



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

October 6, 2008

CALL TO ORDER AND ROLL CALL

President Bruce Swenson declared a quorum was present and called the meeting to order at 5:00 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:

Bruce Swenson, President
Paul Fong, Vice President
Betsy Bechtel
Laura Casas Frier
Hal Plotkin (via teleconference)

for Public Session

Patrick Ahrens, De Anza College Student Trustee
Confiance Dukunde, Foothill College Student Trustee

CLOSED SESSION

The Board immediately adjourned into closed session in the Chancellor's Office with the individuals listed below to discuss:

CONFERENCE WITH PROPERTY NEGOTIATORS

Under Negotiation:	Price and terms of payment
Agency Negotiator:	Kevin Crawford, Andy Dunn and John Shupe
Property:	4000 Middlefield Road, Palo Alto, CA 94303
Negotiating Parties:	City of Palo Alto
Property:	100-200 Evelyn Avenue, Mt. View, CA 94041
Negotiating Parties:	PSAI Realty Partners
Property:	189 N. Bernardo Avenue, Mt. View, CA 94043
Negotiating Parties:	Cornish & Carey Commercial
Property:	21265-21269 Stevens Creek Blvd., Cupertino, CA 95014
Negotiating Parties:	Homeland Management, Inc.

Executive Administrators Present:

Andy Dunn, Vice Chancellor of Business Services
Martha Kanter, Chancellor
Jeanine Hawk, Vice President of Educational Resources and College Operations, De Anza College
Judy Miner, President of Foothill College
Dorene Novotny, Vice Chancellor of Human Resources and Equal Opportunity

Others Present:

Kevin Crawford
Mark Ritchie
John Shupe

CONFERENCE WITH LABOR NEGOTIATOR

District Negotiator: Dorene Novotny
Employee Organizations: All Represented and Unrepresented Groups

PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL / RELEASE

Executive Administrators Present:

Andy Dunn, Vice Chancellor of Business Services
Martha Kanter, Chancellor
Jeanine Hawk, Vice President of Educational Resources and College Operations, De Anza College
Judy Miner, President of Foothill College
Dorene Novotny, Vice Chancellor of Human Resources and Equal Opportunity

RE-CONVENE PUBLIC SESSION

President Swenson re-convened the public session at 6:01 p.m. in the District Board Room. He 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>	Charles Allen	Andy Dunn	Marsha Kelly
	Anne Argyriou	Marie Fox Ellison	Ron Levine
	Tom Armstrong	Herlisa Hamp	Sharon Luciw
	Shirley Barker	Rich Hansen	Judy Miner
	Becky Bartindale	Jeanine Hawk	Dorene Novotny
	Leo Contreras	Art Heinrich	Jon O'Bergh
	Dolores Davison	Ken Horowitz	Marisa Spatafore
	Jennifer Dirking	Martha Kanter	
<i>Press:</i>	None		
<i>Students:</i>	None		
<i>Public:</i>	Pearl Cheng		
	Robert Griffin		
	Terry Terman		

REPORTING OUT FROM CLOSED SESSION

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

APPROVAL OF MINUTES

M/S/C: Ahrens/Bechtel
Advisory vote: Ahrens – yes
Dukunde – yes
Board vote: Bechtel – yes
Casas Frier – yes
Fong – yes
Plotkin – yes
Swenson – yes
Action: Approved the minutes of the September 8, 2008 meeting

CORRESPONDENCE

President Swenson 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

League of Women Voters representative Terry Terman expressed gratitude for the Board's wisdom and foresight in putting forward the Measure C bond in 2006, which would be difficult to pass in the current economic climate.

Staff

Foothill instructor Ken Horowitz expressed his thoughts concerning the state of the District, Measure C expenditures and stipends to cover extra duties for administrators.

