



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

January 16, 2007

CALL TO ORDER AND ROLL CALL

President Hal Plotkin declared a quorum was present and called the meeting to order at 1:05 p.m. in the District Board Room of the Foothill-De Anza Community College District, 12345 El Monte Road, Los Altos Hills, CA 94022.

Trustees Present:

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

for Public Session

Adrian Diaz, Foothill College Student Trustee

President Plotkin 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	Christina Espinosa-Pieb	Olivia Patlan
	Bob Barr	Jeanine Hawk	Penny Patz
	Becky Bartindale	Rob Johnstone	Fred Sherman
	Mike Brandy	Martha Kanter	Chien Shih
	Claudette Brero-Gow	Judy Miner	Bernata Slater
	Debbie Budd	Brian Murphy	Paul Starer
	Jane Enright	Jon O'Bergh	

Press: None

Students: None

Public: Kathy Kyne
Terry Terman

REPORTING OUT FROM CLOSED SESSION

President Plotkin reported that, at the Board meeting of December 4, 2006, the Board took action in closed session to approve a settlement with Friends of the Griffin House pending final approval by the other party. The settlement is now final, and the District has agreed to pay the petitioner's reasonable attorney's fees, host a design charrette and have several trustees view other sites in return for which the petitioner stipulated to modify the judgment to exclude reference to obtaining a demolition permit.

STUDY SESSION

I. Educational Master Plan: Enrollment and Course-Taking Patterns of Foothill and De Anza Students

Executive Director of Institutional Research Bob Barr presented information on District enrollment trends since 1990, pointing out that, while headcount is less today than in 1990, the Full-Time Equivalent Student (FTES) count is at an all-time high. He reviewed fall 2006 enrollment data by division, noting that enrollment in computer and technology courses remains down. He also presented data for those departments having the largest increased and decreases.

Responding to a question from Trustee Bechtel, Dr. Barr explained that student goals data, which students fill out when registering, is not reliable since an individual's responses often change from quarter to quarter. He discussed other studies that measure student achievement based on more reliable criteria.

II. Presentation: Preparing Basic Skills Students for Success in College

Foothill Vice President of Instruction and Institutional Research Rob Johnstone and De Anza Vice President of Instruction Judy Miner gave a presentation on basic skills. Among the data they shared was that 75-80% of first-time Foothill and De Anza students test at the basic skills level in either math or English, reflecting the statewide average. Additionally, in terms of success rate, only a portion of Foothill and De Anza students who start 2 or 3 levels below college level in English or math pass the college-level course, but that portion still ranks at or near the top among community colleges statewide. They discussed college efforts to improve the success rate. President Plotkin suggested that the colleges consider how reducing the cost of textbooks through open education resources might provide another way to help students succeed, particularly for economically disadvantaged students.

III. Measure C

Vice Chancellor of Business Services Mike Brandy distributed a list of Measure C issues and tasks. He noted that the updated college master plans are expected to be completed by March 5, the architect selection process is underway, two new bond management positions have been re-opened, the first meeting of the Citizens' Bond Oversight Committee is scheduled for February 26, and a project will soon commence to write a handbook of best practices and exterior/interior design standards. He distributed a bond financing timetable and discussed how an appeal of the Measure C lawsuit judgment may impact the Series A bond issuance. He also noted that he expects a recommendation for the selection of an architect on the Griffin House matter to be presented at the March 5 Board meeting. Furthermore, the Board will need to consider two parallel but separate matters in April: possible programmatic uses for the Griffin House (which is within the Board's authority to determine) and the cost to renovate the Griffin House.

Vice Chancellor of Technology Fred Sherman gave a briefing on plans to select and replace the District's information system. Previously referred to as an "ERP," the new designation for the system is "EIS," or Educational Information System. Mr. Sherman explained that it will replace legacy systems including the HRS, FRS and SIS modules, as well as independent systems that interface with those modules, such as the Counseling System (Early Alert) and

Student Tracking System. The conversion to a new system is expected to begin in 2008 and will take several years to accomplish. Trustee Plotkin raised the question of proprietary versus open source programs and requested an analysis of the long-term economic impact of choosing one kind over another.

IV. Budget

Vice Chancellor Brandy provided an update on the governor's proposed budget and its impact for Foothill-De Anza. He briefly noted that the colleges are in the process of finalizing their spending plans for one-time funds, and pointed out that a proposal from the Foundation for the use of a portion of the one-time funds was scheduled for consideration on the agenda under Item 11, "Personnel."

