



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

August 31, 2009

CALL TO ORDER AND ROLL CALL

President Betsy Bechtel declared a quorum was present and called the meeting to order at 3:30 p.m. in the District Board Room of the Foothill-De Anza Community College District, 12345 El Monte Road, Los Altos Hills, CA 94022. The following trustees staff, press, students and members of the public were present:

Trustees Present:

Betsy Bechtel, President
Laura Casas Frier
Pearl Cheng
Bruce Swenson

For Public Session

Isabelle Barrientos Vargas, De Anza College Student Trustee

Absent

Erica Anderson, Foothill College Student Trustee

Staff:

Charles Allen	Rich Hansen
Becky Bartindale	Judy Miner
Mike Brandy	Dorene Novotny
Andy Dunn	Fred Sherman
Marie Fox Ellison	Donna Toyohara
Christina Espinosa-Pieb	

Students: Jose Romero

Public:

Dave Barram
Judy Hannemann
Audrey Sullivan Jacob
Ginny Lear
Ellen Wheeler

Item 1

CANDIDATE INTERVIEWS FOR TRUSTEE VACANCY

At a special meeting held on August 20, 2009, the following applicants were selected to be interviewed for the trustee vacancy on August 31, 2009: Joan Barram, Richard Bernhardt, Jeannie Conner, Anita Manwani-Bhagat.

Each candidate made a five-minute statement addressing the following points:

- their understanding of the role and mission of community colleges

- their understanding of the Board's fiduciary responsibility and how they would carry it out
- their personal goals and vision for the Foothill-De Anza Community College District
- why they believe they would be an outstanding trustee

After opening statements candidates were asked the following five questions, limiting their answers to two minutes each.

1. As a trustee, who do you represent? How would you ensure that your decisions reflect the values and priorities of this constituency or these constituencies?
2. What criteria do you use to help formulate a recommendation in an environment of competing educational needs and limited financial resources?
3. Tell us about your experience with collective bargaining in the public sector and your philosophy of a trustee's role and responsibility in negotiations.
4. The Education Code and Foothill-De Anza board policies recognize the role of faculty, staff, administrators, students and employee groups (unions and meet-and-confer groups) as active participants in decision-making processes at the colleges. Describe your experience with participatory governance processes and how you would, as a trustee, ensure that input and feedback from college and district constituency groups is part of the district processes in decision-making.
5. Do you plan to run for election?

Members of the public Audrey Sullivan Jacob and Ellen Wheeler addressed the board and spoke in support of Jeannie Conner.

The Board entered into discussions of the candidates, noting the special contributions each could make to the district. At the conclusion of the discussions, the Board made the following motion.

M/S/C: Bechtel/Cheng
Advisory Vote: 1 no (Barrientos)
Board Vote: Unanimous
Action: **Appointed** Joan Barram to fill the trustee vacancy

Trustees thanked the candidates for their time in applying for the position and interest in the district and encouraged them to participate on other district committees.

Item 2

APPOINTMENT OF NEW TRUSTEE

Interim Chancellor Mike Brandy administered the oath of office to newly appointed trustee Joan Barram. Trustee Barram was immediately seated on the Board.

CLOSED SESSION

At 5:00 p.m., the Board adjourned into closed session in the Chancellor's Office with the individuals listed below to discuss:

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Executive Administrators Present:

Mike Brandy, Chancellor
Andy Dunn, Vice Chancellor of Business Services

Christina Espinosa-Pieb, Vice President, Instruction, De Anza College for Brian Murphy
Judy Miner, President of Foothill College
Dorene Novotny, Vice Chancellor of Human Resources and Equal Opportunity
Fred Sherman, Vice Chancellor of Technology

LITIGATION UPDATE ON CONSTRUCTION

Name of Case: West Bay Builders v. Foothill-De Anza Community College District

Executive Administrators Present:

