



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
MINUTES
REGULAR MEETING
March 1, 2010

CALL TO ORDER AND ROLL CALL

President Bruce Swenson declared a quorum was present and called the meeting to order at 6:00 p.m. and led those present in the Pledge of Allegiance.

Trustees Present:

Bruce Swenson, President
Pearl Cheng, Vice President
Joan Barram
Betsy Bechtel
Laura Casas Frier

For Public Session

Erica Anderson, Foothill College Student Trustee
Isabelle Barrientos Vargas, De Anza College Student Trustee

Closed Session

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

STUDENT DISCIPLINE – EXPULSION

Student ID: 11252361

Executive Administrators Present:

Judy Miner, President of Foothill College
Brian Murphy, President of De Anza College
Dorene Novotny, Vice Chancellor of Human Resources and Equal Opportunity
Linda Thor, Chancellor

CONFERENCE WITH LABOR NEGOTIATOR

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

Executive Administrators Present:

Charles Allen, Executive Director of Facilities, Operations and Construction Management
Andy Dunn, Vice Chancellor of Business Services
Judy Miner, President of Foothill College
Brian Murphy, President of De Anza College
Dorene Novotny, Vice Chancellor of Human Resources and Equal Opportunity
Fred Sherman, Vice Chancellor of Technology
Linda Thor, Chancellor

REPORTING OUT FROM CLOSED SESSION

Item 1

Student Discipline

President Swenson reported that in closed session the board considered whether to take disciplinary action against a Foothill College student. President Swenson then polled the board on whether to expel that student.

M/S/C : **Bechtel/Barram**
Advisory vote: 0
Board vote: unanimous
Trustee Bechtel voted in favor
Trustee Casas Frier voted in favor
Trustee Cheng voted in favor
Trustee Barram voted in favor
Trustee Swenson voted in favor
Abstentions: 2 (Anderson, Barrientos Vargas)
Action: **Expel** student ID 11252361 effective Spring Quarter 2010

APPROVAL OF TENURED FACULTY FOR 2010-11

Item 2

Faculty Re-Employment as Tenured Faculty Members for 2010-11 and Subsequent Years

Chancellor Thor said it was a great honor and privilege to be able to recommend that tenure be granted to 18 faculty members in the district for the academic year 2010-11 and beyond. College Presidents Murphy and Miner, along with Chancellor Thor and Board President Swenson, presented tenure certificates to the following faculty:

De Anza College: Michael Appio, Manufacturing and CNC Technology; Jason Damjanovic, Physical Education; Maria Delas, Disability Support Services; Harman Dhaliwal, Mathematics; Olga Libova, Nursing; Bertrand Lo, Mathematics; Mary Sullivan, Health Services; and Deborah Wagner, Medical Laboratory Technology. President Murphy noted that Ms. Libova was not able to attend the tenure ceremony because she was delivering a baby.

Foothill College: Anabel Arreola-Trigonis; Counseling; Jeffrey Bissell, Physical Education; Samuel Connell, Anthropology; Kay Jones, library; Bruce McLeod, Theater Arts; Simon Pennington, Art History; Andrew Ruble, Art/Ceramics; Brian Tapia, Philosophy; Glenn Violett, Business; and Russell Wong, Learning Disabilities.

M/S/C : **Bechtel/Cheng**
Advisory vote: 2
Board vote: unanimous
Action: **Approved** tenure for faculty as listed

Item 3

Update on Mountain View Los Altos High School District Articulation with Foothill-De Anza and Proposed June 2010 No Tax Rate Increase General Obligation Bond

Julia Rosenberg from the Mountain View Los Altos High School District Board of Trustees reported on the district's general obligation bond measure on the June ballot. The bonds would enable construction of enough classrooms to accommodate the 900 additional students the district expects over the next decade. Ms. Rosenberg said the measure would extend the current tax rate for six years so it would not result in higher taxes for district residents. Superintendent Barry Groves thanked Foothill-De Anza for collaborating with his district on efforts such as dual enrollment, Middle College and professional development in mathematics.