V. Legislative Principles

Chancellor Kanter noted the Legislative Principles adopted by the Board on February 22, 2005, which serve as the foundation for the development of the annual Legislative Goals. She indicated that a first reading of the Legislative Goals would be presented to the Board on February 5. The Board suggested no changes for the Legislative Principles.

VI. Board Protocol

President Plotkin reviewed the Board's discussion of protocol at the January 17, 2006 meeting. Trustee Casas Frier suggested that trustees inform the chancellor and college president when trustees are invited onto campus for a meeting.

VII. Board Areas of Focus for 2007

The Board discussed the merits of identifying a "top three" list versus keeping all of the items identified on the list. President Plotkin favored retaining all of the items on the list so as not to lose sight of areas in which the Board remains interested. Trustees Bechtel and Swenson favored identifying Measure C, succession planning (i.e., executive leadership team), and closing the achievement gap as the top three areas of focus. It was agreed that Chancellor Kanter would organize for the next meeting a list showing both the top areas of focus for 2007 and all of the ongoing efforts.

At 3:40 p.m., President Plotkin recessed the meeting for a short break.

CLOSED SESSION

At 4:00 p.m., President Plotkin reconvened the meeting. The Board immediately adjourned into closed session in the Board Room with the individuals listed below to discuss:

Administrators Present:

Charles Allen, Executive Director of Facilities, Operations and Construction
Management
Mike Brandy, Vice Chancellor of Business Services
Debbie Budd, Foothill Vice President of Educational Resources and Instruction
Jane Enright, Vice Chancellor of Human Resources and Equal Opportunity
Martha Kanter, Chancellor

Brian Murphy, President of De Anza College
Penny Patz, Interim President of Foothill College
John Schulze, retired Executive Director of Facilities, Operations, Construction Mgmt.
Fred Sherman, Vice Chancellor of Technology

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

Initiation of litigation pursuant to subdivision (c) of Section 54956.9

Number of Potential Cases: 2

Legal Counsel Present:

Phil Jaret

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 21265-21269 Stevens Creek Blvd., Cupertino, CA 95014

Agency Negotiator: Mark Ritchie and Geri Wong

Negotiating Parties: Foothill-De Anza Community College District and Homeland
Management, Inc.

Under Negotiation: Price and terms

The following two items were removed from the agenda:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Subdivision (a) of Section 54956.9)

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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Subdivision (a) of Section 54956.9)

Name of Case: Friends of the Griffin House v. Foothill-De Anza Community College
District

RE-CONVENE PUBLIC SESSION

President Plotkin re-convened the public session at 6:00 p.m. in the District Board Room. Joining
the five elected trustees were both student trustees:

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

The following staff, press, students and members of the public were present:

<i>Staff:</i>	Charles Allen	Lydia Hearn	Penny Patz
	Becky Bartindale	Martha Kanter	Carmen Redmond
	Mike Brandy	Ron Levine	Fred Sherman
	Claudette Brero-Gow	Faith Milonas	Marisa Spatafore
	Jane Enright	Brian Murphy	Paul Starer
	Robert Griffin	Frank Nunez	
	Jeanine Hawk	Jon O'Bergh	

Press: None

Students: Andrew Horng
Sarah Wiehe

Public: Jim Klingensmith

REPORTING OUT FROM CLOSED SESSION

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

APPROVAL OF MINUTES

M/S/C:	Bechtel/Diaz
Advisory vote:	2 yes
Board vote:	unanimous
Action:	Approved the minutes of the December 4, 2006 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

Foothill Interim President Penny Patz invited the Board to the college's Martin Luther King, Jr. luncheon. De Anza President Brian Murphy invited the Board to the college's Martin Luther King, Jr. luncheon as well. Chancellor Kanter reminded the Board that the final interviews for the Foothill president position would be held the week of February 26, with final interviews for the vice chancellor of business services position to be held the week of March 5 and for the vice chancellor of human resources and equal opportunity the week of March 12. She announced that the District had received a certificate from the Bay Area Air Quality Management District in recognition of the District's support for the 2006 Spare the Air campaign. Lastly, she noted that the Board of Governors approved a change in the regulations for new graduation requirements extending the implementation deadline to 2009.