Charles Allen, Executive Director of Facilities, Operations and Construction Management
Mike Brandy, Interim Chancellor
Andy Dunn, Vice Chancellor of Business Services
Christina Espinosa-Pieb, Vice President, Instruction, De Anza College for Brian Murphy
Judy Miner, President of Foothill College
Dorene Novotny, Vice Chancellor of Human Resources and Equal Opportunity
Fred Sherman, Vice Chancellor of Technology

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
Mike Brandy, Interim Chancellor
Andy Dunn, Vice Chancellor of Business Services
Christina Espinosa-Pieb, Vice President, Instruction De Anza College for Brian Murphy
Judy Miner, President of Foothill College
Dorene Novotny, Vice Chancellor of Human Resources and Equal Opportunity
Fred Sherman, Vice Chancellor of Technology

RE-CONVENE PUBLIC SESSION

President Bechtel re-convened the public session at 6:00 p.m. in the District Board Room. She 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	Marie Fox Ellison	Dorene Novotny
	Anne Argyriou	Rich Hansen	Frank Nunez
	Tom Armstrong	Art Heinrich	Romy Paule
	Becky Bartindale	Marsha Kelly	Fred Sherman
	Mike Brandy	Ron Levine	Bernata Slater
	Andy Dunn	Judy Miner	Katie Townsend-Merino
	Christina Espinosa-Pieb	Blanche Monary	Donna Toyohara

Press: None

Students: Jose Romero

Public: Terry Terman

REPORTING OUT FROM CLOSED SESSION

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

APPROVAL OF MINUTES

M/S/C: Swenson/Casas Frier
Advisory Vote: 1 yes
Board Vote: 4 yes
Abstention: 1 (Barram)
Action: **Approved** the minutes of the August 3, 2009 meeting as corrected
Approved the minutes of the August 20, 2009 meeting as submitted

CORRESPONDENCE

President Bechtel asked if there was any correspondence which should be brought to the Board's attention.

Trustee Casas Frier shared an invitation to attend the "2009 California Regional Briefing Series" to be held on September 4, 2009 at Synopsys Corporation in Sunnyvale. Trustee Casas Frier mentioned that Nancy Shulock, Director of the Institute for Higher Education Leadership and Policy at CSU Sacramento will be speaking at the event.

CHANCELLOR SEARCH COMMITTEE

President Bechtel reported that the committee will be meeting after the application deadline in mid-September.

PUBLIC HEARING

Item 3

REOPEN NEGOTIATIONS FOR 2009-2010 BETWEEN THE DISTRICT AND FOOTHILL-DE ANZA FACULTY ASSOCIATION

President Bechtel opened the public hearing at 6:05 p.m.

Faculty Association President Rich Hansen commented that the district does not have the right to add, alter or delete any of the articles listed in the FA agreement, but that any changes must be negotiated.

Vice Chancellor of Human Resources and Equal Opportunity Dorene Novotny clarified that the reference to add, alter or delete any of the articles refers to the sunshine provision and not the FA Agreement itself.

President Bechtel closed the public hearing at 6:12 p.m.

HEARINGS: ITEMS NOT ON THE AGENDA

Public / Students

League of Women Voters representative Terry Terman commented that with the appointment of Joan Barram as trustee, there are now two trustees serving on the Chancellor's Search Committee. He expressed concern that the appointment of a chancellor requires only three board votes and urged the board to reconsider the membership of the committee.

Staff

Interim Chancellor Brandy commented that Vice President of Instruction Christina Espinosa-Pieb is in attendance for De Anza President Brian Murphy.

Vice President of Instruction Christina Espinosa-Pieb reported that since the registration process began there are about 8,000 students on waiting lists.

Foothill President Judy Miner reported a 22% increase in headcount over last fall and a 20% increase in weekly student contact hours over last fall.

President Miner attended the Los Altos Library dedication of the Virginia Whipple collection comprised of 300 courses on DVD offered by the Teaching Company. She also informed the board that on September 14, Eugene Block, a former Foothill College student and current UCLA Chancellor, will be visiting to talk about how to increase the number of transfers from Foothill College to UCLA.

Miner also reported that through the efforts of Dean Peter Murray and instructor Robert Cormia, Foothill has received a \$500,000 NSF grant for training nanotechnology technician students in partnership with Stanford, UCSC at NASA, San Jose State, and the Evans Analytical Group.

