



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

August 6, 2007

CALL TO ORDER AND ROLL CALL

President Hal Plotkin declared a quorum was present and called the meeting to order at 12:05 p.m. in the Conference Room of Peninsula Open Space Trust, 222 High Street, Palo Alto, CA 94301.

Trustees Present:

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

for Public Session
Jordan Eldridge, De Anza College Student Trustee

Trustees Absent:

Sarah Snow, Foothill College Student Trustee

CLOSED SESSION

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

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Position Title: Chancellor

Executive Administrator Present:

Martha Kanter, Chancellor

CONFERENCE WITH LABOR NEGOTIATOR

District Negotiator: Jane Enright

Employee Organizations: All Represented and Unrepresented Groups

Executive Administrators Present:

Andy Dunn, Vice Chancellor of Business Services
Jane Enright, Vice Chancellor of Human Resources and Equal Opportunity (retired)
Jeanine Hawk, Vice President of Finance and College Services, De Anza College
Martha Kanter, Chancellor
Judy Miner, President of Foothill College
Fred Sherman, Vice Chancellor of Technology

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Foothill-De Anza Community College District v. Anshen + Allen
Case #741100025007JISI

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9

Number of Potential Cases: 8

Potential claims by project architects, prime contractors and subcontractors on the following projects: De Anza Admin., De Anza S Quad II, De Anza Planetarium, Foothill Campus Center, Foothill Lower Campus Complex, Foothill Phys. Ed., Foothill Sciences Phase II, and Foothill Stadium

Executive Administrators Present:

- Charles Allen, Executive Director of Facilities, Operations & Construction Management
- Mike Brandy, Vice Chancellor of Business Services (retired)
- Andy Dunn, Vice Chancellor of Business Services
- Jane Enright, Vice Chancellor of Human Resources and Equal Opportunity (retired)
- Jeanine Hawk, Vice President of Finance and College Services, De Anza College
- Martha Kanter, Chancellor
- Judy Miner, President of Foothill College
- John Schulze, Executive Director of Facilities (retired)
- Fred Sherman, Vice Chancellor of Technology

Legal Counsel Present:

Phil Jaret

RE-CONVENE PUBLIC SESSION

President Plotkin re-convened the public session at 2:20 p.m. in the Conference Room. He led the Board and those present in the Pledge of Allegiance. He introduced Executive Director of Peninsula Open Space Trust Audrey Rust, who welcomed the Board and shared information regarding the environmental goals of the organization. The following staff, press, students and members of the public were present:

<i>Staff:</i>	Charles Allen	Andy Dunn	Jon O’Bergh
	Tom Armstrong	Jeanine Hawk	Fred Sherman
	Shirley Barker	Martha Kanter	Bernata Slater
	Becky Bartindale	Judy Miner	John Swensson
<i>Press:</i>	None		
<i>Students:</i>	Steve Carleton		
<i>Public:</i>	Mike Brandy	Audrey Rust	Terry Terman

Item 1

FACILITIES MASTER PLAN: PLANNING AND IMPLEMENTATION

A. Measure E Change Order Processing

Executive Director of Facilities, Operations and Construction Management Charles Allen reviewed construction change order processing for Measure E projects. He explained that a “proposed change order” (PCO) is a discrete item of work for which additional compensation is proposed by the construction contractor. A change to the construction contract involves a number of PCOs that have been bundled together for ease of administration. Mr. Allen further explained that the Gilbane Company tracks and manages change orders by each of four categories: field conditions, design change, owner request, and other (e.g., jurisdictional mandate). Each proposed change is reviewed for merit by the architect, the Gilbane Company, the District bond project manager and, for

owner-requested changes, the District users. If the proposal has merit, negotiations are held regarding the price. For cases where no agreement is reached on the price and work to be performed, the proposed change order is rejected.

Regarding change orders over \$50,000 which require prior Board approval, Trustee Swenson asked how delays due to the length of time between Board meetings might impact cost. Mr. Allen and Vice Chancellor of Business Services Andy Dunn responded that a special Board meeting would be called if there was concern about a delay impacting the cost. Responding to a question from President Plotkin, Vice Chancellor Dunn said that the requirement to re-bid a construction contract is dependent not on the aggregate amount of change orders but on an individual change order being greater than 10% of the original contract. Mr. Allen reported that the change order rates for a sampling of Measure E projects showed that the rates are consistent with the industry averages of 5% for new construction and 7% for renovations.