Vice Chancellor of Business Services Brandy introduced Executive Director of Facilities, Operations and Construction Management Charles Allen. De Anza Academic Senate President Lydia Hearn invited the Board to a teaching and learning conference sponsored by the Academic Senate on January 26. Vice Chancellor of Human Resources and Equal Opportunity Jane Enright pointed out the large number of searches that were underway throughout the District. Director of Construction Program Management Claudette Brero-Gow noted that Chancellor Kanter was slated to receive an Exemplary Leader Award from the American Leadership Forum.

Trustees

Trustee Casas Frier announced a forum at which Chancellor Kanter will speak that is co-sponsored by the League of Women Voters on February 6 concerning the achievement gap. Trustee Swenson complimented President Plotkin on his newspaper article regarding open source. President Plotkin announced the following committee assignments:

Chair, Audit & Finance Committee — Bruce Swenson
Member, Audit & Finance Committee — Betsy Bechtel
Representatives to Foothill-De Anza Colleges Foundation — Paul Fong, Laura Casas Frier

President Plotkin announced that Assemblymember Ira Ruskin expressed interest in sponsoring legislation to support the District's efforts regarding public domain and open educational resources. Trustee Swenson suggested that the Board's representatives to the Foundation attend some of the college commission meetings. Trustee Fong announced that he would be attending the legislative conferences sponsored by the Community College League of California and the Association of Community College Trustees.

APPROVAL OF CONSENT CALENDAR

M/S/C: Bechtel/Fong
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified Items 1-13 of the Consent Calendar as follows:

Item 1 — **Ratified** CONTRACTS AND AGREEMENTS

Item 2 — **Ratified** B WARRANTS GREATER THAN \$5,000 FOR NOVEMBER AND DECEMBER 2006

Item 3 — **Acknowledged** ADDITION OF ROTH 403(B) TO CURRENT 403(B) PROGRAM

Item 4 — **Approved** CONTRACT FOR 2006-07 WITH SAN FRANCISCO ELECTRICAL JOINT APPRENTICESHIP AND TRAINING CENTER AND SANTA CLARA COUNTY ELECTRICAL JOINT APPRENTICESHIP AND TRAINING CENTER

Item 5 — **Approved** RESOLUTION #2007-01 AUTHORIZING LEASE EXTENSION FOR A RELOCATABLE BUILDING LOCATED AT DE ANZA COLLEGE

Item 6 — **Approved** RESOLUTION #2007-02 AUTHORIZING LEASE EXTENSION FOR A RELOCATABLE BUILDING LOCATED AT FOOTHILL COLLEGE

Item 7 — **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 8 — **Approved** DONATION, RECYCLING, OR DISPOSAL OF MISCELLANEOUS SURPLUS DISTRICT FURNITURE
Made a finding that the property is of insufficient value to defray the cost of a sale, and authorized the Director of Purchasing Services to make a donation to the Salvation Army and to recycle or dispose of items that are not accepted by the Salvation Army

Item 9 — **Approved** INDEPENDENT CONTRACTOR AGREEMENT WITH CATHERINE AYERS FOR “SCENARIO-BASED LEARNING IN TECHNICAL EDUCATION: A LARGE SCALE MATERIALS DEVELOPMENT PROJECT”
Approved Change No. 01 to the Agreement for an increase in compensation of \$9,230 for contracted services and \$750 for reimbursement of expenses

Item 10 — **Approved** CONTRACT WITH CHILD DEVELOPMENT INC. DBA CHOICES FOR CHILDREN

Item 11 — **Approved** PERSONNEL ACTIONS:

Name: **Charles Allen**
Position: Executive Director of Facilities, Operations & Construction Management
College: Central Services
Division: Operations
Action: **Ratify employment** # of Months: 12
Effective Date: December 11, 2006
Compensation: Level M, Step 3 @ \$10,525.09 per month

Name: **Beatriz Chacon**
Position: Director of Financial Aid and EOPS
College: Foothill
Division: Financial Aid and EOPS
Action: **Administrative Leave**
Effective Date: December 15, 2006 - April 10, 2007

Name: **Kim Chief Elk**
Position: Director of Human Resources
College: Central Services
Division: Human Resources and Equal Opportunity
Action: **Second One-Year Employment Contract** # of Months: 12
Effective Date: February 27, 2007 – February 25, 2008

Name: **Chuck Lindauer**
Position: Dean, Computers, Technology and Information Systems
College: Foothill
Division: Mathematics
Action: **Reassignment to Math Instructor, Physical Sciences, Mathematics and Engineering, Foothill College**
Effective Date: September 20, 2007 # of Months: 12
Compensation: Column V, Step L @ \$8,908.97/month
Comments: In accordance with Chapters III and VI of the Administrators Handbook