Chancellor Brandy reported on a meeting with George Blumenthal, Chancellor of UC Santa Cruz to discuss collaboration; student transfers to UCSC as well as barriers that students face in transferring; mentor programs; a student internship program that places our students in UCSC labs; and a joint advocacy among UCSC, San Jose State, and Foothill-De Anza in Sacramento.

Trustees

Trustee Casas Frier attended the Foundation Board meeting last week. She reported that the Foundation has received about 27% fewer donations than anticipated, however, the Foundation staff has been able to save more than 5% in its operating budget and is working together to plan revenue generating activities.

At the meeting Ed Landesman reported on the Aurora Project which sends math and science students to local middle schools to tutor and also trains them to be teachers.

Trustee Swenson reported that the Audit and Finance Committee met earlier in the day. The majority of the meeting was spent on review of the proposed 2009-10 budget.

President Bechtel welcomed new trustee Barram and praised all of the candidates who were very qualified, but Barram's extensive experience with the district and community were exceptional.

Trustee Barram commented that she applied for the position because she feels so much a part of the district. She is convinced that everyone involved in the district will not let the lack of money cut into the commitment to continue to serve students.

APPROVAL OF CONSENT CALENDAR

Student Trustee Barrientos Vargas requested the removal of Item 7, Changes to the 2009-10 De Anza Catalog.

Trustee Casas Frier requested the removal of Item 8, Independent Contractor Agreement – Katharine Boshkoff.

President Bechtel requested the removal of Items 9 and 10, Independent Contractor Agreements - David Bailey and Michael Scutero, respectively.

M/S/C: Casas Frier/Cheng
Advisory vote: 1 yes
Board vote: 4 yes
Abstention: 1 (Barram)
Action: **Approved / Ratified** Items 4-6 and 11-13 on the Consent Calendar as follows:

Item 4 — **Adopted** RESOLUTION REGARDING TRUSTEE ABSENCE FOR TRUSTEE PEARL CHENG

Item 5 - **Approved** APPOINTMENT OF CHIEF NEGOTIATORS

Item 6 — **Ratified** BOOKSTORE PURCHASES

Item 11 — **Approved** SALE OF MISCELLANEOUS ELECTRONIC EQUIPMENT

Made a finding that the property does not exceed \$5,000 in value and authorized the Director of Purchasing and Material Services to sell the items in accordance with Education Code 81452(a)

Item 12 — **Approved** PERSONNEL ACTIONS:

Name: **V. Celeste Carter**
Position: Faculty
College: Foothill College
Division: Biological & Health Sciences
Action: **Resignation for the purpose of retirement**
Effective Date: June 26, 2009

Name: **Marie Fox**
Position: Director, FHDA Foundation
College: Central Services
Division: Chancellor's Office
Program: Foundation
Action: **Temporary contract change from a 12 month position to an 11 month position**
Effective Dates: July 1, 2009 – June 30, 2010

Name: **Bruce Whistler**
Position: Director, Statewide Economic and Workforce Development Initiative
College: Foothill College
Division: Workforce Development and Instruction
Action: **Employment**
Effective Date: October 1, 2009
Compensation: Level H, Step 3 at \$8,526.01/month

Item 13 — **Approved** HUMAN RESOURCES REPORT

Item 7 - CHANGES TO 2009-10 DE ANZA COLLEGE CATALOG

Vice President Espinosa-Pieb explained the changes to the De Anza Catalog.

M/S/C: Barrientos Vargas/Casas Frier
Advisory vote: 1 yes
Board vote: 4 yes
Abstention: 1 (Barram)
Action: **Ratified** Item 7

Item 8 - INDEPENDENT CONTRACTOR AGREEMENT – KATHARINE BOSHKOFF

Vice Chancellor of Technology Fred Sherman explained that part of Boshkoff's responsibility will be to coordinate and assist with writing the Strategic Plan. This normally would be assigned to the Director of Institutional Research and Planning. However, with the resignation of Bob Barr from that position coupled with a number of ongoing major projects, the department is very shorthanded. Andrew LaManque, Acting Director of Institutional Research and Planning, still assumes some of the responsibilities from his former position. Ms. Boshkoff will also be assisting the colleges through the accreditation process. Dr. Sherman said that there are enough dollars in the Central Services budget to cover the contract.

