



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
MINUTES
REGULAR MEETING
May 3, 2010

CALL TO ORDER

President Bruce Swenson declared a quorum was present and the trustees immediately adjourned into closed session in the Chancellor's office with the individuals listed below to discuss:

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

CONFERENCE WITH PROPERTY NEGOTIATOR

Property: 4000 Middlefield Road, Palo Alto, CA 94303
Agency Negotiator: Andy Dunn
Negotiating Parties: City of Palo Alto

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

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

PUBLIC SESSION

President Swenson called the public session to order at 6:00 p.m. and led those present in the Pledge of Allegiance.

REPORTING OUT FROM CLOSED SESSION

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

APPROVAL OF MINUTES

M/S/C: **Bechtel/Barram**
Advisory vote: 2
Board vote: unanimous
Action: **Approved** the minutes of April 5, 2010 as corrected

CORRESPONDENCE

President Swenson unrolled a poster signed by the Child Development Center children. The poster asked that trustees stop people from smoking on campus.

HEARINGS: ITEMS NOT ON THE AGENDA

Public

None

Students

ASFC President Ahmed Mostafa said he is working on a resolution opposing Arizona's recently passed SB 1070 which he believes encourages racial profiling. He urged the board to take similar action.

De Anza student Jose Romero congratulated both student trustees and expressed his appreciation for their hard work during a challenging budget year.

Staff

Cooperative Education program instructor Bill Mathiasen addressed the effects that closing the cooperative education program will have on its students.

Foothill instructor Ken Horowitz addressed budget cuts and expressed appreciation for the difficult decisions the board made at the last meeting and asked that the board consider reductions at the administrative level. Horowitz feels that spending money for a parcel tax survey is an inappropriate use of funds at this time. Horowitz expressed appreciation for Marie Fox Ellison's work as the Foundation's executive director.

ACE President Blanche Monary reported that progress continues to be made on reducing the number of positions on the layoff list.

Foothill instructor Robert Cormia read a letter addressing the enforcement of the district's non-smoking policy. He asked the board for a public formal statement on the intolerance of second hand smoke in the working and learning environment. Likening it to the district's zero tolerance

policies for drugs, alcohol, firearms and cheating on campus, Cormia asked for similar enforcement and consequences of violation of the non-smoking policy.

Foothill President Judy Miner reported on the “Slow the Flow Water Wise Landscape” conference held on campus last month. Miner thanked students Kathleen and Mark Santora for initiating the conference and thanked faculty member Dan Svenson, Foundation associate director Laura Woodworth and Mia Casey, Foothill sustainability coordinator, for their assistance with the conference. Miner reported on the success of “Let’s Play Math”, an event organized by faculty member Young Hee Park Lee. Also successful was the college’s “Day on the Hill” event coordinated by Vice President Rose Myers and Herlisa Hamp. About 400 local high school students attended the event.

De Anza President Brian Murphy reported on the success of the “Teaching and Learning” conference led by faculty and staff, and students who had been trained to be the moderators of the conference. Murphy congratulated De Anza students on the success of their conference, “Awakening the Dreamer”, which focused on environmental sustainability, spiritual health, and social justice. Murphy reported that the De Anza marketing department received two first-place awards for a college brochure and guide at a statewide competition. Murphy acknowledged the De Anza women’s track and field team that won the coast conference championship, the women’s tennis team that won the Ojai tennis tournament, and several swimmers who either won or placed in the recent swim championships. Murphy noted that De Anza has 75 scholar-athletes, 15 of which have a grade point average of 4.0. Murphy congratulated De Anza student trustee Isabelle Barrientos Vargas on her acceptance to UC Berkeley and Foothill student trustee Erica Anderson on her acceptance to UCLA.