Name: **Kelly Masegian**
Position: Internship Coordinator, FHDA Internship & Training
College: Foothill
Division: Middlefield Campus
Action: **Ratify employment**
Effective Date: January 8, 2007 *# of Months:* 12
Compensation: Column III, Step A @ \$3,555.76 per year (65% of \$5,470.41)

Name: **Margaret Michaelis**
Position: Director, Budget and Personnel
College: De Anza
Division: Finance/College Services
Action: **Second One-Year Employment Contract** *# of Months:* 12
Effective Date: January 23, 2007 – January 22, 2008

Name: **Judith Mowrey**
Position: Interim Dean, Library Services
College: De Anza
Division: Library Services
Action: **Ratify employment**
Effective Date: January 1, 2007 – June 30, 2007
Compensation: Level I, Step 7 @ \$9,895.97 per month *# of Months:* 12

Name: **Moses J. Pardo III**
Position: Director
College: De Anza
Division: Child Development Center
Action: **Resignation**
Effective Date: January 19, 2007

Name: **Kathy Plum**
Position: Instructor
College: De Anza
Division: Physical Sciences, Math & Engineering
Action: **Contract reduction/33%**
Effective Date: September 20, 2007 – June 27, 2008

Name: **J. Christian Purvis-Aldrich**
Position: Instructor
College: De Anza
Division: Language Arts
Action: **Resignation**
Effective Date: December 15, 2006

Position: Associate Director of Development
College: Central Services
Division: Foothill-De Anza Foundation
Action: **Approve New Position** *# of Months:* 12
Effective Date: January 17, 2007

Item 12 —**Approved** HUMAN RESOURCES REPORT

Item 13 —**Approved** ADMINISTRATIVE TRAINING/RETRAINING STIPENDS FOR 2006-07:
Shirley Treanor Barker, Duncan Graham, Marsha Kelly, Roseann Myers, and
Bernata Slater

Item 14

RECOMMENDATION TO PRE-QUALIFY PROSPECTIVE BIDDERS FOR DE ANZA COLLEGE PERFORMANCE
HALL PROJECT

Responding to a question from Trustee Swenson, Director of Purchasing and Material Services Carmen Redmond said that she was working with Executive Director Allen to determine for which future large projects it would be appropriate to have a pre-qualification process. President Plotkin asked about including as a requirement a Project Labor Agreement (PLA). Vice Chancellor Brandy explained that state funding requires this contract to be awarded by June 30, and it would take several months to negotiate a PLA, thereby jeopardizing the District's ability to qualify for state funding. President Plotkin said he would reluctantly support the recommended action.

M/S/C: Swenson/Derflinger
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the pre-qualification procedure for the De Anza College
Performance Hall project in accordance with Public Contract Code
Section 20101

Item 15

AGREEMENT FOR SERVICES WITH ALLANA BUICK & BERS, INC. — ROOF REPLACEMENT AND REPAIR,
BUILDING 5100, FOOTHILL COLLEGE

Trustee Bechtel inquired about the continued use of wood shake shingles on Foothill structures. Executive Director Allen explained that previous efforts to find a substitute were not successful, but the fire retardant on the shingles offers the same level of protection as other roofing products and is guaranteed over the lifetime of the product.

M/S/C: Casas Frier/Derflinger
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved the agreement with Allana Buick & Bers, Inc. in the amount of
\$29,270

Item 16

MEASURE E CONSENT CALENDAR

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

- A.** *Title:* Change Order #6
Vendor: Coast Side Associates
Agreement Date: March 22, 2006
Campus: De Anza College
Project No.: 226
Project Name: Planetarium Renovation
Amount: \$2,474
For: Changes to the electrical scope of work; the total change orders to date represent 8% against the original contract amount
Action: Ratification
- B.** *Title:* Change Order #2
Vendor: Hagensen Pacific Construction, Inc.
Agreement Date: September 21, 2006
Campus: De Anza College
Project No.: 213
Project Name: Campus Center Renovation
Amount: \$66,256
For: Miscellaneous construction changes including ceiling framing and finishes, additional abatement and demolition of unforeseen conditions, and HVAC ductwork revisions; the total change orders to date represent 1.7% against the original contract amount
Action: Ratification
- C.** *Title:* Addendum #F59
Vendor: Cleary Consultants, Inc.
Agreement Date: July 18, 2000
Campus: Foothill College
Project No.: 416
Project Name: District Parking Lot Improvements
Amount: \$5,200
For: Soil engineering observation and testing services
Action: Ratification
- D.** *Title:* Change Order #1
Vendor: Joseph J. Albanese
Agreement Date: September 27, 2006
Campus: Foothill College
Project No.: 416
Project Name: District Parking Lot Improvements
Amount: \$14,073
For: Installation of traffic rated boxes, retaining wall at lower parking lot, trenching for photovoltaic conduit and new drain, credit back to the District for outfall work; the change orders to date represent 2.1% against the original contract amount
Action: Ratification

