

FOOTHILL-DE ANZA  
Community College District

FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT  
**BOARD OF TRUSTEES**  
MINUTES  
REGULAR MEETING  
June 7, 2010

**CALL TO ORDER**

President Bruce Swenson declared a quorum was present and called the meeting to order at 3:40 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

Etienne R. Bowie, Foothill College Student Trustee  
Thomasina Countess Russaw, De Anza College Student Trustee

**STUDY SESSION**

In March the district engaged TBWB and Godbe Research to conduct a parcel tax feasibility study of some 800 voters within the district's boundaries. Bryan Godbe and Amelia Davidson of Godbe Research presented the results of the poll conducted in May to determine whether the public would be in favor of passing a parcel tax of up to \$69/year/parcel over a period of between 4-8 years. About 55% were in favor of a 4-year duration falling to 45% and 39% respectively for periods of 6 years and 8 years. The consultants recommended a duration of not more than 6 years. The overall results of the poll were very favorable. About 71 percent said they would support a parcel tax for the district. After hearing both pros and cons of the tax and possible uses of the proceeds, 75 percent said they probably would be in favor of the tax. Overall, the results of the feasibility study exceeded the 2/3 majority vote required to pass a parcel tax. The poll indicated that maintenance of math, science, writing and core academic classes were most important to respondents followed closely by career preparation programs in math, engineering and science.

If successful, the parcel tax would raise between \$6 to \$6.9 million per year for the district that would alleviate some, but not all, of the budget difficulties imposed on the district by the \$15 million reduction in funding by the state last year.

TBWB consultant Charles Heath stressed the importance of communicating how a very reduced budget can impact the services and programs offered to students.

In response to trustee Bechtel's question, legal counsel David Casnocha replied that senior exemptions for community colleges are not authorized by the government code or the state constitution. Mike Brandy said that this issue has been discussed among the consultants and staff. Suggested ballot language might be that a senior exemption will be granted if state legislation is passed to allow such an exemption.

Legal counsel Casnocha stated that everyone who has passed a parcel tax has a broad list of authorized purposes outlined in the ballot language. The district has an annual reporting requirement to present to the board a report stating how the money has been spent. That report will serve as the public's opportunity to be updated and informed of the disposition of the proceeds.

Chancellor Thor said that proceeds would be treated similarly to grant funds and would be accounted for separately. She said staff would propose that the Audit and Finance Committee act as a citizens' oversight committee for the proceeds.

Overall, the trustees were pleased with the community's response to the poll. The board will meet on June 14 to determine next steps to include the planning and information phase which would cost between \$150,000 - \$200,000 and would be funded through the district's general fund. The \$275,000 - \$325,000 estimated cost needed to mount such a campaign must be raised privately.

President Swenson adjourned the study session at 4:50 and the board adjourned into closed session to discuss the following:

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

PUBLIC SESSION

President Swenson called the public session to order at 6:08 p.m.

REPORTING OUT FROM CLOSED SESSION

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

SWEARING IN OF STUDENT TRUSTEES

Chancellor Linda Thor administered the oath of office to De Anza Student Trustee Thomasina Countess Russaw and Foothill Student Trustee Etienne R. Bowie.

ACKNOWLEDGEMENT OF TRUSTEE SCHOLARSHIP RECIPIENT

Joseph Chong was acknowledged as the De Anza Trustee Scholarship recipient and was presented a certificate by trustees Barram and Casas Frier. The trustees selected Chong out of eight finalists. Chong thanked the board and said his experience at De Anza has been very rewarding.

**Item 1**

**De Anza State of the College Report**

President Brian Murphy presented the annual state of the college report. Included in the report was the college's Educational Master Plan. Part of Murphy's presentation included statistics on the student population. Enrollment of Latino students who were first in their family to attend college increased 77% over the past 3 years; 16% of all Santa Clara County high school graduates attend De Anza College; and about 63% of the De Anza population are at least 24 years old. Murphy also said that about 43% of De Anza's students attend full time. Both reports are available for viewing online at: <http://www.deanza.edu/president/publications.html>. Murphy acknowledged students' advocacy efforts in bringing to the public's attention the state of our budget and the significance of what was at stake in Sacramento and its effects on the college. Some of those activities included a walk-in teach-in on campus; a tent city on campus; a solidarity march in San Francisco; and the March in March in Sacramento.