Chancellor Linda Thor reported that De Anza President Brian Murphy received a standing ovation for his keynote address at the Academic Senate for California Community Colleges annual conference. Dr. Thor announced that Foothill President Judy Miner has been elected to a two-year term on the Board of Directors for the Council for Higher Education Accreditation (CHEA). CHEA is a national advocate and institutional voice for voluntary self-regulation of academic quality through accreditation. Thor acknowledged the great job done by faculty, staff, and administrators at Foothill College in hosting Bill Gates on his visit last month which focused on the Math My Way program. Dr. Thor reported that reaffirmation of the district’s membership on the League for Innovation board has begun and will continue through the summer. The process includes a report on the district’s commitment to innovation and the League that will be submitted in time to be reviewed at the League’s board meeting in late September. Dr. Thor concluded with an update on the parcel tax survey. The district entered into contract with TBWB and Godbe Research to conduct a voter survey on the feasibility of a parcel tax. The survey, to be conducted between May 8-16 via telephone to about 800 voters, will last about 18 minutes. Results will be reported at the June 7 board meeting. Dr. Thor thanked board sub-committee members Betsy Bechtel and Pearl Cheng for their assistance with the survey questions.

Faculty Association President Rich Hansen reported on the planned release this week of a major study from the California Tax Reform Association which he said would recommend a split-tax roll to correct inequities between the property tax burdens of homeowners and businesses which have grown since the passage of Proposition 13.

Trustees

Trustee Laura Casas Frier reported that she, along with Chancellor Thor and President Miner, was a judge at Foothill's annual student business plan competition organized by faculty member Glenn Violet. Casas Frier thanked ASFC President Mostafa and all students for their activism throughout the year.

Trustee Joan Barram attended the open house hosted by Foothill's Middlefield Campus and the Slow the Flow Water Wise Landscape Conference. Both events were well attended by community members who complimented Foothill College on their programs and services. Barram reported on her attendance at the event to honor the accomplishments of outgoing Foundation Director Marie Fox Ellison.

Reporting back from the April 5, 2010 meeting, President Swenson announced that Trustee Cheng will serve on Foothill's Standard IV accreditation committee and Trustee Barram on De Anza's Standard IV accreditation committee.

President Swenson and Chancellor Thor acknowledged the good work done by the student trustees. He said it was an honor to serve with them during the past year and he was impressed by their courage to vote against the board on a regular basis and their level of participation on the board. President Swenson congratulated them on their college acceptances and presented parting gifts to them. Dr. Thor said that in her short time with the district she has been extremely impressed with their dedication and courage and how politic they are. She said they have represented their colleges and the district extremely well. She extended her best wishes to them and said she looks forward to claiming them as successful alumni.

Trustee Casas Frier commented that she was trustee Vargas' mentor in the Puente program and wished her continued success.

Item 1

Approval of Consent Calendar

Vice Chancellor of Human Resources and Equal Opportunity Dorene Novotny removed the first item from the personnel actions.

M/S/C: Cheng/Anderson

Advisory vote: 2

Board vote: unanimous

Action: **Approved** Items 1-12 on the Consent Calendar as amended

Item 1 - **Ratified** Contracts and Agreements

Item 2 – **Ratified** Board Warrants and Wire Transfers Greater than \$5,000 for February and March 2010

Item 3 - **Approved** Etudes Renewal Contract

Item 4 – **Approved** Independent Contractor Agreement for Michael Scutero

Item 5 – **Approved** Agreement for Services – Bill Buxton, Contractor

Item 6 - **Approved** Maintaining De Anza College Campus Center Use Fee at \$16/Quarter

Item 7 – **Ratified** the Assignment and Assumption Agreement between the District, Collicutt Energy Services, and Capstone Turbine Corporation

Item 8 – Donation of Surplus Furniture

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 De Anza College Occupational Training Institute

Item 9 - Donation of Surplus Furniture

Authorized the Director of Purchasing Services to make a donation of the furniture described herein to the Santa Clara Unified School District in accordance with Education Code 81450.5.

Item 10 - **Sale of Miscellaneous Surplus Electronic Equipment**

Made a finding that the property does not exceed \$5,000.00 in value and **authorized** the Director of Purchasing Services to sell the items in accordance with Education Code 81452(a).