- E.** *Title:* Deductive Change Order #2 (Final Change Order)
Vendor: Joseph J. Albanese
Agreement Date: June 19, 2006
Campus: Foothill College
Project No.: 155
Project Name: Parking Lot 5
Amount: \$ (621) — credit
For: Credit to the District for non-installation of one owner furnished emergency telephone tower and one owner furnished ticket machine; this change order plus all previous change orders represents 2.7% above the base contract amount
Action: Ratification
- F.** *Title:* Revision #2 to PO M555763
Vendor: Consolidated Engineering Laboratories
Agreement Date: January 12, 2005
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$46,000
For: Additional special inspection and testing services
Action: Ratification
- G.** *Title:* Revision #7 to PO M555151
Vendor: DES Architects & Engineers
Agreement Date: May 19, 2004
Campus: Foothill College
Project No.: 117
Project Name: Administration Building Modernization
Amount: \$4,357
For: Additional construction administration services
Action: Ratification
- H.** *Title:* Change Order #7
Vendor: John Plane Construction, Inc.
Agreement Date: February 24, 2006
Campus: Foothill College
Project No.: 117
Project Name: Administration Building Modernization
Amount: \$671
For: Change to fire alarm devices per DSA; this change order plus all previous change orders represents 2.3% above the base contract amount
Action: Ratification

- I.** *Title:* Change Order #4
Vendor: John Plane Construction, Inc.
Agreement Date: April 13, 2006
Campus: De Anza College
Project No.: 269
Project Name: A9 Modernization
Amount: \$6,773
For: Construction changes that include additional interior painting and HVAC items; the total change orders to date represent 4.2% against the original contract amount
Action: Ratification
- J.** *Title:* Project Partnering Facilitation
Vendor: Ventura Consulting
Agreement Date:
Campus: Foothill College
Project No.: 152/153
Project Name: Lower Campus Complex and Campus Center
Amount: \$33,000 (Total not to exceed with \$16,500 allocated to the Lower Campus Complex and \$16,500 allocated to the Campus Center projects respectively)
For: Professional partnering facilitation for both the above projects. The objective of these sessions is to re-establish team alignment, jointly develop and gain consensus on more aggressive project goals relative to scheduled completion, cost containment, resolution of outstanding issues and claims mitigation. This structured process also seeks to refine project procedures to acknowledge current situation while bridging to the more aggressive partnership goals. It is expected for the consultant to conduct, for each of the subject projects, a full day workshop, implementation of an intermediate survey mechanism and a half-day follow-up session with all major stakeholders.
Action: Ratification
- K.** *Title:* Change Order #15
Vendor: West Bay Builders
Agreement Date: January 18, 2005
Campus: Foothill College
Project No.: 153
Project Name: Campus Center
Amount: \$0.00
For: Non-compensable time extension of the contract final completion date by 80 calendar days due to adverse weather conditions; this change order plus all previous change orders represents 2.8% above the base contract amount
Action: Ratification

- L.** *Title:* Change Order #14
Vendor: West Bay Builders
Agreement Date: January 18, 2005
Campus: Foothill College
Project No.: 153
Project Name: Campus Center
Amount: \$69,223
For: Casework revisions, upgrade bathroom countertops to Corian, custom storefront window mullion color, framing revisions to dining room feature wall, and miscellaneous framing revisions; this change order plus all previous change orders represents 2.8% above the base contract amount
Action: Ratification
- M.** *Title:* Revision #1 to Addendum #1 of Consultant Agreement
Vendor: kSD Inc.
Agreement Date: May 16, 2003
Campus: Foothill College
Project No.: 153
Project Name: Campus Center (Bookstore)
Amount: \$15,000
For: Additional interior planning and design services beyond the originally defined scope of work
Action: Ratification
- N.** *Title:* Change Order #12 – Final
Vendor: Aztec Consultants
Agreement Date: June 28, 2005
Campus: Foothill College
Project No.: 146
Project Name: Fieldhouse and Restrooms
Amount: \$30,750
For: Add gate valve, additional remobilizations, and settlement of general conditions; this change order plus all previous change orders represent 8.54% above the base contract amount
Action: Ratification
- O.** *Title:* Change Order #42
Vendor: S.J. Amoroso Construction Company, Inc.
Agreement Date: February 24, 2005
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$144,692
For: Numerous architectural modifications, added structural support, furred out framing and flashing changes to all buildings; this change order plus all previous change orders represent 5.00% above the base contract amount
Action: Ratification