M/S/C: Swenson/Bechtel
Advisory vote: 1 yes
Board vote: 4 yes
Abstention: 1 (Barram)
Action: **Ratified** Item 8

Item 9 - INDEPENDENT CONTRACTOR AGREEMENT – DAVID BAILEY

Item 10 - INDEPENDENT CONTRACTOR AGREEMENT – MICHAEL SCUTERO

In response to an inquiry by President Bechtel regarding Items 9 and 10, President Miner responded that these items are presented in a specific way requested by the state chancellor's office, who asked that the contractors begin work on July 1, 2009. Because Foothill-De Anza had not yet received funding for this project, the contractors, who were named in the grant, were paid through North Orange Community College District where funds were available. In the

future it will be clarified that individuals to be paid through Foothill-De Anza will be approved by the board before they commence work.

M/S/C: Bechtel/Cheng
Advisory vote: 1 yes
Board vote: 4 yes
Abstention: 1 (Barram)
Action: **Ratified** Items 9 and 10

Item 14

RESOLUTION IN SUPPORT OF AMERICAN GRADUATION INITIATIVE

This resolution supports President Obama’s legislation to provide new resources that community colleges need to serve the growing number of students turning to our colleges and to meet his goal of graduating an additional 5 million students by 2020. Upon adoption, the resolution would be sent to AACC for use in supporting congressional enactment of the initiative.

M/S/C: Swenson/Casas Frier
Advisory vote: 1 yes
Board vote: unanimous
Action: **Adopted** Resolution #2009-19 in support of the American Graduation Initiative

Item 15

RATIFICATION OF WARRANT #25-886342

President Bechtel recused herself from the vote.

M/S/C: Casas Frier/Cheng
Advisory vote: 1 yes
Board vote: 3 yes
Abstention: 1 (Barram)
Action: **Ratified** warrant #25-886342

Item 16

BOARD POLICY 4640, HARASSMENT AND DISCRIMINATION (SECOND READING)

M/S/C: Cheng/Casas Frier
Advisory vote: 1 yes
Board vote: 4 yes
Abstention: 1 (Barram)
Action: **Approved** Board Policy 4640 as presented

Item 17

PUBLIC HEARING: 2009-2010 BUDGET

President Bechtel opened the public hearing on the 2009-10 Budget at 6:40 pm.

Interim Chancellor Brandy, Vice Chancellor of Business Services **Andy Dunn** and Budget Director **Bernata Slater** presented the district's 2009-10 budget for public hearing before adoption.

The district is facing deep funding reductions. Revenue from the state was cut by more than \$14 million in 2009-10, including \$6.4 million in General Fund reductions and \$7.8 million in cuts to categorical programs. The district was able to cut \$2.6 million in expenses by reducing course offerings for 2009-10. But that still leaves an ongoing General Fund deficit of \$3.8 million this year, which is being covered by one-time funds. Even with fewer employees, the district's cumulative deficit is expected to grow to at least \$8.1 million by 2010-11, Brandy said.

Foothill-De Anza is fortunate to have entered 2009-10 with substantial fund balances and savings. This money will be used to delay some of the cuts to categorical programs and to create two new district funds. One fund would be used to phase in rate increases in health benefit plans and the other would protect the staff from further reductions in 2010-11. Federal backfill funding will be minimal, Brandy said, because the totals for California are much lower than expected. A wild card is the possibility of mid-year budget cuts if state revenues continue to decline.

Brandy thanked Slater and Dunn for their work in preparing the budget. Slater acknowledged the **Foothill Print Shop**, which prepared the budget for publication. Trustees are expected to adopt the budget at their September 14 meeting.

President Bechtel closed the public hearing at 7:25 pm.