Item 4

Presentation of 100% Construction Document Phase Drawings – Measure C Project #160, Physical Sciences & Engineering Center at Foothill College

Ratcliff architects principal Bill Blessing presented a "fly-through" of the final design drawings for Foothill's Physical Sciences and Engineering Center. The award-winning project consists of three buildings constructed around a large courtyard on the hillside that formerly housed horticulture and vet tech programs. Much of the discussion focused on steps being taken for pedestrian safety when crossing the Loop Road. A decision on whether to build a bridge crossing is still pending. On behalf of the board, President Bruce Swenson called it a "fantastic project" and thanked the campus participants for their leadership.

APPROVAL OF MINUTES

M/S/C: Cheng/Anderson
Advisory vote: 2
Board vote: unanimous
Action: **Approved** the minutes of January 19, 2010 as corrected

M/S/C: Barrientos Vargas/Cheng
Advisory vote: 2
Board vote: unanimous
Action: **Approved** the minutes of February 1, 2010

HEARINGS: ITEMS NOT ON THE AGENDA

Public

Terry Terman expressed the hope that more information regarding Foothill’s partnership with Palo Alto University would be available on the district’s website. President Swenson suggested to Mr. Terman that he speak with the college presidents after the meeting.

Staff

Multicultural Staff Association President Cynthia Kaufman read the MSA solidarity statement to the board. She urged the board to consider using part of the ending balance to save jobs and programs.

President Murphy reported that De Anza students had established a tent city in support of the student initiatives to fight back against the budget cuts. Informational activities will be held throughout the week. Buses leaving from De Anza will be going to San Francisco for a regional march with other colleges in the area. Other activities will be taking place on campus that day in support of those going to San Francisco. A statewide “March in March” will be taking place on the 22nd in Sacramento. Murphy expressed pride in the initiative taken by Foothill and De Anza students in statewide leadership roles in the organization of the two events.

Murphy reported his acceptance of an invitation from the Community College League to join the Commission on the Future of Student Success in the Community Colleges. The commission will be looking at statewide initiatives that draw attention to the particular roles California community colleges can play in President Obama's college completion agenda.

President Miner thanked trustee Casas Frier for attending the "Dare to be Digital" conference hosted by Foothill College and attended by about 250 girls in grades 7-10. The purpose of the conference was to encourage the girls to consider a career in computing. The keynote speaker was chair of Stanford University's department of computing. Miner also shared that Foothill had been granted an extension of a technical education grant in the amount of \$300,000 through December 31, 2010.

Chancellor Thor expressed appreciation for the warm welcome and support by all in her first two weeks with the district. She said she is experiencing first hand the well-deserved exemplary reputation of Foothill-De Anza.

Blanche Monary read a statement from ACE expressing dismay that administration has chosen to solve its budget crisis through classified layoffs. She invited the board to tour the colleges' programs and see first-hand the contributions that classified staff make to the district.

Rich Hansen reported that he attended a FACCC conference at which they received training in lobbying. He said they are partnering with the Student Senate on the March 22nd March in March activities.

Matais Pouncil, Foothill EOPS director expressed concern about the categorical flexibility item.

Trustees

Trustee Barrientos Vargas invited all to participate in the March in March activities.

Trustee Casas Frier expressed her appreciation and thanked the presidents for their comments on each faculty member receiving tenure. Casas Frier reported on her attendance and presentation at a Puente conference. She said the flexibility of funding for categorical programs is a statewide concern.