- P. Title:** Change Order #43
Vendor: S.J. Amoroso Construction Company, Inc.
Agreement Date: February 24, 2005
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$37,062
For: Provide design and shoring work for installation of electrical vault at Building 7100. Added reinforcing steel for mechanical penetrations; this change order plus all previous change orders represent 5.10% above the base contract amount
Action: Ratification
- Q. Title:** Change Order #11 Unilateral
Vendor: Trident Builders, Inc.
Agreement Date: February 24, 2005
Campus: Foothill College
Project No.: 133
Project Name: Sciences II
Amount: \$8,882
For: Replacing down lights with fluorescent fixtures, transformer/electrical panel relocation, relocating restraining bars and clips, additional waste & water connections to specialty sinks, reframing an existing wall and replacing damaged roof plywood; this change order plus all previous change orders represents 4\$ above the base contract amount
Action: Ratification

Item 17

CHANGE ORDER #16 TO AGREEMENT WITH WEST BAY BUILDERS — CAMPUS CENTER PROJECT, FOOTHILL COLLEGE

- M/S/C:** Bechtel/Diaz
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Change Order #16 to the Agreement with West Bay Builders in the amount of \$149,579

Item 18

PROJECT ASSIGNMENT AMENDMENT D08, REVISION #1, TO AGREEMENT WITH SALAS O'BRIEN ENGINEERS — DE ANZA PROJECT #276, SCIENCE CENTER HVAC REPAIRS

- M/S/C:** Fong/Casas Frier
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Revision #1 to Project Assignment Amendment D08 for Salas O'Brien Engineers in the amount including reimbursable expenses not to exceed \$75,978

Item 19

MEASURE C CONSENT CALENDAR

M/S/C: Fong/Bechtel
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified the Measure C Consent Calendar, item A as follows:

A. Title: Agreement for Services
Vendor: Allana Buick & Bers, Inc.
Agreement Date: November 21, 2006
Campus: Foothill College
Project No.: 766101
Project Name: Pedestrian Bridge
Amount: \$35,000
For: Design, construction administration and construction services
Action: Ratification

Item 20

APPROVAL TO ENTER INTO NEGOTIATIONS WITH GILBANE/MAAS TEAM TO PROVIDE PROGRAM AND CONSTRUCTION MANAGEMENT SERVICES FOR MEASURE C BOND PROGRAM

Executive Director Allen reviewed the process for soliciting proposals and noted that eight proposals were received. A committee comprised of college and District representatives reviewed the proposals and selected four firms to interview. He explained that the Gilbane Company had proposed improvements in how projects are managed and had teamed up with MAAS to enhance the program management aspect and maximize funding opportunities. Gilbane representative Jim Klingensmith explained that the arrangement is an equal partnership with each party bringing different strengths. The contract would be between the District and Gilbane; the relationship between Gilbane and MAAS will be clarified in the negotiated agreement.

Trustee Fong asked whether an alternative second choice had been selected. Vice Chancellor Brandy said that the committee would need to reconvene if it became necessary to consider one. President Plotkin asked about the expertise of the two firms in Project Labor Agreements and design-build. Executive Director Allen responded that the firms have such expertise. President Plotkin requested that, as a means to demonstrate prudent use of public funds, benchmarks comparable to what other district have paid for construction management services be provided to the Board when the final contract is presented for approval. Trustee Casas Frier added that she would like a clear segregation of duties between the two firms specified in the contract.

M/S/C: Swenson/Bechtel
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved entering into negotiations with Gilbane/MAAS to provide program and construction management services for the Measure C Bond Program

DATES TO REMEMBER

February 5, 2007 — Audit & Finance Committee Meeting
February 5, 2007 — Regular Meeting

ADJOURNMENT

President Plotkin adjourned the meeting at 6:50 p.m.

jco

Approved: 2/5/07

Martha J. Kanter, Chancellor
Secretary, Board of Trustees