Mr. Allen reviewed the initiatives to improve change order processing for Measure C projects: an executive bond management team comprised of the vice chancellor of business services, vice chancellor of technology, college vice presidents, executive director of facilities, bond program managers and Gilbane Company executives); alternative construction delivery methods; three-dimensional modeling to improve user understanding of design drawings; inter-disciplinary coordination of design reviews; consolidation of existing design standards and development of new standards; rigorous screening before selection of architectural design firms; and peer review for mechanical, electrical, plumbing and technology disciplines. Concerning alternative construction delivery methods, Mr. Allen will review the options and make a recommendation to the Board on which method to utilize for which project. President Plotkin urged him to let the Board know if more resources or personnel are needed to ensure that the District's risk remains low.

Mr. Allen reviewed proposed changes to Board Policy 3213 and Administrative Procedure 3213. Trustees Bechtel and Swenson said they had no objection to the proposed changes. The policy will be brought back to the Board for a second reading and approval at the next meeting.

B. Measure C Update

Review of Principles for Management of Measure C Funding. Vice Chancellor Dunn reviewed Principles for Management of Measure C Funding, which were originally reviewed and codified by the Board on July 10, 2006. The Board reaffirmed that the principles are administrative procedures and thus do not require approval by the Board. None of the trustees suggested any modifications. Responding to a question from Trustee Bechtel, Retired Vice Chancellor of Business Services Mike Brandy, who is now serving in a consulting role, reviewed how the District and colleges determine that equipment is of no further use. He explained the replacement cycle for technology products and how instructional equipment is addressed through the college program review process. De Anza Vice President of Finance and College Services Jeanine Hawk added that the colleges carefully consider whether older equipment or furniture is serviceable and, if so, a secondary placement on campus is sought.

Projects to be Funded Under Series A and B Bond Proceeds. Executive Director Allen reviewed the list of projects to be funded. Vice Chancellor Dunn joined him in clarifying that the District anticipates a decision by the court on the Measure C lawsuit by January, but if there is further delay, the District will need to reevaluate how to proceed on Measure C projects. Responding to a question from Trustee Bechtel, Mr. Allen explained that Project #123 (Infrastructure) addresses infrastructure needs across the Foothill campus. Responding to a question from Trustee Swenson, Mr. Brandy explained that the lawsuit is preventing the District from moving fully ahead on the Measure C

spending plan. Mr. Allen said he would provide more information at the next meeting on the current rate of construction cost increases that reflect delays caused by the lawsuit.

C. Citizens' Bond Oversight Committee Update

Vice Chancellor Dunn provided an update on the Citizens' Bond Oversight Committee and plans for the next meeting on August 28. Chancellor Martha Kanter noted that the Board will approve appointments to the Committee at its December meeting. Trustee Bechtel requested to see an attendance report for members of the Committee at that time. The required annual report from the Committee to the Board will also be scheduled for the December Board meeting.

D. Environmental Sustainability Planning

Mr. Brandy provided an update on the District's efforts to establish an environmental sustainability plan, which is needed to tie together a number of ongoing efforts. He expects to present the plan to the Board in the fall. Trustee Bechtel expressed her support for this effort. President Plotkin noted a variety of communications from members of the public requesting that the campuses be more bike-friendly. Executive Director Allen reported that Foothill will be addressing this matter as part of plans to reconfigure the perimeter road.

President Plotkin announced a short recess at 3:50 p.m., then reconvened the meeting at 4:00 p.m.

Item 2

2007-08 PRELIMINARY BUDGET SUMMARY

Vice Chancellor Dunn provided an update on the legislature's failure to approve a state budget. He noted that the District's cash flow would not be impacted until October, at which time, if there is still a budget impasse, the District would need to draw on its reserves. He reviewed projected changes between the tentative budget and the draft adopted budget. He also provided an analysis of FTES, pointing out that non-resident enrollment is up but is an unstable source of funding. Trustee Bechtel asked about the cost of educating international students. Staff responded that non-resident tuition not only covers the cost to educate those students but provides funding to accommodate additional resident students.