APPROVAL OF CONSENT CALENDAR

The following items were removed from the Consent Calendar:

Item 8 - Categorical Program Flexibility (for discussion)

Item 9 - Resolution Authorizing the Issuance of a FY 2010-11 TRANs (to be acted upon as a separate item)

Item 10 - Ratification of B Warrants and Wire Transfers Greater than \$5,000 for December 2009 and January 2010 (for discussion)

Item 13 - Approval of District Telecommunication and Multimedia Standards

M/S/C:	Casas Frier/Barram
Advisory vote:	2
Board vote:	unanimous
Action:	Approved items 5-7; 11-12; and 14-19 on the Consent Calendar

Item 5 – **Adopted** Board Policy 2620, Board Travel

Item 6 - **Adopted** Board Policy 4176, International Travel

Item 7 - **Accepted** the Annual Assessment of Fiscal Condition Report

Item 11 - **Approved** the MOU with Central County Occupational Center

Item 12 – **Approved** the MOU with North County Regional Occupation Program, Joint Powers Agency

Item 14 - **Approved** Disposal of Surplus District Personal Property
Made a finding that the items are of insufficient value to defray the costs of arranging a sale and authorized the Director of Purchasing Services to recycle or dispose of the items

Item 15 - **Approved** Donation of Surplus Café Tables and Supplies
Made a finding that the items are of insufficient value to defray the costs of arranging a sale and authorized the Director of Purchasing Services to donate the items to the Meals on Wheels Services

Item 16 - **Approved** Donation of Two Surplus District Desks
Made a finding that the items are of insufficient value to defray the costs of arranging a sale and authorized the Director of Purchasing Services to donate the items to the Meals on Wheels Services

Item 17 - **Approved** Sale of Miscellaneous Surplus Electronic Equipment
Made a finding that the property does not exceed \$5,0000.00 in value and authorized the Director of Purchasing Services to sell the items in accordance with Education Code 81452(a)

Item 18 - **Approved** Human Resources Report

Item 19 - **Approved** Personnel Actions as follows:

Employee: **Christine Chai**
Position: Faculty
College: De Anza
Division: Language Arts
Action: **33% Partial Unpaid Leave of absence**
Effective Date: Spring quarter 2010

Name: **Juanita Cordero**
Position: Faculty
College: De Anza College
Division: Social Sciences
Action: **Correction: 30% load reduction as per Article 18 for the next ten years**
Effective Date: AY 2010-2011

Name: **Kim Lane**
Position: International Counselor/Special Programs Liaison
College: Foothill College
Division: Counseling and Student Services
Action: **40% Partial Unpaid Leave of absence**
Effective Date: Spring 2010

Employee: **John W. Perry**
Position: Faculty
College: De Anza
Division: Business & Computer Systems
Action: **33% load reduction as per Article 18**
Effective Date: AY 2010-2011

Name: **Ernie Schmidt**
Position: Counselor
College: Foothill College
Division: Adaptive Learning Division & Disability Services
Action: **35% Partial Unpaid Leave of absence**
Effective Date: Spring 2010 – Spring 2011

Name: **Phyllis Spragge**
Position: Interim Dean, Biology and Health Sciences
College: Foothill College
Division: Biology and Health Sciences
Action: **Interim Assignment**
Effective Date: March 2, 2010 through June 30, 2010
**Compensation:* Range K, Step 2 @ \$10,293.31/month

Item 8 - Categorical Program Flexibility

Foothill EOPS Director Matais Pouncil, speaking on behalf of EOPS programs statewide, and Faculty Association President Rich Hansen said there is widespread concern that providing relief from state mandates could be used in some districts in ways that hurt students. Campus Presidents Judy Miner and Brian Murphy said the intent at Foothill and De Anza is to provide as much support as possible for programs that serve the most vulnerable students. Any exercise of the "flexibility" provisions would come to the board for further discussion.

EOPS Director Pouncil expressed thanks to the board and the FHDA community for the support that the EOPS programs receive.

A Foothill EOPS student spoke highly of the program and attributes it to a turnaround in his life. He hopes someday to be able to give back to the program.