Item 18

MEASURE E CONSENT CALENDAR

M/S/C: Casas Frier/Cheng
Advisory vote: 1 yes
Board vote: 4 yes
Abstention: 1 (Barram)
Action: **Approved/Ratified** the Measure E Consent Calendar, A-D as follows:

A. *Title:* Revision #2 to Standard Form of Agreement
Vendor: Allana, Buick & Bers, Inc.
Agreement April 7, 2008
Date:
Campus: De Anza College
Project No.: 209
Project Name: Visual & Performing Arts Center
Amount \$1,363
For: Additional curtainwall waterproofing testing and inspection
Action: **Ratification**

B. *Title:* Standard Form of Agreement
Vendor: AEDIS Architecture & Planning, Inc.
Agreement August 31, 2009
Date:
Campus: De Anza College
Project No.: 765-277

Project Name: Minor Improvements (Kirsch Door Replacement)
Amount: \$14,000
For: Provide architectural design & engineering services for replacement & retrofit of four (4) existing pairs of exterior doors & frames. Scope shall include all associated hardware, electrical, and controls located at the Kirsch Center for Environmental Studies, De Anza College.
Architect was selected based on their specialized expertise & experience in the door systems to be installed.

Action: **Ratification**

C. *Title:* Revision #2 to Standard Form of Agreement
Vendor: Consolidated Engineering Laboratories
Agreement Date: April 2, 2007
Campus: De Anza College
Project No.: 209
Project Name: Visual & Performing Arts Center
Amount: \$1,560
For: Inspection services for offsite welding of stage rigging and screen truss.

Action: **Ratification**

D. *Title:* Agreement for Services – Change #01
Vendor: Ralph Osterling Consultants, Inc.
Agreement Date: July 6, 2009
Campus: De Anza College
Project No.: 765-278
Project Name: Master Landscape Phase 2
Amount: \$20,000
For: Arborist Services to Support Campus & Landscape Architect

This revision will apply a flat fee of \$25 per tree to each tree once the initial 2000 trees count has been attained, and will complete the tree survey for the entire campus. An estimated total quantity of trees for the Campus is approximately 2800.

Because it is not known exactly how many trees remain, this revision shall be invoiced on a per tree basis with a not-to exceed value of \$20,000, with time extension to 9/15/09 for completion and reporting. The agreed rate of \$25/tree includes: all surveying & assessment, tagging, GPS locating, and reporting.

Action: **Approval**

Item 19

MEASURE C CONSENT CALENDAR

M/S/C: Swenson/Barrientos Vargas
Advisory vote: 1 yes
Board vote: 4 yes
Abstention: 1 (Barram)
Action: **Approved/Ratified** the Measure C Consent Calendar, A-U as follows:

- A.** *Title:* Project Assignment Amendment #D-07
Vendor: Allana, Buick & Bers, Inc.
Agreement Date: September 1, 2009
Campus: De Anza College
Project No.: 236
Project Name: Tile Roof Repairs
Amount: \$34,380
For: Provide investigation and preparation of design documents, bid phase services, construction administration, and construction monitoring, for replacement and repairs of the following project: Repair Tile Roofs and Replacement of Parapet Stucco and Coping on Buildings S7 and S8. Also, Consultant will develop and provide a Site Logistics Plan for access to the facilities during construction.
Action: Approval
- B.** *Title:* Project Assignment Amendment #D-07
Vendor: Environmental Construction Services
Agreement Date: September 8, 2008
Campus: De Anza College
Project No.: 214
Project Name: Corporation Yard
Amount: \$2,950
For: Professional Consulting Services to provide asbestos and lead paint surveys at the De Anza College Corporation Yard and Storage Buildings and to provide a final report with architectural drawings indicating the sample locations and areas that may require special handling during the renovation.
Action: Ratification
- C.** *Title:* Project Assignment Amendment #D-08
Vendor: Environmental Construction Services
Agreement Date: September 1, 2009
Campus: De Anza College
Project No.: 236B
Project Name: Tile Roof Repairs – Phase II – S7 & S8
Amount: \$1,545
For: Provide sample collection of caulking, roof sealers, and felts associated with the tile roof systems and parapets on buildings S7

and S8. Repair any holes or damage caused by sample collection. Provide a final report detailing the following: sample results, drawing indicating sample locations, estimated quantities. Provide answers to RFI's concerning hazardous materials, if required.