DASB President Marlo Alvarado Custodio reported on several student government efforts to help make college more affordable for students, such as providing food vouchers, a bike rental and bus pass program. 2010-11 Student Body President Ze -Kun Li reported on the very successful student advocacy efforts both locally and in Sacramento this year.

Student trustee Etienne Bowie recalls the feeling of solidarity he experienced on the March in March in Sacramento. He promised student collaboration on future projects.

The trustees thanked Murphy and complimented him and the students on their presentation.

President Murphy expressed pride in the amount of work employees dedicated to the preparation and production of the reports and thanked Patricia Fifield, Lois Jenkins, Alex Kramer, Andrew LaManque, Mae Lee, Marisa Spatafore, Robert Stockwell and Lori Susi for their efforts.

**APPROVAL OF MINUTES**

<b>M/S/C:</b>	<b>Bechtel/Cheng</b>
<b>Advisory vote:</b>	2
<b>Board vote:</b>	unanimous
<b>Action:</b>	<b>Approved</b> the minutes of May 3, 2010

President Swenson requested items 26 and 27 be moved to the front of the agenda.

**Item 26**

**Award Lease-Leaseback Pre-Construction Services Agreement for Foothill College Physical Sciences & Engineering Project**

The lease-leaseback program was introduced to the board in December 2009 as a cost saving method for large construction projects. This is the first lease-leaseback agreement the district will be entering into. Director of Purchasing Carmen Redmond said the firms that bid on the project were all familiar with the lease-leaseback process. The recommended company, Hathaway Dinwiddie Construction Company, has a very good reputation. Under the pre-construction services agreement Hathaway Dinwiddie will prequalify subcontractors, obtain competitive bids from subcontractors, develop a Guaranteed Maximum Price, and develop a preliminary construction schedule. In October 2010 staff plan to present the

Guaranteed Maximum Price and will ask the board to award the Site Lease and Facilities Lease agreements to Hathaway Dinwiddie.

**M/S/C:** Barram/Cheng  
**Advisory vote:** 2  
**Board vote:** unanimous  
**Action:** **Awarded** the Preconstruction Services Agreement to Hathaway Dinwiddie Construction Company

**Item 27**

**Adopt a Resolution to Authorize a Validation Action for the Lease-Leaseback Project Delivery Method, RFQ/RFP 1248-160, Physical Sciences & Engineering Project at Foothill College**

Since this is the first lease-leaseback arrangement that the District has used, a validation action will be filed in Santa Clara County Superior Court to ensure that this method conforms with the provisions of Education Code §81335, the California Constitution, and all other applicable laws and all requirements of all regulatory bodies, agencies or officials having authority over or asserting authority over same. The validation action will seek a court order that the Site Lease, Facilities Lease, and related documents are lawful, valid and binding on the District upon execution. The award of the Facilities Lease and Site Lease will occur after the Validation Action is complete.

**M/S/C:** Cheng/Bechtel  
**Advisory vote:** 2  
**Board vote:** unanimous  
**Action:** **Approved** the Facilities Lease, Site Lease, and Construction Provisions as to form and content, and **Adopted** a resolution authorizing the filing of a Validation Action

**AUDIT & FINANCE COMMITTEE REPORT**

Trustee Cheng reported on the Audit & Finance committee meeting that met on June 3. The committee reviewed the financial standings of the district including Measure E and Measure C progress reports. The committee discussed the audit process. The district is in year 4 of a 5 year contract with Perry-Smith and will be going out with an RFP for auditing services. Cheng noted that the district has had several years of stellar audit reports. The committee also reviewed the 2009-10 Third Quarter Report as well as updates to the 2010-11 budget. She thanked staff for presenting the information to the committee. Cheng said that committee members were very complimentary of the district for its ability to predict and interpret issues.

**CORRESPONDENCE**

There was none.