M/S/C : **Bechtel/Cheng**
Advisory vote: 2
Board vote: unanimous

Action: **Adopted** the budget transfers to trigger the allowed categorical funding flexibility

Item 9 – Resolution Authorizing the Issuance of a FY 2010-11 TRANS

M/S/C : **Barram/Bechtel**
Advisory vote: 2
Board vote: unanimous
Action: **Adopted** Resolution 2010-04 authorizing the issuance of a 2010-2011 Tax Revenue and Anticipation Notes

In response to Trustee Casas Frier’s concern about relying solely on the ratings to safeguard the district’s investments, Vice Chancellor Dunn said that although the board is asked to adopt the resolution, the district would not be borrowing from the TRAN unless it were in a deficit position, at which time further communication would be brought to the board.

Item 10 – Ratification of B Warrants and Wire Transfers Greater than \$5,000 for December 2009 and January 2010

In response to Trustee Casas Frier’s concern about the payment to University Associates – Silicon Valley, Vice Chancellor Dunn explained that the payment was a ratification of a previous action taken by the board. Casas Frier asked that the board be updated on the total amount paid to the UA and the UA’s developer.

In response to Trustee Casas Frier’s question about the various payments to architects, Executive Director Allen explained that payments to architects average about 10% of the total project cost and that the payments are not unusual or unexpected considering the number of large Measure C projects currently underway. Trustee Casas Frier opposed the payment to the University Associates, LLC, and the development at NASA.

M/S/C: **Cheng/Barram**
Advisory vote: 2
Board vote: 4
Noes: 1 (Casas Frier opposed the payment to University Associates-Silicon Valley)
Action: **Ratified** B Warrants and Wire Transfers Greater than \$5,000 for December 2009 and January 2010

Item 20
California Community Colleges Classified Employees of the Year Nominee

M/S/C: **Casas Frier/Cheng**
Advisory vote: 2
Board vote: unanimous
Action: **Endorsed** the nomination of Foothill Senior Library Technician Art Hand for one of the California Community Colleges Classified Employees of the Year awards

In her comments about Mr. Hand, President Miner said he is the “quintessential example of professionalism and caring; a tireless, fearless advocate for his constituency as chief steward under both ACE and SEIU. He has always behaved with the utmost integrity. In such difficult times he has built bridges rather than creating divisiveness or polarization.”

Hand also expressed his appreciation for the compassionate leadership of former interim chancellor Mike Brandy, who worked to protect jobs for as many people as possible for as long as possible. Brandy, he said, "served with apparent nobility of purpose that was inspiring."

Item 21

Resolution Supporting Adequate State Funding for California Community Colleges

M/S/C: Casas Frier/Barram
Advisory vote: 2
Board vote: unanimous
Action: **Adopted** Resolution 2010-06 in support of adequate state funding for California Community Colleges.

At the request of Student Trustee Barrientos Vargas, the board was asked to adopt Resolution 2010-06. The resolution highlights the sharp decline in educational opportunity for California students resulting from more than \$840 million in state funding cuts to community colleges over the past 18 months.

Item 22

Board Policy 6125, Grading

It was determined that Board Policy 6125, Grading, needed to be examined relative to the length of time that a student has to challenge a grade. This section of the policy was extensively debated by the academic senates at Foothill and De Anza, and after lengthy debate, both senates agreed that a 3-year term for challenging grades would be acceptable. The change has been incorporated into the policy and was presented to the board for a 1st reading.

Item 23

Public Hearing – Open Negotiations for 2010-2011 Between the District and CSEA, Chapter 96

President Swenson opened the public hearing at 8:29. There were no comments. He then closed the public hearing at 8:31.

M/S/C: Barram/Bechtel
Advisory vote: 2
Board vote: unanimous
Action: To open negotiations for 2010-2011 between the District and CSEA, Chapter 96

Item 24

ACE Classified Staff Development Leaves

Gina Bailey – August 30, 2010 through May 27, 2011
Araceli Kaliagara – September 1, 2010 through June 30, 2011
Erin Ortiz – September 1, 2010 through May 20, 2011

Item 25

Confidential Staff Development Leave

Patti Conens – September 1, 2010 through June 30, 2011

Item 26

Professional Development Leaves for 2010-2011

Nicole Gray – F10, W11, S11

Rachel Mudge - F10, W11, S11

Board President Swenson said it is painful for trustees to be granting leaves when the district is preparing to layoff employees. He suggested that awarding leaves during difficult economic times be re-visited during negotiations. Faculty Association President Hansen said that only a small number of faculty and staff are granted leaves each year, therefore only a tiny percentage of employees would bear the brunt of trying to save the district money if leaves were eliminated in bad budget years.