Action: Approval

- D.** *Title:* Project Assignment Amendment #D-06
Vendor: Environmental Construction Services
Agreement Date: September 1, 2009
Campus: De Anza College
Project No.: 273
Project Name: PE Quad Roof and Trellis Repair
Amount: \$2,350
For: Provide asbestos and lead sample collection and analysis, bid document preparation, and construction administration services for Roofing and Trellis Repairs on PE1, PE2 and PE6.

Action: Approval

Revision 1 to Project Assignment Amendment #5

- E.** *Title:*
Vendor: Environmental Construction Services
Agreement Date: September 8, 2008
Campus: De Anza College
Project No.: 200
Project Name: Records Update of Asbestos Containing Materials (ACM)
Amount: \$0
For: Schedule extension for consulting services.
Action: Ratification

- F.** *Title:* Project Authorization Amendment #5-A to Master Agreement
Vendor: Noll & Tam Architects
Agreement Date: December 6, 2007
Campus: De Anza College
Project No.: 245
Project Name: Advanced Technology Center
Amount: \$198,373
For: Professional services for Assessment, Programming and Partial Schematic Design Phases to include an investigation of the current existing conditions of the building and their functional components, the facilitation of meetings with the College's designated groups to coordinate Architect's efforts and the incorporation of comments from them, and, providing an Assessment Report and Preliminary Schematic Design Documents and preliminary budgets.

Action: Approval

- G.** *Title:* Change Order #1
Vendor: O. C. Jones & Sons, Inc.
Agreement Date: June 12, 2009

Campus: De Anza College
Project No.: 766-261
Project Name: Mediated Learning Center Site Preparation Package
Amount: \$42,703
For: Miscellaneous change orders: Protect telecom line in-place, tree relocation, upsize water line and storm drain to match existing, and minor demolition not shown on contract documents.

The total Change Orders to date represent 3.91% against the original contract amount. Funding is included in the current budget.

Action: Ratification

H. *Title:* Agreement for Services
Vendor: Quali-Con Enterprises Inc.
Agreement Date: August 20, 2009
Campus: De Anza College
Project No.: 766-203
Project Name: Baldwin Winery-East Cottage Renovation
Amount: \$74,000
For: Project inspections by DSA approved class one inspection services
Action: Approval

I. *Title:* Revision #1 to Standard Form of Agreement
Vendor: Ratcliff Architects
Agreement Date: June 17, 2008
Campus: De Anza College
Project No.: 261
Project Name: Mediated Learning Center
Amount: \$0
For: Extend schedule for 100% construction documents by 30 calendar days.
Action: Ratification

J. *Title:* Change Order #3
Vendor: Zolman Construction and Development, Inc.
Agreement Date: April 6, 2009
Campus: De Anza College
Project No.: 766-255
Project Name: AutoTech Renovation
Amount: \$20,725
For: Miscellaneous change orders: Provide power operated doors to main ADA entrance; Install seismic joint, Install new mortar bed in men's restroom.

The total Change Orders to date represent 2.84% against the original contract amount. Funding is included in the current budget.