Item 11 - **Approved** Human Resources Report

Item 12 - **Approved** Personnel Actions as follows:

~~—— *Position:* Dean, Learning Resources~~
~~—— *College:* De Anza College~~
 ~~*Division* Instruction~~
~~—— *Action:* **Approve New Classification**~~
~~—— *Effective Date:* May 4, 2010 # of Months: 12~~
 ~~*Compensation:*~~
~~—— *Comments:* In accordance with Chapter XI of the Administrators Handbook~~

Name: **Marie Fox Ellison**
Position: Executive Director
College: Central Services
Division: FHDA Community College Foundation
Action: **Resignation**
Effective Date: May 7, 2010

Name: **Ruth L. Jones**
Position: Instructor
College: De Anza
Division: Child Development & Education
Action: **Resignation for purpose of retirement under Article 19**
Effective Date: June 25, 2010

Name: **Juliana Kang-Robinson**

Position: Instructor
College: De Anza
Division: Creative Arts
Action: **Unpaid Leave of Absence**
Effective Date: May 25, 2010 through June 24, 2011

Name: **Robin Latta-Lyssenko**
Position: Associate Director, Development
College: Central Services
Division: Foundation
Action: **Working out of classification**
Effective Date: May 7, 2010 through September 30, 2010
Compensation: Range H, Step 1 @ \$7,733.95/month

Name: **Christina Lopez-Morgan**
Position: Instructor
College: De Anza
Division: Child Development & Education
Action: **Resignation for purpose of retirement under Article 19 and Article 20**
Effective Date: June 25, 2010

Name: **Eloise J. Orrell**
Position: Interim Vice President
College: Foothill College
Division: Instruction & Institutional Research
Action: **Interim Assignment**
Effective Date: July 1, 2010 through June 30, 2011

Name: **Randolph Splitter**
Position: Instructor
College: De Anza
Division: Language Arts
Action: **Change load from 0.6 to 0.625 under Article 18**
Effective Date: AY 09-10

Item 13

Approval of De Anza Associated Student Body (DASB) Budget 2010-11

President Murphy acknowledged the critical role the associated student body plays at both colleges and that it would not be possible to offer the current range of services to students without their budget process. Murphy expressed his appreciation for all the thought and deliberation that went into the development of their budget. He then introduced DASB vice president of finance Sharon Su and her finance team who presented the DASB Budget for 2010-11. DASB President Marlo Alvarado Custodio thanked the team for their hard work and dedication and expressed appreciation to advisor John Cogna.

Trustee Barram said that as a new trustee, she learned a lot about the student body and its priorities when she reviewed their budget document. Trustee Cheng complimented and thanked the team for their hard work. President Swenson said he was impressed by the ability to change budget priorities to meet the

needs of the times. Trustee Casas Frier commended the students on their funding of the rallies to Sacramento and San Francisco affording students the opportunity to both defend their institution and voice their opinion.

M/S/C: Barrientos Vargas/Anderson
Advisory vote: 2
Board vote: unanimous
Action: **Approved** the DASB budget for 2010-11

Item 14

Approval of Associated Students of Foothill College (ASFC) Budget 2010-11

President Miner acknowledged and thanked the Student Affairs staff that advise and support the students during the year.

The ASFC finance team presented the ASFC Budget for 2010-11. ASFC President Ahmed Mostafa acknowledged and thanked staff for their support during the year, the budget development team, student accounts staff, and the board and district staff for special attention.

President Swenson thanked the team for an excellent presentation. In response to Trustee Bechtel's question regarding a substantial \$400,000 fund balance, ASFC President said funds are to be used as an emergency fund balance and for special projects. The students explained that there are still some outstanding receipts for expenses that need to be reconciled, thereby reducing the end balance.

The trustees thanked the students for an excellent and professional presentation and for the thoughtful decisions that had to be made.

M/S/C: Anderson/Barrientos Vargas
Advisory vote: 2
Board vote: unanimous
Action: **Approved** the ASFC budget for 2010-11

Item 15

Annual "Accountability for Reporting for Community Colleges" Report

Vice Chancellor of Technology Fred Sherman announced that Interim Director of Institutional Research Andrew LaManque has been elected vice president of the Research and Planning Group, the primary group in the California community colleges representing planners and researchers.