Trustee Casas Frier asked for a comparison to other districts on the handling of leaves in difficult budget years.

M/S/C: Swenson/Barram

Advisory vote: 2

Board vote: unanimous

Action: **Approved** Item 24, three (3) classified staff development leaves for the 2010-11 college year as presented
Approved Item 25, one (1) confidential staff development leave for the 2010-11 college year as presented
Approved Item 26, professional development leaves for the 2010-2011 academic year as presented

Item 27

Re-Employment of First-Year Faculty (Phase I) to Second-Year (Phase II) for the 2010-2011 Academic Year

M/S/C: Bechtel/Cheng

Advisory vote: 2

Board vote: unanimous

Action: **Approved** the re-employment of the following first-year faculty (Phase I) to Second-Year (Phase II) as follows:

De Anza College: Robert Alexander, Ronald Francis, Cleve Freeman, Shagundeep Kaur, Kevin Mello, Edmundo Norte, Jeffrey Schinski
Foothill College: Kathy DePaolo, Brenda Hanning

Item 28

Re-Employment of Second-Year Faculty (Phase II) to Phase III for the 2010-2011 and 2011-2012 Academic Years

M/S/C: Barram/Cheng

Advisory vote: 2

Board vote: unanimous
Action: **Approved** the re-employment of the following second-year faculty (Phase II) to Phase III for the 2010-2011 and 2011-2012 Academic Years as follows:

De Anza College: Ilan Gasman, Esther Halwani, Mehrdad Khosravi, Iaroslav Kryliouk, Mark Larson, Christine Magnin, Ramachandran Subramaniam

Foothill College: Sarah De Los Santos, Isaac Escoto, Don Mac Neil, Erica Onugha, Young-Hee Park Lee, Judy Yamamoto

Item 29

Public Hearing – Adopt Certain Findings Related to Solar Services Agreement for Energy-Related Improvements to District Facilities with Chevron Energy Solutions, L.P.

President Swenson opened the public hearing at 8:37.

In response to trustee Casas Frier's question asking if companies other than Chevron had been considered, Executive Director Allen said that the district will ask, and expects Chevron to agree to, competitively bidding out the key elements of the direct work associated with installation of the photovoltaics.

President Swenson closed the public hearing at 8:40.

M/S/C: Casas Frier/Bechtel
Advisory vote: 2
Board vote: unanimous
Action: **Approved** Resolution 2010-05, Adopt Certain Findings related to Solar Services Agreement for Energy-Related Improvements to District Facilities with Chevron Energy Solutions, L.P.

Item 30

Agreement with Chevron Energy Solutions: Energy Services Contract and Installation of Photovoltaic Arrays at Foothill College (Measure C Project #154)

M/S/C: Barram/Bechtel
Advisory vote: 2
Board vote: unanimous
Action: **Authorized** the Executive Director of Facilities, Operation and Construction Management to negotiate and execute an Energy Services Contract with Chevron Energy Solutions for the provision of a 1,064-kilowatt photovoltaic array installation at Foothill College

Item 31

2009-10 Second Quarter Report

The second quarter report was presented to the board for information. Vice Chancellor Dunn brought to the board's attention that the district is about 900 FTES over cap and suggested that the colleges may want to adjust their course offerings in the future. He also indicated to the board the projected

unrestricted fund balance of \$2.4 million at June 30, 2010. Budget Director Slater said this is a slight improvement over earlier projections.