- Action:* Ratification
- K.** *Title:* Construction Structural Testing and Inspection Services
Vendor: HP Inspections, Inc.
Agreement Date: July 8, 2009
Campus: De Anza College
Project No.: 251
Project Name: Install Photovoltaic Arrays – Campus Wide (Chevron PV Portion)
Amount: \$16,000 T&M, NTE
For: Professional services to provide construction structural testing, inspection and documentation services for the Chevron PV System portion of the 251 Install Photovoltaic Arrays – Campus Wide Project. The funding is included in the current budget.
Action: Ratification
- L.** *Title:* Construction Soils Engineering Monitoring, Inspection and Reporting
Vendor: Cleary Consultants, Inc.
Agreement Date: July 23, 2009
Campus: De Anza College
Project No.: 251
Project Name: Install Photovoltaic Arrays – Campus Wide (Chevron PV Portion)
Amount: \$6,000 T&M, NTE
For: Professional services to provide geotechnical inspection, monitoring and soils engineering services for the Chevron PV System portion of the 251 Install Photovoltaic Arrays – Campus Wide Project. The funding is included in the current budget.
Action: Ratification
- M.** *Title:* Division of the State Architect (DSA) construction Inspection, Monitoring and Reporting Services
Vendor: Quali-Con Enterprise, Inc.
Agreement Date: July 8, 2009
Campus: De Anza College
Project No.: 251
Project Name: Install Photovoltaic Arrays – Campus Wide (Chevron PV Portion)
Amount: \$10,000 on T&M, NTE
For: Professional services to provide DSA inspection services and construction monitoring & reporting for the Chevron PV System portion of the 251 Install Photovoltaic Arrays – Campus Wide Project. The funding is included in the current budget.
Action: Ratification
- N.** *Title:* Revision #01 to Standard Form of 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: \$119,967
For: This Revision 01 to Standard Form of Agreement between the District and Salas O’Brien Engineers, Inc. dated 9/8/2008 encompasses the following Additional Service items (Salas O’Brien breakdown attached for reference):

1. Develop and issue piping pre-purchase drawings and specifications for the MLC site project 261
2. Reconfigure utilities drawings for insertion into the MLC site project 261 drawing set
3. Design (structural/mechanical/electrical/architectural) for multiple add Item's including S2 Plant and TX1A, TX8/8A, ultimately reconfigured and combined into deductive alternatives.
4. Work sequencing (drawings G6.1, G6.2, and G1.1) revisions
5. Coordinate PG&E utilities upgrade on to campus
6. Added temporary Power Study and Design after construction start (i.e. internal to the buildings and in addition to drawings EP1.1, EP1.2, EP1.3, EP4.1, EP4.3, and G1.7 in bid set) for full shutdown programming
7. Construction administration and closeout in support of the project bid price of \$9,397,000
8. Extension of contract end date from 11/28/2008 to 12/31/2010

Prior Value of Salas O'Brien Contract: \$646,786
 Value of Additional Service Items in this Revision: \$119,967
New Total Contract Amount: \$766,753

Action: Approval

O. *Title:* Revision #1 to Agreement for Services
Vendor: Stephen P. Lyons & Associates, Inc. dba Scarth-Lyons & Associates
Agreement Date: March 31, 2008
Campus: Foothill College & De Anza College
Project No.: 501
Project Name: Program Overhead
Amount: \$1,500
For: Extension of duration of current Agreement for Services (to August 31, 2009) and increase in fee amount fro consulting service related to the Project Stabilization Agreement.

The funding is included in the current budget.
Action: Ratification

P. *Title:* Agreement for Services
Vendor: Stephen P. Lyons & Associates, Inc. dba Scarth-Lyons & Associates
Agreement Date: September 1, 2009

Campus: Foothill College & De Anza College
Project No.: 501
Project Name: Program Overhead
Amount: \$36,000
For: Continued consulting services related to the Project Stabilization Agreement, to be provided on an hourly, time-and –materials basis.

Action: The funding is included in the current budget.
Approval

Q. *Title:* Change Order #2
Vendor: John Plane Construction
Agreement Date: June 29, 2009
Campus: Foothill College
Project No.: 113
Project Name: Bleacher Repair and Replacement
Amount: \$5,438
For: Additional supporting structure not originally specified for new aluminum bleachers.

This change order plus all previous change orders represent 2.5% above the base contract amount. The funding for this change order is within current budget.

Action: Ratification

R. *Title:* Revision #1 to Standard Form of Agreement
Vendor: Bill Gould Design Art & Architecture
Agreement Date: November 4, 2008
Campus: Foothill College & De Anza College
Project No.: Foothill College #123D / De Anza College #226A
Project Name: PE Gym Floor Refinishes
Amount: \$900
For: Repacking Foothill College and De Anza College gymnasium floor refinishing bid documents to allow their reuse for annual maintenance.