Item 3

BOARD SELF-EVALUATION AND BOARD GOALS

Each of the trustees offered comments regarding the Board's self-evaluation, and acknowledged that the Board is fulfilling its role in serving the voters, the community, the students and the colleges. President Plotkin noted that the Board also received external feedback from members of the Chancellor's Advisory Council, the Foundation Board and the Audit & Finance Committee and was able to take that feedback into consideration as part of the Board's self-evaluation. The trustees commented on the ability of the Board to perform its job well because of the District's excellent staff and chancellor. Specific trustee comments included the importance of community outreach by the trustees, probing for more information when making decisions, and improving the process for employee evaluations to rigorously protect the confidentiality of employees providing comments.

Trustee Swenson offered suggestions for high-priority goals: rapid implementation of Measure C; closing the achievement gap (especially through articulation with high schools); reaching the FTES/enrollment goal of 2% growth; achieving a financially responsible settlement in salary and benefits negotiations; fiscal stability; positioning the District for the next downturn in the state

economy; and developing the District’s executive leadership team. Trustee Bechtel concurred and suggested including student retention as part of closing the achievement gap. President Plotkin agreed, as did Trustee Fong, who added environmental sustainability planning. Chancellor Kanter will integrate the comments regarding Board Goals into a new list to be presented at the next meeting.

President Plotkin, along with Trustees Bechtel and Casas Frier, reported receiving comments from the community regarding the difficulty of finding and registering for certain classes on the college websites, and expressed their desire for the appropriate changes to be made.

President Plotkin announced a short recess at 4:55 p.m., then re-convened the meeting at 5:20 p.m. The following staff, press, students and members of the public were present:

- | | | | |
|------------------|------------------|---------------|----------------|
| <i>Staff:</i> | Charles Allen | Jeanine Hawk | Jon O’Bergh |
| | Tom Armstrong | Martha Kanter | Carmen Redmond |
| | Becky Bartindale | Ron Levine | Fred Sherman |
| | Wayne Chenoweth | Sharon Luciw | John Swensson |
| | J.R. Dorcak | Judy Miner | |
| | Andy Dunn | Frank Nunez | |
| <i>Press:</i> | None | | |
| <i>Students:</i> | None | | |
| <i>Public:</i> | Terry Terman | | |

REPORTING OUT FROM CLOSED SESSION

President Plotkin reported that no action was taken in closed session, but noted that the Board conducted its annual evaluation of the chancellor, which included input from senior staff, and the results were highly laudatory of Chancellor Kanter’s performance.

APPROVAL OF MINUTES

- | | |
|-----------------------|--|
| M/S/C: | Swenson/Eldridge |
| Advisory vote: | 1 yes |
| Board vote: | unanimous |
| Action: | Approved the minutes of the July 9, 2007 meeting |

CORRESPONDENCE

President Plotkin asked if there was any correspondence which should be brought to the Board’s attention. There was none.

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

J.R. Dorcak, President of the Foothill-De Anza Peace Officers Association, spoke about compensation for peace officers. De Anza Vice President of Finance and College Services Jeanine Hawk, representing De Anza President Brian Murphy, distributed information regarding the Enable Math program. Foothill President Judy Miner thanked all who attended the Foothill Gala. She reported that the college had signed a Memorandum of Understanding with Stanford University to allow Foothill students in selected psychology courses to work with Stanford professors. She reported that two Foothill students were awarded scholarships to UCLA. Lastly, she reported a bequest from the estate of former faculty member Jacquelyn Carr.

Chancellor Kanter distributed notes from her meeting with the college presidents and local high school district superintendents. She distributed an EdSource report concerning English language learner students and reported on the first meeting of the Open Educational Resources Consortium that was held July 17.

Trustees

Trustee Fong reported that he attended a meeting with classified staff members of SEIU, one of several meetings SEIU is holding so its members can get to know the trustees better. Trustee Casas Frier reported that she has been invited to serve on the Advisory Council on Legislation and Finance, an advisory committee of the Community College League of California. Trustee Bechtel reported that she also attended a meeting with SEIU and attended the Asian Pacific American Leadership Institute (APALI) dinner with the other trustees, at which Trustee Fong was honored. Trustee Swenson congratulated Trustee Fong on being honored by APALI and reported that he also attended a meeting with SEIU. President Plotkin congratulated Trustee Fong and thanked Chancellor Kanter for organizing the OER Consortium meeting. He reported that he met with Foothill President Miner regarding her vision for excellence and inclusion at the college.