De Anza Vice President of Educational Resources and College Operations Jeanine Hawk, representing De Anza President Brian Murphy, reported that the Hewlett Foundation named De Anza as one of four community colleges that is a statewide leader in student success. She distributed a flyer for "Youth Vote 08," a college-wide effort to engage students in the democratic process. She announced a dedication ceremony on October 20 for the Valley Transportation Authority bus stop being built on campus, and a reception on October 21 for the De Anza and Foothill Faculty and Staff Art Show at the Euphrat Museum.

Foothill President Judy Miner reported that Metro magazine named KFJC as the second best student-run radio station in Silicon Valley. She reported that the college held a "Dare to Be 100" conference to support the older adult studies program. She announced that faculty members Dolores Davison, Bernie Day and Tess Hansen were named to serve on various Statewide Academic Senate committees. Chancellor Martha Kanter reported that several bills have been signed into law, including one on early assessment of high school students' college readiness and the Open Educational Resources bill (AB 2261) sponsored by Assemblymember Ira Ruskin that acknowledges Foothill-De Anza as a statewide resource for colleges.

Trustees

Student Trustee Ahrens announced that DASB would participate in a mock election statewide as part of "Youth Vote 08" and a mass voter registration drive for students. Trustee Fong commended Governor Arnold Schwarzenegger for signing into law the Open Educational Resources (OER) bill and thanked Trustee Plotkin for providing leadership on OER. Trustee Casas Frier expressed

concern about the ruling in the litigation contesting a law that provides access to college education for undocumented students who have attended California high schools, but she pointed out that the law will remain in effect while it is under appeal, so those students will still be able to enroll in college and take advantage of the Board of Governors fee waiver. Trustee Bechtel commended the La Voz student journalists for a series of articles providing tips on how to succeed at De Anza. President Swenson introduced Cupertino Union School District Trustee and De Anza Commission member Pearl Cheng.

APPROVAL OF CONSENT CALENDAR

Trustee Bechtel requested that Item 2 be removed so she could recuse herself from voting. President Swenson also removed Item 5.

M/S/C:	Ahrens/Fong
Advisory vote:	Ahrens – yes Dukunde – yes
Board vote:	Bechtel – yes Casas Frier – yes Fong – yes Plotkin – yes Swenson – yes
Action:	Approved / Ratified Items 1, 3, 4 and 6 of the Consent Calendar as follows:

Item 1 — **Ratified** CONTRACTS AND AGREEMENTS

Item 3 — **Approved** CONTRACT WITH BLACKBOARD CONNECT, INC. IN THE AMOUNT OF \$74,750

Item 4 — **Approved** CONTRACTS WITH TOM GASKINS, LLC AND SUN MICROSYSTEMS FOR NASA WORLD WIND CONVERSION

Item 6 — **Approved** HUMAN RESOURCES REPORT

Item 2

RATIFICATION OF B WARRANTS GREATER THAN \$5,000 FOR JULY AND AUGUST 2008 AND WIRE TRANSFERS GREATER THAN \$5,000 FOR JUNE AND JULY 2008

Trustee Bechtel recused herself to avoid a possible conflict of interest regarding one of the warrants, and left the room.

M/S/C:	Fong/Casas Frier
Advisory vote:	Ahrens – yes Dukunde - yes
Board vote:	Casas Frier – yes Fong – yes Plotkin – yes Swenson – yes (Bechtel was not present for the vote)
Action:	Ratified B Warrants greater than \$5,000 for July and August 2008 and wire transfers greater than \$5,000 for June and July 2008

Following the vote, Trustee Bechtel returned to the room.

Item 5

PERSONNEL ACTIONS

Members of the Board asked a series of questions regarding the proposed administrative reorganization at De Anza involving the two Associate Vice President positions. De Anza Vice President of Educational Resources and College Operations Jeanine Hawk explained how the college developed the organizational structure over the course of the past year with feedback from constituency groups. The determination to reclassify the two administrative positions was reached by the Administrative Classification Committee working with a consultant. She anticipates one additional reclassification for the Dean of Library Services position since responsibility for the Student Success Center and Distance Learning has been moved to that position. She also explained how the Student Success Center, which primarily serves students with Basic Skills needs, has grown dramatically over the past few years and is expected to grow further.