Action: The funding is included in the current budget.
Ratification

S. *Title:* Campus-wide Buildings and Site Security Master Plan
Vendor: Catalyst Consulting Group, Inc.
Agreement Date: August 13, 2009
Campus: Foothill College
Project No.: 135
Project Name: Security Master Plan
Amount: \$50,360
For: Professional security consulting services that include:
Phase I: Site Analysis/Interviews/Master Plan
Phase II: Security Master Plan Development

- Action:* Phase III: Security System Manufacturer Selection Approval
- T.** *Title:* Special Inspection Services
Vendor: HP Inspections, Inc.
Agreement Date: July 10, 2009
Campus: Foothill College
Project No.: 154
Project Name: Photovoltaic Arrays
Amount: \$29,090
For: Professional services to provide Special Inspection Services during steel fabrication and installation, as required by the Division of the State Architect (DSA) and the Construction Documents for the Photovoltaic Arrays project at Parking Lot 1H.
Action: Approval
- U.** *Title:* Professional Services – Revision #05
Vendor: Ratcliff Architects
Agreement Date: April 8, 2008
Campus: Foothill College
Project No.: 160
Project Name: Physical Sciences & Engineering Center
Amount: \$51,690
For: The basic services added by this Revision #5 include additional engineering and design services related to the Loop Road traffic signal, additional meetings with telecommunication consultant, and expanded estimating services.
Action: Approval

Item 20

MEASURE C VEHICLE PROCUREMENT

M/S/C: Casas Frier/Cheng
Advisory Vote: 1 yes
Board Vote: 4 yes
Abstention: 1 (Barram)
Action: **Approved** Measure C vehicle procurement

Item 21

MEASURE C PROJECT LIST REVISION WITH Foothill BUDGET TRANSFER #15 AND DE ANZA PROJECT NAME CHANGE & REINSTATEMENT OF PROJECT 208

M/S/C: Swenson/Cheng
Advisory Vote: 1 yes
Board Vote: 4 yes
Abstention: 1 (Barram)

Action: **Approved** the Measure C Project List Revision with Foothill budget transfer #15 and De Anza project name change and reinstatement of Project 208

Item 22

MEASURE C PROJECT 255 – AUTO TECHNOLOGY – REVISED POINT OF CONNECTION OF UTILITIES FOR DE ANZA COLLEGE

M/S/C: Swenson/Barrientos Vargas
Advisory Vote: 1 yes
Board Vote: 4 yes
Abstention: 1 (Barram)
Action: **Approved** the revised point of connection of utilities for the Auto Technology building at De Anza College under Measure C Project 255

Item 23

MEASURE C PROJECT 261 – MEDIATED LEARNING CENTER SITE PREPARATION – CHANGE ORDER #2 TO O.C. JONES & SONS, INC.

M/S/C: Swenson/Barrientos Vargas
Advisory Vote: 1 yes
Board Vote: 4 yes
Abstention: 1 (Barram)
Action: **Approved** change order #2 to O.C. Jones & Sons, Inc. for Measure C Project 261 – Mediated Learning Center Site Preparation

Item 24

AUTHORIZATION TO AWARD A CONTRACT PURSUANT TO BID DOCUMENT 1231-211 – DE ANZA COLLEGE L QUAD SEATING PROJECT

M/S/C: Casas Frier/Cheng
Advisory Vote: 1 yes
Board Vote: 4 yes
Abstention: 1 (Barram)
Action: Authorized the award of a contract to Southwest Interiors. Inc. in the amount of \$83,600 pursuant to Bid 1231-211

DATES TO REMEMBER

September 17 – District Opening Day
September 18 – Colleges' Opening Day Activities
Next Meeting – October 5, 5:00 p.m., District Board Room

ADOURNMENT

President Bechtel adjourned the meeting at 7:50 p.m.

dt

Approved: 10/5/09



Mike Brandy, Interim Chancellor
Secretary, Board of Trustees