APPROVAL OF CONSENT CALENDAR

At Trustee Bechtel’s request, President Plotkin removed Item 8 from the Consent Calendar.

M/S/C: Bechtel/Eldridge
Advisory vote: 1 yes
Board vote: unanimous
Action: Approved / Ratified Items 4-7 and 9-16 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 2007

Item 6 — **Approved** RESOLUTION #2007-19 AUTHORIZING CHILD CARE AGREEMENT #CCAP-7426

Item 7 — **Approved** FOOTHILL AND DE ANZA COLLEGES IMPACT – COMMUNITY EDUCATION SHORT COURSES

Item 9 — **Approved** MICROSOFT CAMPUS AGREEMENT
Approved purchase of agreement from ComputerLand of Silicon Valley for the amount of \$85,424.50

Item 10 — **Ratified** RENEWAL OF SUNGARD SCT MAINTENANCE AGREEMENT
Ratified contract for a maximum three-year total amount of \$121,194.60

Item 11 — **Approved** DONATION, RECYCLING OR DISPOSAL OF MISCELLANEOUS SURPLUS DISTRICT FURNITURE
Authorized Director of Purchasing Services to make donations to the Ecumenical Hunger Program or the Salvation Army and to recycle or dispose of items that are not accepted by either agency

Item 12 — **Approved** DONATION, RECYCLING OR DISPOSAL OF MISCELLANEOUS SURPLUS DISTRICT EQUIPMENT
Made a finding that the property is of insufficient value to defray the cost of a sale and authorized Director of Purchasing Services to make donations to the Ecumenical Hunger Program or the Salvation Army and to recycle or dispose of items that are not accepted by either agency

Item 13 — **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 14 — **Approved** DONATION OF SURPLUS DISTRICT COMPUTER MONITORS
Made a finding that the items are of insufficient value to defray the costs of arranging a sale and authorized the Director of Purchasing Services to donate the items to the Foothill-De Anza Foundation

Item 15 — **Approved** PERSONNEL ACTIONS:

Name: **Shirley Treanor Barker**
Position: Interim Vice President
College: Foothill
Division: Educational Resources and Instruction
Action: **Ratify Appointment**
Effective Date: July 24, 2007 – March 31, 2008
Compensation: Level M, Step 5 @ \$11,603.38 per month

Name: **Lydia Botsford**
Position: Instructor
College: De Anza
Division: Business/Computer Systems
Action: **Employment**
Effective Date: September 20, 2007 # of months: 10
Compensation: Column II, Step E @ \$6,263.93 per month

Name: **Jennifer Dirking**
Position: Associate Director of Development/De Anza
College: Central Services
Division: Foothill-De Anza Foundation
Action: **Employment**
Compensation: Level H, Step 2 @ \$7,334.23 per month # of Months: 12
Effective Date: August 6, 2007

Name: **Chris Heumann**
Position: Teacher-in-Residence
College: Foothill
Division: Krause Center for Innovation
Action: **Employment**
Effective Date: September 20, 2007 – June 27, 2008 # of months: 10
Compensation: Column II, Step I @ \$7,321.94 per month
Comments: In accordance with Education Code Section 87470.

Name: **Rachel Pacheco**
Position: Head Softball Coach/Instructor
College: De Anza
Division: Physical Education
Action: **Employment**
Effective Date: September 20, 2007 # of months: 10
Compensation: Column II, Step A @ \$5,205.91 per month

Name: **Randolph Splitter**
Position: Instructor
College: De Anza
Division: Language Arts
Action: **Reduction in Contract to 68.3%**
Effective Date: September 21, 2007
Comments: In accordance with Article 18 of the *Agreement* between the District and the Faculty Association.