Discussing the reclassification of the Director of College Services position to Associate Vice President of College Services, she explained that oversight of equipment expenditures funded by Measure C represents a significant increase in workload and responsibility. Foothill President Miner said the responsibility for equipment expenditures is being handled differently at Foothill so she does not expect to bring forward any management reclassifications. Dr. Miner also pointed out how the two colleges are organized differently, with three vice president positions at De Anza and four at Foothill. Trustee Bechtel wondered whether the positions would be reclassified lower once Measure C ends.

Responding to a question from President Swenson, Vice Chancellor of Human Resources and Equal Opportunity Dorene Novotny reviewed the reclassification process for classified staff and recent statistics on reclassifications. Trustee Bechtel pointed out that the re-titled positions were already announced in a campuswide memo before the Board had taken action, and cautioned staff to be more careful in the future. She said she would reluctantly support the reclassification requests but expressed concern that it sends the wrong message in the current economic climate. Trustee Plotkin made a motion to approve Item 5, which was seconded by Student Trustee Dukunde. Trustee Casas Frier indicated she was opposed to the reclassifications, however, so the personnel actions for Item 5 were recast as two separate actions.

M/S/C:	Bechtel/Plotkin
Advisory vote:	Ahrens – yes Dukunde – yes
Board vote:	Bechtel – yes Casas Frier – yes Fong – yes Plotkin – yes Swenson – yes
Action:	Approved the following personnel actions:

Name: **Mark Anderson**
Position: Division Dean
College: Foothill
Division: Fine Arts and Communications
Action: **Acting Appointment**
Effective Dates: September 9, 2008 through December 31, 2008
Compensation: Level J Step 4 @ \$10,837.32/month

Name: **Lydia Hearn**
Position: Dean
College: De Anza
Division: Academic Services
Action: **Acting Appointment**
Effective Dates: October 1, 2008 through October 31, 2008
Compensation: Level J Step 1 @ \$9,361.89/month

Name: **Lydia Hearn**
Position: Dean
College: De Anza
Division: Academic Services
Action: **Stipend for Additional Duties**
Effective Dates: October 1, 2008 through October 31, 2008
Compensation: \$931.42

Name: **Lydia Hearn**
Position: Associate Vice President
College: De Anza
Division: Instruction
Action: **Acting Appointment**
Effective Dates: November 1, 2008 through June 30, 2009
Compensation: Level K Step 2 @ \$10,293.31/month

Name: **Jeffrey Schinske**
Position: Faculty
College: De Anza
Division: Biological, Health and Environmental Sciences
Action: **Employment**
Effective Dates: January 5, 2009 *# of Months:* 10
Compensation: Column III Step C @ \$6,391.18/month

M/S/C: Ahrens/Dukunde

Advisory vote: Ahrens – yes
 Dukunde – yes

Board vote: Bechtel – yes
 Casas Frier – no
 Paul Fong – yes
 Hal Plotkin – yes
 Bruce Swenson – yes

Action: Approved the following personnel actions:

Position: **Dean, Academic Services**
College: De Anza
Division: Instruction
Action: **Reclassify Position to Associate Vice President, Instruction to reflect increased responsibilities**
Effective Dates: November 1, 2008
Compensation: Level K Step 8 @ \$12,524.59/month
Comments: In accordance with Chapter VI and XI of the Administrators Handbook

Name: **Donna Jones-Dulin**
Position: Director, College Services
College: De Anza
Division: College Services
Action: **Reclassify Position to Associate Vice President, College Operations to reflect increased responsibilities**
Effective Dates: November 1, 2008
Compensation: Level K Step 8 @ \$12,524.59/month
Comments: In accordance with Chapter VI and XI of the Administrators Handbook