The Accountability Report for Community Colleges is mandated by state law and requires board review. One of the purposes of the report is to encourage colleges to improve their student success-related outcomes over time. LaManque explained that Foothill and De Anza have only two peer groups in common and cautioned the board to not compare the colleges against each other.

In response to Trustee Cheng's request to see data broken down further, such as by ethnicity, high school attended, or age, LaManque said that additional information is possible and requests should be channeled through district administration. LaManque reviewed the seven areas of comparison which include student progress and achievement rates; students earning at least 30 units rate; fall to fall persistence rates; percent of students successful in basic skills courses; basic skills improvement rate; ESL improvement rate; and the percent of students successful in vocational education courses.

LaManque explained that there are coding errors in the basic skills improvement rate and hopes that this area will be corrected next year. The variation in the peer groups between the colleges is based on statistical analyses taking into consideration external variables at the college in each category.

Trustee Bechtel thanked LaManque for presenting his report and answering questions and presidents Miner and Murphy for their clarifications and comments.

M/S/C: Barram/Bechtel
Advisory vote: 2
Board vote: unanimous
Action: **Accepted** the 2010 “Accountability for Reporting for Community Colleges” report for Foothill and De Anza

Item 16

Review and Approval of the District’s *Strategic Plan 2010-2016*

Vice Chancellor of Educational Technology Services Sherman presented the Strategic Plan which incorporated changes made to the metrics since the January 19 board study session. Sherman explained that the Chancellor’s Advisory Council (CAC) was the primary shared governance group that reviewed the report through the year. On April 16, 2010, the CAC approved the Strategic Plan. Sherman reviewed the three district commitments and changes made in the metrics and commented that the colleges will have to work hard to achieve the revised goals in some areas.

Murphy commented that he is comfortable with the district metrics because they express what the colleges are already deeply committed to in terms of fundamental goals.

Sherman thanked the CAC, Kathrine Boshkoff, Andrew LaManque, Bob Barr, Marisa Spatafore, and Becky Bartindale for their expertise and assistance in the production of the report.

M/S/C: Anderson/Bechtel
Advisory vote: 2
Board vote: unanimous
Action: **Approved** the District’s Strategic Plan for 2010-2016

Trustee Casas Frier voted in favor of the motion but expressed her opposition to residential construction on the NASA Research Park located at Moffett Field.

Item 17

Sustainability Plan

Executive Director of Facilities, Operations and Construction Management Charles Allen presented the Sustainability Plan which is an integral part of the District Strategic Plan and supports Board Policy 3214 Environmentally Sustainable Practices. Some of the key elements of the plan are: reference to other key documents related to Environmentally Sustainable Practices; a district-wide Sustainability Team; a clear statement of long-term goals; short-term actions that identify key annual sustainability goals, as well as lead and support responsibilities for each; and a Communications Plan. Allen said no changes have been made since the board’s last review of the plan.

M/S/C: Casas Frier/Barram
Advisory vote: 2

Board vote: unanimous
Action: **Approved** the Sustainability Plan

Item 18
Board Policy 3600, Whistleblower Protection (1st Reading)

Board Policy 3600, Whistleblower Protection, was presented to the Board for a 1st reading. The policy was reviewed and approved by the Chancellor's Advisory Council on April 16, 2010.

Item 19
Resolution Proclaiming May 24-28, 2010 Classified Staff Appreciation Week

Classified Staff Appreciation Week recognizes and commends the contributions of classified staff in furthering the mission and goals of the District to provide excellence and opportunity for all.

Foothill Classified Senate representative Bhavi Patel said Champions of Change will be the theme of the joint retreat for classified employees from Foothill, De Anza, and Central Services on Friday, May 7 at De Anza College.

M/S/C: **Barrientos Vargas/Anderson**
Advisory vote: 2
Board vote: unanimous
Action: **Approved** Resolution #2010-08 proclaiming May 24-28, 2010 Classified Staff Appreciation Week

Item 20
Language Additions to the OE3 Agreement

Language additions relating to shift differential have been made to Articles 6 and 8 in the current agreement between the district and OE3.

