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

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**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:

<table>
<thead>
<tr>
<th>Staff</th>
<th>Andy Dunn</th>
<th>Marsha Kelly</th>
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<tbody>
<tr>
<td>Charles Allen</td>
<td>Anne Argyriou</td>
<td>Andy Dunn</td>
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<tr>
<td>Anne Argyriou</td>
<td>Tom Armstrong</td>
<td>Rich Hansen</td>
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<tr>
<td>Tom Armstrong</td>
<td>Shirley Barker</td>
<td>Herlisa Hamp</td>
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<td>Shirley Barker</td>
<td>Becky Bartindale</td>
<td>Jeanine Hawk</td>
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<td>Becky Bartindale</td>
<td>Leo Contreras</td>
<td>Art Heinrich</td>
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<td>Leo Contreras</td>
<td>Dolores Davison</td>
<td>Ken Horowitz</td>
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<td>Dolores Davison</td>
<td>Jennifer Dirking</td>
<td>Martha Kanter</td>
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<td>Jennifer Dirking</td>
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**Press:** None

**Students:** None

**Public:**
- Pearl Cheng
- Robert Griffin
- Terry Terman

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**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  
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  
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Martha J. Kanter, Chancellor  
Secretary, Board of Trustees