Item 7

MID-TERM ACCREDITATION REPORTS

M/S/C: Ahrens/Dukunde
Advisory vote: Ahrens – yes
Dukunde – yes
Board vote: Bechtel – yes
Casas Frier – yes
Fong – yes
Plotkin – yes
Swenson – yes
Action: Approved the De Anza Focused Mid-Term Accreditation Report and the Foothill Focused Mid-Term Accreditation Report

Item 8

TRUSTEE SELECTION AND APPOINTMENT PROCESS

Trustee Bechtel suggested removing the statement “The goal is to interview approximately six candidates.” Board members endorsed the suggestion and asked that the final appointment process be presented at the next meeting for action as part of the Consent Calendar. Trustee Casas Frier encouraged faculty and staff to submit potential questions to their governance leaders for consideration. Chancellor Kanter said the potential questions would be discussed by the Chancellor’s Advisory Council. Foothill and District Academic Senate President Dolores Davison noted that the Senate supported the idea of holding a candidates forum with ASFC and the Classified Senate. Student Trustee Ahrens expressed support for including input from the governance groups and emphasized the importance of the student perspective in developing questions.

Item 9

BUDGET UPDATE

Vice Chancellor of Business Services Andy Dunn provided an update on the recently signed state budget and its impact on Foothill-De Anza. There are concerns that the state's revenue assumptions may not be accurate and the state may experience difficulty borrowing money in the current economic climate. Vice Chancellor Dunn discussed how the collapse of Lehman Brothers severely impacts San Mateo County schools since that county had invested so much money in Lehman Brothers, which fortunately is not the case with Santa Clara County. Nonetheless, the Board asked for a report at the next meeting on short-term investments of Measure C bond funds and funds invested for the retiree benefits liability.

Vice Chancellor Dunn distributed updated Multi-Year Scenarios sheets and reviewed changes from the Adopted Budget. He pointed out how the operating deficit continues to grow each year. President Swenson asked how the robust enrollment growth in fall quarter fits into the plan for only 0.8% growth funding. Vice Chancellor Dunn said that the colleges will need to monitor this for winter and spring quarters. He discussed the use of one-time funds to cover the 2008-09 operating deficit and noted that there will likely be sufficient one-time funds to cover the deficit again in 2009-10, providing a longer time frame in which to address the underlying structural imbalance in the budget. Foothill President Miner and De Anza Vice President Hawk reviewed the decision-making approach at each college to maximize the availability of one-time funds and carefully manage enrollment.

President Swenson expressed concern about the continuing decline in property tax revenue statewide. Vice Chancellor Dunn noted that a deficit factor has been built into the 2008-09 budget but not the 2009-10 budget. He said that the Board budget revisions will be presented to the Board for action as part of the First Quarter Report for the November 3 meeting. Faculty Association President Rich Hansen commented on the unexpected but small state COLA and suggested revisiting the allocations for strategic growth initiatives since enrollment at the colleges is increasing beyond what will be funded by the state. De Anza Vice President Hawk countered that much of the strategic growth initiative funding is focused on student success and retention, particularly for students in targeted areas that fulfill a core mission, so care must be taken in cutting back those expenditures.

Item 10

MEASURE E CONSENT CALENDAR

Executive Director of Facilities, Operations and Construction Management Charles Allen requested that Item D be removed from the Measure C Consent Calendar.

M/S/C: Bechtel/Dukunde

Advisory vote: Ahrens – yes
Dukunde – yes

Board vote: Bechtel – yes
Casas Frier – yes
Fong – yes
Plotkin – yes
Swenson – yes

Action: Approved / Ratified the Measure E Consent Calendar, A-C and E as follows:

- A.** *Title:* Budget Transfer #66
Campus: De Anza College
For: Includes Project-to-Project and Project-to-Program Contingency Transfers which reflect a joint effort by De Anza College, the District and Gilbane representatives to prioritize and plan the efforts required to complete the Measure E Program needs at De Anza College
Action: Ratification
- B.** *Title:* Change Order #11
Vendor: S. J. Amoroso Construction Co., Inc.
Agreement Date: June 29, 2007
Campus: De Anza College
Project No.: 765-209
Project Name: Visual and Performing Arts Center
Amount: \$47,713
For: Provide additional metal stud framing, revised mechanical, electrical and plumbing utilities, stainless steel finish at exterior railing, and accessible shower seats as described by backup documentation. The original contract completion date of September 21, 2008 is unaltered by this change order.