M/S/C: **Barram/Anderson**
Advisory vote: 2
Board vote: unanimous
Action: **Approved** the language additions to the OE3 agreement

Item 21
Rescind Elimination of Position and Notify Affected Employee

M/S/C: **Bechtel/ Barrientos Vargas**
Advisory vote: 2
Board vote: unanimous
Action: **Rescinded** the action taken on April 5, 2010 to eliminate the Administrative Assistant I position in Counseling at Foothill and **directed** administration to notify the affected employees of the action

Item 22

District-Wide Electricity Services

Through the Community College League of California’s Electricity Consortium Program, electricity rates for the 2010-11 year have been obtained at a level approximately 25% below the rate the district is currently paying. Executive Director of Facilities, Operations and Construction Management Charles Allen said that under the new agreement the district would save about \$250,000 a year in energy costs.

M/S/C: Anderson/Barrientos Vargas
Advisory vote: 2
Board vote: unanimous
Action: **Ratified** the Fixed Price solutions Pricing Schedule with Constellation NewEnergy, Inc.

Item 23

Update on 2010-11 Budget Development

Mike Brandy gave an update on the development of the 2010-11 budget. Brandy delivered some positive news.

Revenue – anticipated \$1 million net gain:

- The district gained about \$500,000 in apportionment because the state’s final calibration of reduction was less than what the district originally budgeted
- De Anza’s recertification of 20,087 FTES for 2008-09 enabled the district’s base allocation to be increased from \$3.9 million to \$4.4 million, resulting in an overall apportionment increase of \$500,000 in ongoing funds
- Non-resident enrollment has recovered slightly, and \$350,000 has been reinstated into the 2010-11 revenue estimates. However, about \$250,000 was lost due to cuts in categorical funding.

Expense – anticipated \$1 million reduction:

- Full-Time Positions
 - Funds will be set aside from one-time money for escrow II positions through 2010-11 while solutions are sought to incorporate those back into the operating budget.
- Medical
 - Budget estimates include the MOUs with all the unions reflecting the district’s and active and retiree contributions for 2010-11. The district’s medical stability fund includes \$5 million to offset any future medical costs increases.
- Utilities
 - Due to the anticipated decrease in gas and electricity rates and the scheduled completion of a large solar grid at Foothill this summer, this line item has been decreased by \$700,000.
- Special Ed Match
 - The district match for this line item has been reduced by about \$300,000 due to the reduction in categorical funding.

Brandy reported that the district anticipates having between \$5 million - \$6 million in reserves, and barring additional severe cuts from the state, it may be possible to restore escrow 2 positions.

President Swenson commended Brandy on resolving the district’s structural deficit under such severe budget constraints.

Item 24
Measure E Consent

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

- A.** *Title:* Revision #1 to PAA #D01
Vendor: Joni L. Janecki & Associates, Inc.
Agreement Date: May 4, 2009
Campus: De Anza College
Project No.: 765-278
Project Name: Master Landscape Phase II
Amount: \$0
For: Extend contract completion date to May 2010 for the Master Planning Programming and Condition Assessment Design Phase.
Action: Approval
- B.** *Title:* Rev. #2 to PAA #D001
Vendor: Salas O'Brien Engineers, Inc.
Agreement Date: December 1, 2008
Campus: De Anza College
Project No.: 765-279
Project Name: Campus Site Lighting (Phase 2)
Amount: \$0
For: No Cost time Extension
Action: Ratification
- C.** *Title:* Revision #1 to Agreement for Design Professional Services
Vendor: Sandis
Agreement Date: February 1, 2010
Campus: De Anza College
Project No.: 765-278
Project Name: Master Landscape Phase II
Amount: \$25,805
For: Tree Topographical Survey: conduct campus-wide Topographic Civil Survey and associated CAD drafting of specific areas of existing trees. Verify and import previous tree surveys. Verify and overlay the Arborist's Tree Study (dated 8/27/09) to the new CAD backgrounds. Exclusions: tree locations at the track, CDC, and ESA.
Action: Ratification
- D.** *Title:* Revision #3 to PAA #D14
Vendor: Sandis
Agreement Date: May 28, 2002