Name: **Timothy Woods**
Position: Division Dean
College: Foothill
Division: Computers, Technology, and Information Systems
Action: **Ratify Employment**
Effective Date: August 1, 2007 # of months: 12
Compensation: Level J, Step 2 @ \$8,878.04 per month

Item 16 — Approved HUMAN RESOURCES REPORT

Item 8

AGREEMENT WITH ACADEMIC SERVICES, INC. FOR VICE CHANCELLOR SEARCH

There was a discussion about the job description and scope of responsibilities in light of the two searches that did have not resulted in a hiring recommendation. Chancellor Kanter noted the importance for the candidate to have experience with both Human Resources and negotiations. She

and Foothill President Judy Miner discussed how a consultant can more ably recruit candidates to provide a solid pool. Chancellor Kanter also pointed out that consultant John Hicks from Academic Services, Inc. has a background in Human Resources and will be able to provide advice regarding the job description and recruitment plan.

M/S/C: Bechtel/Swenson
Advisory vote: 1 yes
Board vote: unanimous
Action: Approved agreement with Academic Search, Inc. in the amount of \$50,000 plus travel and other reimbursable expenses for the consultant and the final candidates not to exceed an additional \$35,000

Item 17

REVISED BOARD POLICY 5090 – HEALTH SERVICES

Chancellor Kanter presented the revised policy for a first reading, noting that the revision is needed to bring the policy into compliance with a change in the Education Code. President Plotkin asked what financial assistance is available for low-income students. Chancellor Kanter responded that there are a variety of financial aid options.

Item 18

AUTHORIZATION TO AWARD CONTRACT FOR BID 1117-134 — GYMNASIUM FLOOR REFINISHING

M/S/C: Casas Frier/Fong
Advisory vote: 1 yes
Board vote: unanimous
Action: Authorized the District Purchasing Director to award a contract in the amount of \$29,649 for the Base Bid Proposal Amount and Alternates #1 and #2 to the lowest responsible and responsive bidder, HY Floor & Gameline Painting, Inc.

Item 19

MEASURE E CONSENT CALENDAR

M/S/C: Fong/Bechtel
Advisory vote: 1 yes
Board vote: unanimous
Action: Approved / Ratified the Measure E Consent Calendar, A-P as follows:

- A.** *Title:* Change Order #15
Vendor: Hagensen Pacific Construction, Inc.
Agreement Date: September 21, 2006
Campus: De Anza College
Project No.: 213
Project Name: Campus Center Renovation
Amount: \$10,847
For: Miscellaneous construction changes including painting new metal stair railing and pickets, removing existing atrium chair rails to accommodate new bench seating, sub-floors for vinyl flooring in dining room, and removing oil-based paint in lobby/dining room/fireside room to accommodate new painted surfaces; the total change orders to date represent 11.73% against the original contract amount (the funding is included in the current budget)
Action: Ratification
- B.** *Title:* Change Order #5
Vendor: Joseph J. Albanese, Inc.
Agreement Date: July 25, 2006
Campus: De Anza College
Project No.: 208
Project Name: Campus Entries
Amount: \$17,494
For: Construction changes that include: additional AT&T communication conduits for future service, utility relocations & infrastructure due to unforeseen conditions, up-light for signs, power fit-up for temporary lighting, seal coating, and credits for value engineering and scope reductions; the total change orders to date represent 2.27% against the original contract amount (the funding is included in the current budget)
Action: Ratification
- C.** *Title:* Change Order #5
Vendor: John Plane Construction, Inc.
Agreement Date: April 13, 2006
Campus: De Anza College
Project No.: 269
Project Name: A9 Modernization
Amount: \$8,288
For: Construction changes that include two new louvers with access doors to AHU enclosures per Facilities' direction to provide better maintenance access; the total change orders to date represent 4.95% against the original contract amount (the funding is included in the current budget)
Action: Ratification