The total change orders to date represent 3.09% against the original contract amount. The funding is included in the current budget.
Action: Ratification
- C.** *Title:* Professional Services
Vendor: Gilbane Building Company
Agreement Date: July 7, 2008
Campus: Foothill College
Project No.: Revision #2 to Addendum #10
Project Name: Measure E; Program Management Services
Amount: \$40,000
For: This revision adds a \$40,000 contingency for the contractor and A/E claims support on the Lower Campus Complex and Campus Center projects at Foothill College; funding is included in the current budget
Action: Ratification
- E.** *Title:* Change Order #1 to PO #H877570
Vendor: Steven Michael Redmond
Agreement Date: October 1, 2007
Campus: District and De Anza College
Project No.: 202
Project Name: Science Center
Amount: \$22,000
For: Extend services as a consultant to the De Anza Science Center legal matters between the District and Anshen + Allen
Action: Ratification

Item 11

MEASURE C CONSENT CALENDAR

M/S/C: Fong/Dukunde

Advisory vote: Ahrens – yes
Dukunde – yes

Board vote: Bechtel – yes
Casas Frier – yes
Fong – yes
Plotkin – yes
Swenson – yes

Action: Approved / Ratified the Measure C Consent Calendar, A-Q as follows:

- A.** *Title:* PAA #1
Vendor: Enovity, Inc.
Agreement Date: September 8, 2008
Campus: De Anza College
Project No.: 203
Project Name: Baldwin Winery Building
Amount: \$28,536
For: Professional Commissioning Services including HVAC, lighting, domestic hot water, controls systems, and other system components that meet LEED Fundamental and LEED Enhanced Commissioning requirements per LEED New Construction Version 2.2; this includes providing all required documentation, performing timely observations and start-up for specified systems, and for supporting the District's other consultants during commissioning of this facility within their contract
Action: Ratification
- B.** *Title:* PAA #2
Vendor: Enovity, Inc.
Agreement Date: September 8, 2008
Campus: De Anza College
Project No.: 213
Project Name: East Cottage "Historic Renovation"
Amount: \$18,287
For: Professional Commissioning Services including HVAC, lighting, domestic hot water, controls systems, and other system components that meet LEED Fundamental and LEED Enhanced Commissioning requirements per LEED New Construction Version 2.2; this includes providing all required documentation, performing timely observations and start-up for specified systems, and for supporting the District's other consultants during commissioning of this facility within their contract
Action: Ratification

- C.** *Title:* Agreement for Professional Services
Vendor: Arch, Inc.
Agreement Date: August 25, 2008
Campus: De Anza College and Foothill College
Project No.: 100C and 200B
Project Name: 100C – Pool Plaster & Chemical Feed Systems
200B – Pool Chlorination Systems
Amount: \$8,000 (\$5,500 for Project 100C and \$2,500 for Project 200B)
For: Professional Services to sample and analyze source water and pool water to determine and recommend optimal pool sanitation, oxidation, and ph control for the existing pools at De Anza and Foothill Colleges, as well as analyze potential waterproofing replacement systems and cost associated with potential solutions for Foothill College pool
Action: Ratification
- D.** *Title:* Revision #1 to PAA #2B – PO #G979221
Vendor: Architectural Resources Group (ARG)
Agreement Date: November 6, 2007
Campus: De Anza College
Project No.: 766-213
Project Name: East Cottage Renovation
Amount: \$44,726
For: Additional Design Services for ARG to provide DSA-required work:
1) structural materials testing, documentation, and engineering as detailed in Degenkolb's proposal dated 8/14/08 and memorandum dated 8/01/08; 2) "Materials Testing Program" to DSA for review & approval; 3) all testing laboratories & sub-consultants; and 4) detailed structural framing and connection drawings for DSA submission
Action: Ratification
- E.** *Title:* PAA #5
Vendor: Environmental Construction Services
Agreement Date: September 8, 2008
Campus: De Anza College
Project No.: 200
Project Name: Scheduled Maintenance
Amount: \$16,275
For: Professional Consulting Services to update and consolidate asbestos-containing materials records for De Anza College by using data from the existing databases, files, and prior site inspections within a single spreadsheet and provide a electronic and hard copies of drawings and specifications used for previous building renovations
Action: Ratification

