 5301 and 5304A
Action: Ratification
- M.** *Title:* Change Order #32
Vendor: S.J. Amoroso
Agreement Date: July 21, 2004
Campus: De Anza College
Project No.: 220
Project Name: P.E. Quad Renovation
Amount: \$15,000
For: Revisions to the electrical floor distribution system at PE-6
Action: Ratification

Item 24

PURCHASE ORDER FOR Foothill College Dental Hygiene Equipment

- M/S/C:** Casas Frier/Fong
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the District Purchasing Director to issue a purchase order in the amount of \$382,836.74 to the lowest responsive bidder, Patterson Dental Supply, Inc., pursuant to the prices, terms, and conditions set forth in Bid #1059

Item 25

REJECTION OF BID FOR BID #1057-213 — DE ANZA COLLEGE CAMPUS CENTER RENOVATION

Trustee Plotkin asked about a strategy to attract more bidders. Director of Construction Program Management Claudette Brero-Gow said the timing was being moved from the highly competitive summer season to winter and there will be outreach efforts targeted to contractors.

- M/S/C:** Plotkin/Casas Frier
Advisory vote: 2 yes
Board vote: unanimous
Action: Rejected the bid received pursuant to Bid #1057-213 for the De Anza College Campus Center Renovation

Item 26

RESOLUTION AUTHORIZING THREE 3-MONTH LEASE EXTENSIONS FOR RELOCATABLE BUILDINGS AT DE ANZA COLLEGE

President Bechtel and Trustee Plotkin pointed out there have been several extensions to the lease, and they asked whether it would have been less expensive to purchase the relocatable buildings. De Anza Vice President of Finance and College Services Jeanine Hawk explained that the need for the extensions was unforeseen, and there is no more space for long-term installation of modular buildings if the college wished to purchase them now. She added that the college did purchase some relocatable buildings, but those will be sold to make room for the Performance Hall project.

M/S/C: Plotkin/Casas Frier
Advisory vote: 2 yes
Board vote: unanimous
Action: Rejected the bid received pursuant to Bid #1057-213 for the De Anza College Campus Center Renovation

Item 27

REVISION #4 TO PROJECT ASSIGNMENT AMENDMENT D07 FOR PROFESSIONAL SERVICES WITH SALAS O'BRIEN ENGINEERS, INC. — PROJECT #276, SCIENCE CENTER HVAC REPAIRS

Item 28

PROJECT ASSIGNMENT AMENDMENT D08 FOR PROFESSIONAL SERVICES WITH SALAS O'BRIEN ENGINEERS, INC. — PROJECT #276, SCIENCE CENTER HVAC REPAIRS

Responding to a question from Trustee Plotkin, Executive Director of Facilities, Operations and Construction Management John Schulze explained that construction administration is a typical component in the final stages of design contracts and involves reviewing change orders, on-site inspections and the like. He clarified that this is distinct from construction management services provided by the Gilbane Building Company.

M/S/C: Swenson/Diaz
Advisory vote: 2 yes
Board vote: unanimous
Action: 1) Approved Revision #4 to PAA D07 to the agreement with Salas O'Brien Engineers, Inc. in the amount of \$184,507 including reimbursable expenses; and
2) Approved PAA D08 to the agreement with Salas O'Brien Engineers, Inc. in the amount not to exceed \$71,306 including reimbursable expenses

Item 29

CHANGE ORDER #32 TO AGREEMENT WITH S.J. AMOROSO CONSTRUCTION COMPANY, INC. — FOOTHILL COLLEGE, LOWER CAMPUS COMPLEX

Executive Director of Facilities, Operations and Construction Management John Schulze described the problem that was discovered by the contractor with the proposed types of door and window frames. He said that this change order brings the total cost of change orders on the project to 3% of the original project cost, which is still within the norm of 5-10%. Including the two change orders just approved as part of the Measure E Consent Calendar, that figure would be about 3.5%.

M/S/C: Plotkin/Diaz
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Change Order #32 to Agreement with S.J. Amoroso Construction Company, Inc. in the amount of \$93,124

Item 30

AMENDMENT 4 TO AGREEMENT WITH STEPHEN P. DONOHUE INSPECTORS

M/S/C: Casas Frier/Plotkin
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Amendment 4 to Agreement with Stephen P. Donohue Inspectors in the amount not to exceed \$137,280

Item 31

BUDGET TRANSFER #FH 37

Item 32

BUDGET TRANSFER #DA 51

M/S/C: Plotkin/Derflinger
Advisory vote: 2 yes
Board vote: unanimous
Action: 1) Approved Budget Transfer #FH 37 in the net amount of \$113,573 between Measure E Program Contingency, various Foothill projects and new Project #176 (Minor Improvements and Close-Outs) resulting from the closure of certain Foothill projects; and
2) Approved Budget Transfer #DA 51 in the net amount of \$207,672 to Measure E Program Contingency resulting from various adjustments to De Anza Measure E projects

DATES TO REMEMBER

August 28, 2006 — Audit & Finance Committee Meeting

August 28, 2006 — Regular Meeting

September 11, 2006 — Regular Meeting

ADJOURNMENT

President Bechtel adjourned the meeting at 7:33 p.m.

jco

Approved: 8/28/06

Martha J. Kanter, Chancellor
Secretary, Board of Trustees