**HEARINGS: ITEMS NOT ON THE AGENDA**

*Public*  
None

Students

2009-10 ASFC President Ahmed Mostafa thanked and commended President Miner, Chancellor Thor, Trustee Casas Frier, and Faculty member Dolores Davison for their help and participation in student activities through the year. He also urged the trustees to use the students to advocate for the district.

La Voz editor Laura Wenus and faculty advisor Beth Grobman introduced themselves to the board.

De Anza student Jose Romero and former student trustee Isabelle Barrientos Vargas spoke against the recently passed Arizona law SB 1070 and will ask the board to endorse a resolution against it.

De Anza Student Bobo Teo invited trustees to the DASB new officers' swearing in ceremony and reception on June 9.

Staff

Cooperative Education program instructor Bill Mathiasen spoke to the merits of the Cooperative Work Experience program and the effects closing the program will have on its students.

Foothill faculty member Ken Horowitz urged the board to move forward with the parcel tax and suggested that faculty and staff contribute one quarter of one percent of their annual salary toward the effort. Horowitz also spoke in favor of keeping the Middlefield Campus site. He thanked Vice Chancellor Andy Dunn, Kim Chief Elk, and long time employee Gil Delgado for their service.

Foothill President Judy Miner congratulated Dolores Davison on her election to the Executive Council of the statewide Academic Senate. Davison is also the treasurer for the Academic Foundation. Miner brought to the board's attention an article written by Foothill instructor Frank Cascarano regarding his success in using webcasting and PC tablets in the classroom. The article was featured in TechEDGE, an online publication on the uses of technology in colleges and universities. Miner extended an invitation to hear Scott James, NY Times columnist, will speak on his experience as a local bay area writer for the Times.

De Anza President Brian Murphy extended an invitation to the student art show in the Euphrat Museum of Art. The show runs through June 15.

Chancellor Linda Thor acknowledged Director of Human Resources Kim Chief Elk's resignation after 26 years at Foothill-De Anza to become the Vice Chancellor of Human Resources at San Jose Evergreen CCD. Chancellor Thor acknowledged and thanked Chief Elk for her many contributions to the district in the areas of recruitment and employment; classification and pay issues; negotiations; contract administration; Banner implementation; and this year in particular, for working with the unions to find solutions for affected employees during the budget crisis. On behalf of the district Chancellor Thor expressed sincere thanks and appreciation to Chief Elk.

Chancellor Thor reported that she has been appointed by U.S. Secretary of Education Arne Duncan to the Committee on Measures of Student Success. The formation of the committee is included in the Higher Education Act. The charge of the committee is to develop recommendations for community colleges to comply with the law's graduation and completion rate disclosure requirements and develop recommendations regarding additional or alternative

measures of student success that take into account the mission and role of community colleges. The term of the appoint ends on December 31, 2011.

Vice Chancellor of Technology Fred Sherman gave an update on the Banner conversion. The student registration module is the largest segment of the program to go live. Sherman noted that nearly 10,000 students have registered using the Banner system. Sherman acknowledged the hard work and thanked those involved in the transition to Banner.

### Trustees

Trustee Barram attended the De Anza open house for new students and parents. She heard many positive comments about the facilities and grounds. Barram noted the availability of advisors, counseling staff and student support staff available to assist both students and parents.

Trustees Bechtel and Casas Frier attended the De Anza scholar-athletes recognition ceremony and the De Anza student film festival. Casas Frier also attended the Foothill International Night and Foothill's Latino Heritage banquet. She welcomed new student trustee Etienne Bowie who spoke very eloquently at the banquet on AB 540. Casas Frier reported that she is on the Legislative Advisory Committee for CCLC. The committee is comprised of 32 people in all levels of community colleges throughout the state who meet to review legislation.