- F.** *Title:* Agreement for Professional Services
Vendor: Cleary Consultants, Inc.
Agreement Date: September 22, 2008
Campus: Foothill College
Project No.: 162B
Project Name: Roundabout and Parking Lot 8 Improvement
Amount: \$3,200
For: Provide soil-engineering services during construction; the funding is included in the current budget
Action: Ratification
- G.** *Title:* Agreement for Professional Services
Vendor: Cleary Consultants, Inc.
Agreement Date: September 13, 2008
Campus: Foothill College
Project No.: 162A
Project Name: Lower Campus Fire Access Road Extension
Amount: \$4,000
For: Provide soil-engineering services during construction; the funding is included in the current budget
Action: Ratification
- H.** *Title:* Agreement for Professional Services
Vendor: Consolidated Engineering Laboratories
Agreement Date: August 13, 2008
Campus: Foothill College
Project No.: 101
Project Name: Forum 5000 Renovation
Amount: \$4,032.45
For: Provide construction testing services
Action: Ratification
- I.** *Title:* Agreement for Professional Services
Vendor: WRNS Studio, LLP
Agreement Date: October 7, 2008
Campus: Foothill College
Project No.: Master Agreement & Project #144
Project Name: Central Campus Site Improvements
Amount: \$383,525
For: Master Agreement for design services with WRNS Studio, LLP (Architect), and Project Authorization Agreement (PAA) number F-WRNS-1A for Pre-Design and Conceptual Design Services for project 144 Central Campus Site Improvements; the funding is included in the current Project 144 budget
Action: Approval

- J.** *Title:* Agreement for Professional Services
Vendor: WRNS Studio, LLP
Agreement Date: October 7, 2008
Campus: Foothill College
Project No.: 162
Project Name: Parking & Circulation
Amount: \$356,415
For: Project Authorization Agreement (PAA) number F-WRNS-2A for Pre-Design and Conceptual Design Services related to parking and circulation; the funding is included in the current budget
Action: Approval
- K.** *Title:* Agreement for Professional Services
Vendor: J & M Termite Control
Agreement Date: September 19, 2008
Campus: Foothill College
Project No.: 101
Project Name: Forum 5000 Renovation
Amount: \$150
For: Provide termite inspection services
Action: Ratification
- L.** *Title:* Revision #6 to Standard Form of Agreement (PO #G774030)
Vendor: Christopher A. Joseph & Associates
Agreement Date: March 6, 2007
Campus: Foothill College and De Anza College
Project No.: 766801
Project Name: Foothill-De Anza Community College District EIR
Amount: \$43,835
For: Prepare an Initial Study (IS) or Initial Study/Mitigated Negative Declaration (IS/MND) for 189 Bernardo Street property following the CEQA Checklist Guidelines. The IS or IS/MND (along with a Notice of Intent to Adopt an IS or IS/MND[NOI]) will be circulated for a 30-day review period and any comments received on it would be responded to in a Final IS or IS/MND. A notice of Determination (NOD) will be circulated to the same parties as above (and the Final IS or IS/MND if revisions have been made) prior to certification of the IS or IS/MND and approval of the project.
Action: Ratification