Item 32

Resolutions to Adopt Budget Revisions and Transfers

M/S/C: Anderson/Barrientos Vargas
Advisory vote: 2
Board vote: unanimous
Action: **Adopted** the second quarter budget revisions and transfers as presented

Item 33

Measure E Consent

M/S/C: Bechtel/Casas Frier
Advisory vote: 2
Board vote: unanimous
Action: **Approved** the Measure E Consent Calendar, A-E, as follows:

- A.** *Title:* Revision #2 to Agreement
Vendor: Engineering Economics Inc.
Agreement Date: November 6, 2006
Campus: De Anza College
Project No.: 765-209
Project Name: Visual & Performing Arts Center
Amount: \$0
For: Extension of the agreement date through June 30, 2010. No additional funding is being added to the contract.
Action: Ratification
- B.** *Title:* Revision #2
Vendor: Quali-Con Enterprises
Agreement Date: June 4, 2007
Campus: De Anza College
Project No.: 765-209
Project Name: Visual & Performing Arts Center
Amount: \$0
For: Correction of Board item submitted January 5, 2010. This item should have been presented to the Board as an item to be funded under Measure E not Measure C. Everything else for this item remains the same.
Action: Approval
- C.** *Title:* Standard Form of Agreement
Vendor: AEDIS Architecture & Planning, Inc.
Agreement Date: March 1, 2010
Campus: De Anza College
Project No.: 765-281
Project Name: Acoustical Renovations

Amount: \$82,000
For: Complete architectural and engineering design services for two acoustical renovations projects for noise mitigation and to provide improved acoustics for classrooms and an adjacent outdoor plaza.

Architect was selected based on their expertise and experience specializing in acoustical design and on an evaluation of fee proposals received from other architectural firms as requested by the District.

Action: Ratification

D. *Title:* PAA #D09 Revision #3
Vendor: Salas O’Brien Engineers, Inc.
Agreement Date: February 11, 2010
Campus: De Anza College
Project No.: 765-202
Project Name: Science Center LEED Certification
Amount: \$0
For: Time Extension - Revise contract end date from December 31, 2008 to December 31, 2009. The contract value is not being changed with this revision. Time extension was necessary to complete services for accreditation as a LEED Certified project.
Action: Ratification

E. *Title:* PAA #D07 Revision #7
Vendor: Salas O’Brien Engineers, Inc.
Agreement Date: February 11, 2010
Campus: De Anza College
Project No.: 765-276
Project Name: Science Center HVAC
Amount: \$0
For: Time Extension - Revise contract end date from December 31, 2008 to June 30, 2010. The contract value is not being changed with this revision. Time extension required to complete engineered fire sprinkler drawings as required by DSA for project certification.
Action: Ratification

Item 34
Measure C Consent Calendar

M/S/C: Swenson/Bechtel
Advisory vote: 2
Board vote: unanimous
Action: **Approved** the Measure C Consent Calendar, A-M, as follows:

A. *Title:* Project Authorization Amendment #4-A to Master

Vendor: Agreement
Architectural Resources Group
Agreement Date: November 6, 2007
Campus: De Anza College
Project No.: 766-230
Project Name: Sunken Garden
Amount: \$42,963

For: The PAA for this project includes the following:
Professional services for Site Assessment, Concept Development, and Schematic Design. Project includes review of current conditions, evaluation of required site improvements, and the development of a proposed scope of work for the Sunken Garden and Historic Corridor adjacent to the East Cottage, California History Center, Baldwin Winery and Flint Center. The Architect shall develop a comprehensive scope for the area designated and incorporate proposed renovations, restorations and proposed site improvements into a conceptual plan. The College will decide what scope items will be incorporated into the final design based on a set construction budget.

Action: Approval

B. *Title:* Revision #1 to PAA #2
Vendor: Environmental Construction Services
Agreement Date: September 9, 2008
Campus: De Anza College
Project No.: 766-205
Project Name: Seminar Building & Multicultural Center
Amount: \$0
For: Schedule extension for construction monitoring services as a result of postponing the construction phase from 2009 to 2010.