### **Item 1**

#### **Approval of Consent Calendar**

**M/S/C:** Bechtel/Cheng  
**Advisory vote:** 2  
**Board vote:** unanimous  
**Action:** **Approved** Items 2-16 on the Consent Calendar

**Item 2** – **Approved** Board Policy 3600 Whistleblower Protection

**Item 3** - **Approved** Transfer of 2009/10 OPEB Obligation to CERBT

**Item 4** – **Ratified** Contracts and Agreements

**Item 5** – **Approved** the Advance of Student Fees to Dr. Samuel Connell, Anthropology Faculty, Foothill College, to Support Archeology Classes in Belize during Summer Quarter 2010

**Item 6** - **Approved** FY 2010-11 South Bay Regional Public Safety Training Consortium Contract

**Item 7** – **Approved** the Addition of an Associate Degree to the Current Diagnostic Medical Sonography Certificate Program

**Item 8** – **Approved** Contract Renewal between Foothill-De Anza Community College District and Professional Personnel Leasing for Services Performed by Richard Henning

**Item 9** - **Approved** Contract Renewal between Foothill-De Anza Community College District and Professional Personnel Leasing for Services Performed by Gay Krause

**Item 10** - **Approved** Administrative Training/Retraining Stipends for 2009-2010 and 2010-2011

**Item 11** - **Approved** Faculty Training/Retraining Stipends for 2010-2011

**Item 12** - **Approved** Donation of Surplus District Computer and Monitors to OTI

Made a finding that the items are of insufficient value to defray the costs of arranging a sale and **authorized** the Director of Purchasing and Material Services to donate the items to the Foothill-De Anza Foundation.

**Item 13** – **Approved** Donation of Surplus Table Arm Chairs

**Authorized** the Director of Purchasing and Material Services to make a donation of the tablet arm chairs to the Santa Clara Unified School District in accordance with Education Code 81450.5.

**Item 14** – **Approved** Recycle and Dispose Surplus Furniture

Make a finding that the items are of insufficient value to defray the costs of arranging a sale and **authorized** the Director of Purchasing and Material Services to recycle or dispose of the items in the local public dump.

**Item 15** – **Approved** Human Resources Report

**Item 16** - **Approved** Personnel Actions as follows:

*Name:* **Lily Adams**  
*Position:* Counselor  
*Department:* Counseling  
*Division:* Counseling & Student Services  
*Location:* Foothill College  
*Action:* **Resignation for the purpose of retirement per Article 19**  
*Effective Date:* June 25, 2010

*Name:* **Rachelle A. Campbell**  
*Position:* Instructor  
*Department:* Radiologic Technology  
*Division:* Biological & Health Sciences  
*Location:* Foothill College  
*Action:* **Employment**  
*Effective Date:* September 1, 2010 \* # of Months: 11  
*\* Compensation:* Column 3 / Step A @ \$5,827.63/month

*Name:* **Milissa M. Carey**  
*Position:* Instructor  
*Department:* Music  
*Division:* Fine Arts & Communication  
*Location:* Foothill College  
*Action:* **Employment**

*Effective Date:* September 1, 2010 \* # of Months: 11  
*\* Compensation:* Column 3 / Step E @ \$6954.74/month

*Name:* **Kim Chief Elk**  
*Position:* Director  
*Department:* Human Resources  
*Division:* Human Resources & Equal Opportunity  
*Location:* Central Services  
*Action:* **Resignation**  
*Effective Date:* June 11, 2010

*Name:* **Maria Vicky Criddle**  
*Position:* Director  
*Department:* NASA/AMES Internship & Training Program  
*Division:* Middlefield Campus  
*Location:* Foothill College  
*Action:* **Resignation for the purpose of retirement**  
*Effective Date:* June 30, 2010

*Name:* **Lisa Drake**  
*Position:* Instructor  
*Department:* Accounting  
*Division:* Business & Social Sciences  
*Location:* Foothill College  
*Action:* **Employment**  
*Effective Date:* September 1, 2010 \* # of Months: 11  
*\* Compensation:* Column 2 / Step B @ \$5827.63/month

*Name:* **April Flowers**  
*Position:* Instructor  
*Department:* English as a Second Language (ESL)  
*Division:* Language Arts  
*Location:* Foothill College  
*Action:* **Resignation for the purpose of retirement per Article 19**  
*Effective Date:* June 25, 2010