- M.** *Title:* Task #3 – Agreement for Services – Property Acquisition
Vendor: tBP/Architecture, Inc.
Agreement Date: October 15, 2007
Campus: District
Project No.: 801
Project Name: Mountain View Center Feasibility Study
Amount: \$65,000
For: Professional services for programming and planning for future development to support a Mountain View Center, with the addition of Task #3 to the Agreement for Services for condition assessment, cost estimate, and consultation for development
Action: Ratification
- N.** *Title:* Transfer Construction Component from Measure E to Measure C
Vendor: Spencer & Associates
Campus: De Anza College
Project No.: 255
Project Name: Auto Technology
Amount: N/A
For: Transfer of scope of services within Purchase Order #H774151 for Measure E to Measure C. Auto Technology was designed in Measure E (Project 270) to be constructed in Measure C (Project 255). The construction component of Spencer Associate's contract was originally committed to Measure E; however, these construction administration services which are associated with construction activity planned and funded with Measure C are more appropriately funded by Measure C. Note: this is an information item only and does not affect the De Anza College Measure C Budget.
Action: Ratification
- O.** *Title:* Master Agreement for Professional Consulting Services
Vendor: Allana Buick & Bers, Inc.
Agreement Date: October 6, 2008
Campus: De Anza College
Project No.: Various Measure C Projects
Project Name: Various Measure C Projects
Amount: \$0
For: This Master Agreement contract is for Professional Consulting Services for the design, bidding assistance, construction oversight, and project close-out for roofing and waterproofing projects for the Measure C Bond Program at De Anza College; each individual project will be contracted separately under a Project Authorization Amendment (PAA) to this Master Agreement contract and each PAA will be presented at future Board of Trustee meetings for review
Action: Approval

- P.** *Title:* PAA #2
Vendor: Allana Buick & Bers, Inc.
Agreement Date: October 6, 2008
Campus: De Anza College
Project No.: 766-236B
Project Name: Tile Roof Repairs – Phase II: PE1, PE2, & PE6
Amount: \$70,345
For: Provide Professional Services to investigate and prepare Design Documents, Procurement Phase, Construction Administration, and Construction Monitoring services for replacement and repairs to the existing tile roofs for PE1, PE2 and PE6 Buildings — additional scope of work includes the following: 1) concrete parapet and flat roof repairs for PE1 and PE2; 2) wood rail/sunscreen repairs on PE1 and PE 2; and 3) parapet stucco and cap flashing replacement on PE6
Action: Approval
- Q.** *Title:* PAA #3
Vendor: Allana Buick & Bers, Inc.
Agreement Date: October 6, 2008
Campus: De Anza College
Project No.: 766-204
Project Name: PE Quad Breezeway
Amount: \$9,975
For: Provide Professional Services to perform a survey and produce basis of design documents, and construction estimate that includes: on-site survey of canopy roofs, deteriorated exposed framing members of canopy roofs and trellises, and termite damage to exposed framing members of structures at the PE Quad buildings PE1, PE2, PE 4, PE5 and PE 6
Action: Approval

Item 12

AGREEMENT WITH UNDERWRITERS FOR MEASURE C

- M/S/C:** Fong/Plotkin
Advisory vote: Ahrens – yes
Dukunde – yes
Board vote: Bechtel – yes
Casas Frier – yes
Fong – yes
Plotkin – yes
Swenson – yes
Action: Approved the recommendation to continue the Measure C bond program with Morgan Stanley as its sole underwriter

Item 13

MEASURE C PROJECT LIST REVISIONS WITH FOOTHILL BUDGET TRANSFER #07, DE ANZA BUDGET TRANSFER #08 AND DE ANZA PROJECT #241 NAME CHANGE

M/S/C: Ahrens/Dukunde
Advisory vote: Ahrens – yes
Dukunde – yes
Board vote: Bechtel – yes
Casas Frier – yes
Fong – yes
Plotkin – yes
Swenson – yes
Action: Approved the Bond Project List Revision along with Foothill Budget Transfer #07 and De Anza Budget Transfer #08

Item 14

AUTHORIZATION TO AWARD CONTRACT PURSUANT TO BID 1131-161 — FIRE ALARM SYSTEM REPLACEMENT PHASE II, FOOTHILL COLLEGE

Trustee Bechtel about the bids coming in so much higher than budgeted. Executive Director Allen explained that the original construction estimate did not accurately reflect the scope of work, but he is confident that the bid submitted by Rosendin Electric reflects the true value of the work to be performed. He added that an outside engineer reviewed the bid and concurred.