Action: Ratification

C. *Title:* Revision #1 to PAA #3
Vendor: Enovity, Inc.
Agreement Date: September 9, 2008
Campus: De Anza College
Project No.: 766-205
Project Name: Seminar Building & Multicultural Center
Amount: \$0
For: Schedule extension for commissioning services for Seminar Building as a result of postponing the construction phase from 2009 to 2010.

Action: Ratification

D. *Title:* Revision #1 to PAA #4
Vendor: Enovity, Inc.

Agreement Date: September 9, 2008
Campus: De Anza College
Project No.: 766-205
Project Name: Seminar Building & Multicultural Center
Amount: \$0
For: Schedule extension for commissioning services for Multicultural Center as a result of postponing the construction phase from 2009 to 2010.
Action: Ratification

E. *Title:* Agreement for Services
Vendor: HP Inspections Inc.
Agreement Date: February 9, 2010
Campus: De Anza College
Project No.: 766-205
Project Name: Seminar Building & Multicultural Center
Amount: \$25,000

For: DSA required special inspection and testing.
Action: Approval

F. *Title:* Change Order #1
Vendor: John Plane Construction, Inc.
Agreement Date: November 16, 2009
Campus: De Anza College
Project No.: 766-203
Project Name: Baldwin Winery and East Cottage Project
Amount: \$23,836
For: Miscellaneous Change Orders:
Baldwin Winery: Removal and disposal of surplus furniture and food service items; Additional abatement

East Cottage: Additional Abatement

The total Change Orders to date represent 0.01% against the original contract amount. Funding is included in the current budget.
Action: Approval

G. *Title:* Agreement for Services
Vendor: Quali-Con Enterprise, Inc.
Agreement Date: March 1, 2010
Campus: De Anza College
Project No.: 766-205
Project Name: Seminar Building and Multicultural Center
Amount: \$61,000
For: Project inspection services as required by the Division of the State Architect.

- Action:* Approval
- H.** *Title:* Change Order #6
Vendor: S.J. Amoroso, Inc.
Agreement Date: July 10, 2009
Campus: De Anza College
Project No.: 766-241
Project Name: S2-S6 Phase II – Utility Master Plan – Phase I
Amount: \$35,548
For: Miscellaneous change orders: Provide ADA Ramp at Cooling Tower Yard Parking, concrete removal at M6-SS next to Bldg E3, additional excavation for sanitary sewer line at M6-SS, hand dig due to unforeseen utilities at E11, provide truncated dome pad at cooling tower exit, provide removable bollards at TX7, additional excavation due to unforeseen utilities at E7 and M2
- The total Change Orders to date represent 4.69 % against the original contract amount. Funding is included in the current budget.
- Action:* Approval
- I.** *Title:* Change Order #7
Vendor: S.J. Amoroso, Inc.
Agreement Date: July 10, 2009
Campus: De Anza College
Project No.: 766-241
Project Name: S2-S6 Phase II – Utility master Plan – Phase I
Amount: \$21,371
For: Provide conduit for cable to Learning Center West.
The total change orders to date represent 4.93% against the original contract amount. Funding is included in the current budget.
- Action:* Approval
- J.** *Title:* Change Order #2
Vendor: Tricon Construction, Inc.
Agreement Date: November 2, 2009
Campus: De Anza College
Project No.: 766-200B
Project Name: Pool Chlorination Systems
Amount: \$5,090
For: PCO #4: Slab thickness in the De Anza mechanical room was 14” instead of the expected 4” to 6.”
This Change Order is 4.38% of the contract value.
PCO #14: Non-compensable contract extension of 24 days. This Change Order is 0.00% of the contract value.

This Prime Contract Change Order is 4.38% of the contract value. The funding for this change is within the current budget.