Campus: De Anza College
Project No.: 765-280
Project Name: ADA Asphalt Walkway Improvements (Design Only)
Amount: \$0
For: No cost time extension
Action: Ratification

Item 25

Measure C Consent Calendar

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

- A.** *Title:* Revision #3 to Standard Agreement
Vendor: Salas O’Brien Engineers
Agreement Date: September 9, 2008
Campus: De Anza College
Project No.: 241
Project Name: S2-S6 Phase II – Utility Master Plan – Phase I
Amount: \$17,060
For: Revise Standard Form of Agreement to allow Salas O’Brien Engineers to provide engineering, design and construction administration services for additional requirements for the campus closure/shutdowns. Salas O’Brien will attend and give input at meetings, coordinate with the ADA Pathway Project, add scope for MLC/S2-S6/Autotech leak detection consolidation, leak detection system changes in points of connection, provide design and structural considerations for S2 roof retrofit, and provide design and structural considerations for S6 roof retrofit.
Action: Approval
- B.** *Title:* Revision #1 to Agreement for Design Professional Services
Vendor: Forell/Elsesser Engineers, Inc.
Agreement Date: February 1, 2010
Campus: De Anza College
Project No.: 216
Project Name: Learning Center
Amount: \$27,000
For: The completion of the base contract services (Tier 1 Structural Evaluation) indicated the need for additional evaluation of the De Anza Learning Center and Learning Center West. It is recommended that the buildings be evaluated using the ASCE 31 Tier 2 Structural Evaluation

methodology to gain a more accurate understanding of the expected structural behavior and potential deficiencies due to the identified issues.

Action: Approval

- C.** *Title:* Revision #1 to PAA #D06
Vendor: Allana Buick Bers, Inc.
Agreement Date: May 4, 2010
Campus: De Anza College
Project No.: 236
Project Name: Tile Roof Repairs
Amount: \$101,670
For: Provide investigation and preparation of design documents, bid phase services, construction administration, and construction monitoring, for the Administration Building. Summary scope for this revision includes the replacement and repairs of the following: 1) Flat roof replacement; 2) Repair Tile Roofs; 3) Replace Parapet Stucco and Coping; 4) New curbing, plumbing, and duct work for the Air Handling Unit for the Lobby; and 5) Site Logistics Plan for the Admin Building.

Original Contact for Tile Roof and Stucco Parapet Walls for E2 and E3 Buildings: \$34,380. Revision #1 for Administration Building: \$101,670. Total Contract Value for E2, E3, and Admin Building: \$136,050.

Action: Approval

- D.** *Title:* S. J. Amoroso, Inc.
Vendor: Change Order #8
Agreement Date: July 10, 2009
Campus: De Anza College
Project No.: 241
Project Name: S2-S6 Phase II – Utility Master Plan – Phase I
Amount: \$34,799
For: Miscellaneous change orders: provide revised feeders at MH2 and TX7, splice cable at TX1&1A, provide access to electrical box in S2, credit for deleted breakers at TX6, provide furring and blocking at roof cricketing, provide roof penetrations at S2&S6, raise manhole at heading E7, relocate PB1 due to unforeseen utilities, replaced cracked lids at MH5 & MH7.

The total Change Orders to date represent 5.3% against the original contract amount. Funding is included in the current budget.

Action: Approval

- E.** *Title:* Change Order #9
Vendor: S. J. Amoroso, Inc.

Agreement Date: July 10, 2009
Campus: De Anza College
Project No.: 241
Project Name: S2-S6 Phase II – Utility Master Plan – Phase I
Amount: \$63, 576
For: Miscellaneous change orders: provide support to existing pipe at S2, pressure test existing hydronic pipe, patch walls at S2 & S6, credit for deleted pull box at Library, repair roof framing at S2, provide one hour rated walls at S2 & S6, resize hydronic pipe at chiller CH2, replace fittings and couplings CH1 & CH2, provide gate at S6 fence, provide protection to data equipment in rooms S73C and S83B, non-compensable time extension of 19 calendar days to Milestone #4

The total Change Orders to date represent 5.97% against the original contract amount. Funding is included in the current budget.