M/S/C: Bechtel/Casas Frier
Advisory vote: Ahrens – yes
Dukunde – yes
Board vote: Bechtel – yes
Casas Frier – yes
Fong – yes
Plotkin – yes
Swenson – yes
Action: Authorized the Purchasing Services Supervisor to award a contract pursuant to Bid 1131-161 in the amount of \$959,140 to Rosendin Electric

Item 15

AUTHORIZATION TO AWARD CONTRACT PURSUANT TO BID 1160 — VISUAL AND PERFORMING ARTS CENTER ORCHESTRA SHELL, DE ANZA COLLEGE

M/S/C: Fong/Casas Frier
Advisory vote: Ahrens – yes
Dukunde – yes
Board vote: Bechtel – yes
Casas Frier – yes
Fong – yes
Plotkin – yes
Swenson – yes
Action: Authorized the Purchasing Services Supervisor to award a contract pursuant to Bid 1160 in the amount of \$121,400 to CK Wegner, Inc.

Item 16

AUTHORIZATION TO AWARD CONTRACT PURSUANT TO BID 1167 — MULTIMEDIA EQUIPMENT AND INSTALLATION

Trustee Bechtel asked why there was only one bid. Executive Director Allen responded that other bidders declined to bid for a variety of reasons, but only one declined due to the requirement to sign the Project Stabilization Agreement.

M/S/C:	Fong/Bechtel
Advisory vote:	Ahrens – yes Dukunde – yes
Board vote:	Bechtel – yes Casas Frier – yes Fong – yes Plotkin – yes Swenson – yes
Action:	Authorized the Purchasing Services Supervisor to issue purchase orders to, or otherwise execute a binding agreement with, the lowest responsible bidder, SPL Integrated Solutions, in accordance with contract prices, terms, and conditions of Bid 1167 during the three-year term provided that funds are available

Item 17

AUTHORIZATION TO AWARD CONTRACT PURSUANT TO BID 1168 — LOWER CAMPUS FIRE ACCESS ROAD EXTENSION, FOOTHILL COLLEGE

M/S/C:	Fong/Dukunde
Advisory vote:	Ahrens – yes Dukunde – yes
Board vote:	Bechtel – yes Casas Frier – yes Fong – yes Plotkin – yes Swenson – yes
Action:	Authorized the Purchasing Services Supervisor to award a contract pursuant to Bid 1168 in the amount of \$67,210 to Kingdom Pipelines, Inc.

Item 18

RECOMMENDATION TO PRE-QUALIFY PROSPECTIVE BIDDERS FOR MEASURE C PROJECTS AT DE ANZA COLLEGE

De Anza Bond Program Director Tom Armstrong said that there has been no change to the pre-qualification language used previously. He added that the intent is to balance the need for healthy competition with the importance of selecting only strong, reliable construction firms.

- M/S/C:** Casas Frier/Ahrens
- Advisory vote:** Ahrens – yes
Dukunde – yes
- Board vote:** Bechtel – yes
Casas Frier – yes
Fong – yes
Plotkin – yes
Swenson – yes
- Action:** Authorized the pre-qualification procedure for the following three Measure C projects at De Anza College in accordance with Public Contract Code section 20101:
- Project #205 – Seminar Building
 - Project #255 – Auto Technology
 - Project #258 – Multicultural Center

DATES TO REMEMBER

October 20, 2008 — Regular Meeting

ADJOURNMENT

President Swenson adjourned the meeting at 7:55 p.m.

jco

Approved: 10/20/08

Martha J. Kanter, Chancellor
Secretary, Board of Trustees