*Name:* **Sharon Hack**  
*Position:* Instructor  
*Department:* Travel Careers  
*Division:* Business & Social Sciences  
*Location:* Foothill College  
*Action:* **Resignation for the purpose of retirement**  
*Effective Date:* June 25, 2010

*Name:* **Kimberly Lane**  
*Position:* International Counselor / Special Programs Liason  
*Department:* Counseling  
*Division:* Counseling & Student Services  
*Location:* Foothill College  
*Action:* **Partial 40% unpaid leave of absence**

*Effective Date:* Summer 2010 through Fall 2011

*Name:* **Andrew LaManque**  
*Position:* Executive Director,  
*Department:* Institutional Research  
*Division:* Educational Technology Services  
*Location:* Central Services  
*Action:* **Employment**  
*Effective Dates:* June 8, 2010 through June 30, 2011  
*Compensation:* Range/Step = K/4 @ \$11,348.14/month

*Employee* **Loraine Moen**  
*Position:* Instructor  
*Department:* Mathematics  
*Division:* Physical Sciences, Math & Engineering  
*Location:* De Anza College  
*Action:* **Partial 22.2% unpaid leave of absence**  
*Effective Date:* Winter 2011 and Spring 2011

*Employee:* **Tesha McCord Poe**  
*Position:* Instructor  
*Department:* Paralegal  
*Division:* Social Science  
*Location:* De Anza College  
*Action:* **Resignation**  
*Effective Date:* June 25, 2010

*Name:* **Tiffany Rush**  
*Position:* Instructor  
*Department:* Respiratory Therapy  
*Division:* Biological & Health Sciences  
*Location:* Foothill College  
*Action:* **Employment**  
*Effective Date:* September 1, 2010 \* # of Months: 11  
*\* Compensation:* Column 3 / Step D @ \$6,672.96/month

*Name:* **Jennifer M. Sinclair**  
*Position:* Instructor  
*Department:* Mathematics  
*Division:* Physical Sciences, Math & Engineering  
*Location:* Foothill College  
*Action:* **Employment**  
*Effective Date:* September 1, 2010 \* # of Months: 11  
*\* Compensation:* Column 2/ Step I @ \$7800.06/month

*Name:* **Tim Woods**  
*Position:* Dean  
*Department:* Computers, Technology & Information Systems  
*Division:* Computers, Technology & Information Systems

*Location:* Foothill College  
*Action:* **Resignation**  
*Effective Date:* June 25, 2010

*Name:* **Teresa A Zwack**  
*Position:* Instructor  
*Department:* Mathematics  
*Division:* Physical Science, Math & Engineering  
*Location:* Foothill College  
*Action:* **Employment**  
*Effective Date:* September 1, 2010 \* # of Months: 11  
*\* Compensation:* Column 2 / Step I @ \$7800.06/month

**Item 17**

**Update on 2010-11 Budget**

Mike Brandy gave a budget update noting that the governor's May revise would have little impact on the district's revenue and expense predictions for 2010-11. He reported that the state's deficit would grow to close to \$20 billion in 2010-11. Observers say deep cuts to health and human services will also spread to community colleges. Because the district has worked closely with the bargaining units it will be able to withstand additional state reductions up to about \$6 million next year without making reductions in positions. There is a \$2 million increase in the net ending balance which could be used to preserve Escrow 2 positions slated for elimination in June 2011. The Tentative Budget will be presented to the board for adoption on June 21.

**Item 18**

**2009-10 Third Quarter Report**

Vice Chancellor of Business Services Andy Dunn addressed revised projections to revenue and expenses. When the 2009-10 budget was adopted the district anticipated a 4% reduction in workload. When the state budget was passed, that number was reduced to 3.4% resulting in an upward adjustment in revenue of approximately \$415,000.