Action: Approval

- F.** *Title:* Agreement for Services
Vendor: Cleary Consultants, Inc.
Agreement Date: February 25, 2010
Campus: De Anza College
Project No.: 203
Project Name: Baldwin Winery and East Cottage Renovation
Amount: \$12,150
For: Soil inspection and compaction testing
Action: Ratification
- G.** *Title:* Change Order #1 to Agreement for Services
Vendor: Ross/Luthin Creative
Agreement Date: October 6, 2009
Campus: De Anza College
Project No.: 218
Project Name: Signage and Wayfinding
Amount: (\$3,100)
For: Additional services and modification of contract scope.
Action: Ratification
- H.** *Title:* Change Order #3
Vendor: John Plane Construction, Inc.
Agreement Date: November 16, 2009
Campus: De Anza College
Project No.: 203
Project Name: Baldwin Winery and East Cottage
Amount: \$5,375
For: Miscellaneous change orders:

Baldwin Winery: Offset Fire Sprinkler Main at New Shear
Wall Wireless Access Control System
Revision

East Cottage: Wireless Access Control System
Revision

The total Change Orders to date represent 1.1%
against the original contract amount. Funding is
included in the current budget.

Action: Ratification

- I.** *Title:* Agreement for Services
Vendor: Cleary Consultants, Inc.
Agreement Date: March 12, 2010
Campus: De Anza College
Project No.: 205
Project Name: Seminar Building and Multicultural Center
Amount: \$13,050
For: Soil inspection and compaction testing.
Action: Ratification
- J.** *Title:* PAA #D09
Vendor: Environmental Construction Services, Inc.
Agreement Date: September 8, 2008
Campus: De Anza College
Project No.: 241
Project Name: S2-S6 Phase II – Utility Master Plan – Phase I
Amount: \$4,990
For: Provide cleaning of all electrical equipment in
Buildings S2 & S6 after cleaning is complete.
Provide final report detailing the sample results.
Action: Approval
- K.** *Title:* PAA #D10
Vendor: Environmental Construction Services, Inc.
Agreement Date: September 8, 2008
Campus: De Anza College
Project No.: 241
Project Name: S2-S6 Phase II – Utility Master Plan – Phase I
Amount: \$5,850
For: Provide sampling and analysis of air at Building S2
& S6 after gypsum board abatement is completed.
Provide final report detailing the sample results.
Action: Approval
- L.** *Title:* First Amendment to Energy Services Contract
Vendor: Chevron Energy Solutions
Agreement Date: February 8, 2010
Campus: Foothill College
Project No.: 154
Project Name: Install Photovoltaic Arrays

Amount: \$0
For: Clarification of the contractual definition of Final Completion of the project. The revised provisions allow payment to be made to Chevron prior to final Division of State Architect (DSA) approval, since staffing limitations at DSA are causing indeterminate delays in securing final approvals from that agency. Chevron continues to be contractually bound to complete the approval process.
Action: Ratification

M. *Title:* Revision #1 to Professional Services
Vendor: Verde Design
Agreement Date: April 8, 2008
Campus: Foothill College
Project No.: 142
Project Name: Soccer and Softball Complex
Amount: \$36,162
For: Additional professional services for re-bidding the project due to rejection of initial bids, and for additional design and coordination required by Division of the State Architect for the restroom building (a prefabricated modular building).
Action: Ratification

N. *Title:* Change Order #5
Vendor: Tricon Construction, Inc.
Agreement Date: November 2, 2009
Campus: Foothill College
Project No.: 100
Project Name: Pool Plaster and Chemical Systems
Amount: \$14,516
For: Design changes to three swimming pool drains, and to pool ladders and railings to meet the California Building Code; additional rust repair in the pool structure due to site conditions discovered during the work, including a seven-day extension to the contract duration.