- D.** *Title:* Change Order #6
Vendor: Trident Builders, Inc.
Agreement Date: November 8, 2005
Campus: De Anza College
Project No.: 210
Project Name: Administration Building Renovation
Amount: \$5,365
For: Miscellaneous construction changes including modifications to doorways, framing, thresholds and siding; the total change orders to date represent 1.7% against original contract amount (the funding is included in the current budget)
Action: Ratification
- E.** *Title:* Change Order #7
Vendor: Trident Builders, Inc.
Agreement Date: November 8, 2005
Campus: De Anza College
Project No.: 210
Project Name: Administration Building Renovation
Amount: \$26,535
For: Miscellaneous construction changes including modification to an air handling unit curb and revisions to finishes; the total change orders to date represent 2.7% against the original contract amount (the funding is included in the current budget)
Action: Ratification
- F.** *Title:* Change Order #5
Vendor: Trident Builders, Inc.
Agreement Date: June 17, 2005
Campus: De Anza College
Project No.: 275
Project Name: S-Quad Phase II Renovations
Amount: \$19,926
For: Miscellaneous construction changes including plumbing work due to hazmat remediation and modifications to ADA sinks
Action: Ratification
- G.** *Title:* Budget Transfer #56
Campus: De Anza College
Project Name: Measure E Bond Program
For: Transfer #56 reflects an additional funding source for Measure E via 2006-07 Scheduled Maintenance; these funds are being utilized to enhance the Project #209 Performance Hall budget
Action: Ratification

- H.** *Title:* Revision #3 to PO M555763
Vendor: Consolidated Engineering Laboratories
Agreement Date: January 12, 2005
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$14,800
For: Additional special inspection and testing services
Action: Ratification
- I.** *Title:* Revision #11 PAA #20
Vendor: Perkins + Will
Agreement Date: December 14, 2001
Campus: Foothill College
Project No.: 153
Project Name: Campus Center
Amount: \$8,231
For: Additional services for the structural repair of the Pedestrian Bridge Stair Tower Roof due to unsolicited demolition by West Bay Builders, Inc.
Action: Ratification
- J.** *Title:* Revision #16 to PAA #19 (PO M249357)
Vendor: Perkins + Will
Agreement Date: November 7, 2001
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$15,196
For: Provide technical and design services for the repair of the third floor balcony beam at Building 7100 due to damaged rebar
Action: Ratification
- K.** *Title:* Revision #17 to PAA #19 (PO M249357)
Vendor: Perkins + Will
Agreement Date: November 7, 2001
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$2,300
For: Provide technical and design services for a new fire truck access to lower Campus to Upper Campus
Action: Ratification

- L.** *Title:* Revision #1 to PO M773178
Vendor: Salas O'Brien Engineers, Inc.
Agreement Date: November 6, 2006
Campus: Foothill College
Project No.: 148
Project Name: Radio Station and Language Arts
Amount: \$8,000
For: Additional Services for radio station communications systems
Action: Ratification
- M.** *Title:* Change Order #55
Vendor: S. J. Amoroso Construction Co., Inc.
Agreement Date: February 24, 2005
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$47,157
For: Multiple architectural, civil and electrical changes; this change order plus all previous change orders represents 7.4% above the base contract amount
Action: Ratification
- N.** *Title:* Change Order #56
Vendor: S. J. Amoroso Construction Co., Inc.
Agreement Date: February 24, 2005
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$52,730
For: Multiple architectural, civil, plumbing, structural and electrical changes; this change order plus all previous change orders represents 7.5% above the base contract amount
Action: Ratification
- O.** *Title:* Change Order #25
Vendor: West Bay Builders
Agreement Date: January 18, 2005
Campus: Foothill College
Project No.: 153
Project Name: Campus Center
Amount: \$42,123
For: Structural modifications to glulam beams, skylight #8, and Bldg 2200 canopy. Change bookstore flooring from sheet vinyl to hardwood and carpet flooring and some other miscellaneous revision to improve finished; this change order plus all previous change orders represents 6.98% above the base contract amount
Action: Ratification

- P.** *Title:* Change Order #26
Vendor: West Bay Builders
Agreement Date: January 18, 2005
Campus: Foothill College
Project No.: 153
Project Name: Campus Center
Amount: \$229,326
For: Over excavation of building foundation to reach the Franciscan layer; bookstore electrical, controls, drywall and finish revisions; emergency generator exhaust flue and plumbing vents; and other miscellaneous structural, electrical and finish revisions; this change order plus all previous change orders represents 8.1% above the base contract amount (the funding for this change is within the current budget)
Action: Ratification

Item 20

REVISION #2 TO PROJECT ASSIGNMENT AMENDMENT #F06 TO AGREEMENT WITH ALLANA BUICK + BERS — PROJECT #152, LOWER CAMPUS COMPLEX, Foothill College

Trustee Bechtel asked about maintenance costs for the green roof. Executive Director Allen responded that the waterproofing covered by this revision is unrelated to the green roof, and he does not expect that maintenance for the roof will be costly or pose any difficulties. He added that green roofs have been implemented elsewhere successfully and are low maintenance. Responding to a question from Trustee Swenson, Mr. Allen explained that the level of detail in the design drawings did not adequately represent the actual waterproofing needs. President Plotkin asked how the District will ensure that the waterproofing recommendations from Allana Buick + Bers will be implemented. Mr. Allen responded that implementation does not rely on voluntary cooperation but is required.