Action: Approval

- K.** *Title:* PAA #D08
Vendor: Allana Buick & Bers, Inc.
Agreement Date: March 2, 2010
Campus: De Anza College
Project No.: 766-239
Project Name: Refinish Exterior of Flint Center Parking Garage
Amount: \$108,545
For: Consultant will review and report on areas listed in the previous report dated June 22, 2009. Work also includes a comprehensive conditions assessment for the entire facility with updated findings and a new estimate. The updated report will identify stucco repair at the stair towers; review fire protection systems, emergency phones, elevators, and lighting; and, propose remedies to address the findings. The purpose of this enhanced assessment is to establish a basis of design for the development of design documents and to provide an updated estimate for repairs to the Flint Center Parking Garage based on current and newly discovered conditions.

Action: Approval

- L.** *Title:* Change Order #1
Vendor: Tricon Construction, Inc.
Agreement Date: November 2, 2009
Campus: Foothill College
Project No.: 100
Project Name: Pool Plaster and Chemical Systems
Amount: \$36,383
For: This change order provides adjustments of allowances for vessel rust spot and crack repairs. Architect directed changes are required for the equalizer line to comply with the VGB Act (suction entrapment) and changes in pipe, fittings, and valves for the pump/surge tank room from 8” to 10”. Field conditions of thicker deck slabs required a change to the contract value for core and demolition of existing stanchion replacement. The district directed change includes tile to cover deck cores for stanchion.

This change order represents 4.81% above the base contract amount. The funding for this change is within the current budget.

Action: Approval

Item 38

Recommendation to Authorize a Pre-Qualification Procedure for Prime Contracts for Project #135, Utility Infrastructure Phase I (Measure C)

Item 39

Recommendation to Authorize a Pre-Qualification Procedure for Electrical Subcontractors for Project #135, Utility Infrastructure Phase I (Measure C)

M/S/C: Bechtel/Barram

Advisory vote: 2

Board vote: unanimous

Action: **Approved** Items 38 and 39:

Authorized a pre-qualification procedure for Prime Contractors for Project #135, Utility Infrastructure Phase I (Measure C) in accordance with Public Contract Code, Section 20101

Authorized a pre-qualification procedure for Electrical Subcontractors for Project #135, Utility Infrastructure Phase I (Measure C) in accordance with Public Contract Code, Section 20101

Item 40

Award a Contract Pursuant to Bid Document 1178-205, Seminar Building & Multicultural Center, De Anza College

M/S/C: Casas Frier/Swenson

Advisory vote: 2

Board vote: unanimous

Action: **Authorized** the Director of Purchasing Services to award a contract pursuant to 1178-205, Seminar Building & Multicultural Center, in the amount of \$2,706,200 for the base bid amount plus Alternate #3 and Alternate #4 to John Plane Construction, Inc.

Item 41

Award a Contract Pursuant to Bid Document 1233-273, Roof and Trellis Repair: PE1-2-6 and S7-8, De Anza College

M/S/C: Bechtel/Anderson

Advisory vote: 2

Board vote: unanimous

Action: **Authorized** the Director of Purchasing Services to award a contract pursuant to Bid 1233-273, Roof and Trellis Repair: PE1-2-6 and S7-8, De Anza College, in the amount of \$1,242,000 to Petersen Dean Roofing and Solar Systems

Item 42

Measure C Project/Construction Management Review

In fall 2009 the Board authorized Executive Director Charles Allen to contract with MGT of America, Inc. to conduct a review of Measure C Project/Construction Management practices. Executive Director Allen presented MGT's findings and the district's draft response to the issues noted. This information

was also shared with the Audit and Finance committee at their meeting earlier in the day. In the next 60 days the district will work closely with college staff as well as Gilbane Maas to identify specific actions to be taken to improve best practices. The response will include a timeline as well as identifying managers for completing each task. When completed, the information will be shared with the board and Audit and Finance committee.

Adjournment

President Swenson adjourned the meeting at 9:10 p.m.

Approved: 4/5/10

Linda M. Thor, Chancellor
Secretary, Board of Trustees