This change order plus all previous change orders represent 7.77% above the base contract amount. Funding for this change is within the current budget.
Action: Approval

O. *Title:* Revision #1 to Professional Services
Vendor: tBP Architects
Agreement Date: July 15, 2009
Campus: Foothill College
Project No.: 113 & 109

Project Name: Reconstruction of Stadium Bleachers & Press Box (#113) & Physical Education Lab Space (#109)

Amount: \$45,769

For: Press Box: Additional architectural and structural design services to revise the original program scope, and additional design services to integrate existing data/audiovisual systems into the new design.
Physical Education Lab Space: Additional design effort to correct poor site drainage conditions around the PE Lab Space Building #2900, a condition discovered after design services were under contract.

Action: Ratification

P. *Title:* Change Order #2
Vendor: Zolman Construction and Development, Inc.
Agreement Date: May 3, 2010
Campus: Foothill College
Project No.: 112
Project Name: Modernization of Administration Building and General Classrooms

Amount: \$55,426

For: This change order addresses work directed by Information Bulletin 1, Information Bulletin 2, Information Bulletin 3, and existing conditions. Information Bulletin 1 work includes casework, window and electrical revisions; Information Bulletin 2 addresses mortar set tile in lieu of thin set tile due to undocumented existing condition and power monitoring clarifications; Information Bulletin 3 revised construction details for under floor raceways in 6400, changed cabinet toe-kick material, and revised some fire alarm device locations; field conditions include a hidden pocket door removal and replacement with correct wall framing.

This change represents 1.17% change to the contract value. Total project changes represent a 1.32% change to the contract value. Funding for this change is within the current budget.

Action: Ratification

Q. *Title:* Revision #2 to PAA #F-HMC-#2B
Vendor: HMC Architects
Agreement Date: April 6, 2010
Campus: Foothill College
Project No.: 110
Project Name: Language Arts General Classrooms
Amount: \$16,600

For: Project document revisions and scope changes to accommodate through wall air handling units instead of roof mounted equipment. This change includes revised drawings, structural evaluation and construction administration for the change in scope.

Action: Funding for this change is within the current budget.
Ratification

Item 26

Award a Contract Pursuant to Bid Document 1238-14R, Soccer and Softball Complex, Foothill College

M/S/C: Bechtel/Barram

Advisory vote: 2

Board vote: unanimous

Action: **Authorized** the Director of Purchasing and Material Services to award a contract pursuant to Bid 1238-142R in the amount of \$2,587,700 for the Base Bid and Additive Alternates 1 through 4 to ValleyCrest Landscape Development, Inc.

Item 27

Award a Contract Pursuant to Bid Document 1250-228, Child Development Center Playground Maintenance and Shade Structure, De Anza College

M/S/C: Barrientos Vargas/Anderson

Advisory vote: 2

Board vote: unanimous

Action: **waived** the minor irregularity in the Guerra Construction Group response to Bid Document 1250-228 and **authorized** the Director of Purchasing and Material Services to award a contract pursuant to Bid 1250-228 to Guerra Construction Group, Inc. in the amount of \$254,797 for the Base Bid plus Alternates 1 and 2

Item 28

DSA Inspection Services for Various Measure C Bond Projects

M/S/C: Barram/Anderson

Advisory vote: 2

Board vote: unanimous

Action: **Approved** the list of eight firms to be included in an Inspection Services Pool

Item 29

Request for Authorization to Negotiate and Approve Change Orders in Excess of \$50,000

M/S/C: Swenson/Barrientos Vargas

Advisory vote: 2

Board vote: unanimous

Action: **Authorized** Executive Director of Facilities, Operation and Construction Management Charles Allen to review and approve the Construction

Management teams' negotiations of the above noted contract changes in excess of the \$50,000 Board-established limits

Item 30

Measure C Project List Revision with Central Services Budget Transfer #10, Foothill Budget Transfer #20 and De Anza Budget Transfer #21

M/S/C: Barrientos Vargas/Anderson

Advisory vote: 2

Board vote: unanimous

Action: **Approved** the Bond Project List Revision with District Budget Transfer #10, Foothill Budget Transfer #20 and De Anza Budget Transfer #21

ADJOURNMENT

President Swenson adjourned the meeting at 9:00 p.m.

Approved: 6/7/10

Linda M. Thor, Ed.D., Chancellor and
Secretary to the Board of Trustees