- M/S/C:** Bechtel/Eldridge
Advisory vote: 1 yes
Board vote: unanimous
Action: Approved Revision #2 to PAA #F06 to Agreement with Allana Buick + Bers in the amount of \$80,000

Item 21

AUTHORIZATION TO RENEW CONTRACT WITH SPL INTEGRATED SOLUTIONS FOR CLASSROOM MULTIMEDIA EQUIPMENT AND INSTALLATION

- M/S/C:** Fong/Casas Frier
Advisory vote: 1 yes
Board vote: unanimous
Action: Authorized the District Purchasing Director to renew the classroom multimedia equipment and installation contract with SPL Integrated Solutions for one year through August 30, 2008

Item 22

AUTHORIZATION TO PURCHASE APPLE AND DELL COMPUTERS AND RELATED SERVICES

Trustee Plotkin inquired about the reasons for setting Dell computers as the hardware standard. Vice Chancellor of Technology Fred Sherman explained that the District looks for a manufacturer which can provide a reliable product with a stable configuration over many months, attractive discounts, and good customer service. He added that the standards are reevaluated regularly. President Plotkin encouraged the District to take another look at the marketplace to determine whether another manufacturer can meet the standards at a lower cost. De Anza Academic Senate President Wayne Chenoweth, who services on the Software and Hardware Standards Committee, noted that the Committee does consider that question every year. Trustee Casas Frier asked if there was any issue with exceeding the bid limit, and Director of Purchasing and Material Services Carmen Redmond said that this is legally permissible as long as it is approved by the Board.

M/S/C: Eldridge/Bechtel
Advisory vote: 1 yes
Board vote: unanimous
Action: Authorized the District Purchasing Director to place orders in excess of the legally mandated bid threshold, currently set at \$69,000 through June 30, 2008, for Dell and Apple products and related services pursuant to the WSCA Master Agreements A63306 with Apple and A63307 with Dell

Item 23

AUTHORIZATION TO AWARD CONTRACT FOR BID 1098-215 — DE ANZA SIGNAGE

Responding to a question from Trustee Bechtel, De Anza Vice President Hawk explained that half of the project addresses directional signage on the perimeter road, and the other half addresses signage on pedestrian pathways and buildings. She added that signage will be included in the bid specifications for future projects.

M/S/C: Casas Frier/Bechtel
Advisory vote: 1 yes
Board vote: unanimous
Action: 1) Rejected the bid protest submitted by Arrow Sign Company, and
2) Authorized the District Purchasing Director to award a contract in the amount of \$473,473.50 for the Base Bid Proposal Amount and Alternates #1, #2 and #3 to the lowest responsible and responsive bidder, Illuminated Creations, Inc., dba Ellis & Ellis Sign Systems

DATES TO REMEMBER

August 27, 2007 — Audit & Finance Committee Meeting
August 27, 2007 — Regular Meeting

ADJOURNMENT

President Plotkin adjourned the meeting at 6:05 p.m. The Board met for a social dinner at 6:15 p.m. at the Mandarin Gourmet Restaurant, 420 Ramona Street, Palo Alto, CA 94301. In attendance were trustees Bechtel, Fong, Casas Frier, Plotkin and Swenson; Chancellor Martha Kanter; Foothill

President Judy Miner; De Anza Vice President Jeanine Hawk; De Anza Interim Vice President of Instruction John Swensson; vice chancellors Andy Dunn and Fred Sherman; and Executive Director of Facilities, Operations and Construction Management Charles Allen. No members of the public attended.

jco

Approved: 8/27/07

Martha J. Kanter, Chancellor
Secretary, Board of Trustees