**Item 19**

**Resolutions to Adopt Third Quarter Budget Transfers and Revisions**

**M/S/C:** Casas Frier/Cheng  
**Advisory vote:** 2  
**Board vote:** unanimous  
**Action:** **Approved** Resolution #2010-09 (Budget Transfers) and Resolution #2010-10 (Budget Revisions)

**Item 20**

**Award a Contract Pursuant to Bid Document 1224-415 Phase II EVR Enhance Vapor Recovery, Foothill College**

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

**Action:** **Waived** as a minor irregularity that Amendment 1 and Amendment 2 were not initially acknowledged with the bid proposal submitted by Paradiso Mechanical, Inc. and **authorized** the Director of Purchasing and Material Services to award a contract pursuant to 1224-415 in the amount of \$39,200 to Paradiso Mechanical, Inc.

**Item 21**

**Project 283 Combined Site Improvements Master Architect/Engineer Selection, De Anza College**

**M/S/C:** **Bechtel/Cheng**  
**Advisory vote:** 2  
**Board vote:** unanimous  
**Action:** **Approved** the Selection Committee's recommendation and authorized the District to enter into contract and fee negotiations for all necessary Architectural / Engineering design services for this project.

**Item 22**

**Measure C Consent**

**M/S/C:** **Bowie/Russaw**  
**Advisory vote:** 2  
**Board vote:** unanimous  
**Action:** **Approved / Ratified** the Measure C Consent Calendar, A-N as follows:

- A.** *Title:* Revision #1 to PAA #04A, Agreement for Services  
*Vendor:* Architectural Resources Group, Inc.  
*Agreement Date:* March 2, 2010  
*Campus:* De Anza College  
*Project No.:* 230  
*Project Name:* Sunken Garden  
*Amount:* \$0  
  
*For:* Extend contract schedule to incorporate information to be provided upon completion of campus-wide civil survey by another firm.  
*Action:* Ratification
- B.** *Title:* Revision #01 to PAA #01  
*Vendor:* Cogent Energy  
*Agreement Date:* December 2, 2008  
*Campus:* De Anza College  
*Project No.:* 261  
*Project Name:* Mediated Learning Center  
*Amount:* \$3,626  
*For:* Additional design review, revisions to the Owner's Project Requirements for commissioning, and revisions related to Building Management Systems upgrades as requested by the District. Total costs in the amount of \$7,252 will be split between the De Anza College Mediated Learning Center and the Foothill College Physical Sciences and Engineering

Center projects.

The PAA schedule will also be revised to reflect additional DSA document review time and Lease-Leaseback procurement.

This PAA can be extended, at no additional cost, by mutual agreement for up to two additional three-month periods.

*Action:* Ratification

- C.** *Title:* Change Order #1  
*Vendor:* John Plan Construction, Inc.  
*Agreement Date:* March 18, 2010  
*Campus:* De Anza College  
*Project No.:* 205  
*Project Name:* Seminar Building/Multicultural Center  
*Amount:* \$1,061  
*For:* Install concrete paving in lieu of contracted asphalt paving walkway at the Multicultural Center.

The total Change Orders to date represent <0.1% against the original contract amount. Funding is included in the current budget.

*Action:* Ratification

Revision #3 to PAA #1C, Agreement for Services

- D.** *Title:*  
*Vendor:* Noll & Tam Architects  
*Agreement Date:* May 6, 2008  
*Campus:* De Anza College  
*Project No.:* 205  
*Project Name:* Seminar Building/Multicultural Center  
*Amount:* \$12,380  
*For:* Design services required to incorporate the new District Building Management System (BMS) standard into the Seminar Building and Multicultural Center project documents. Work also includes adding electrical sub-metering.

*Action:* Ratification

- E.** *Title:* Revision #5 to Agreement  
*Vendor:* The Ratcliff Architects  
*Agreement Date:* June 17, 2008  
*Campus:* De Anza College  
*Project No.:* 261  
*Project Name:* Mediated Learning Center  
*Amount:* \$39,200  
*For:* Provide contractor selection services including RFQ/RFP refinement, SOQ evaluation and contractor interviews during the design and bidding phase.

Provide design and construction administration services required to include 2 fully functioning rooftop mounted satellite dishes for receiving and broadcasting (includes design and spec for hardware, connections, programming, etc).

Provide design and construction administration services necessary to refine District ETS standards and incorporate resultant changes in the project documents.

Assist with District development of a revised Building Automation System specification and provide design and construction administration services required to incorporate this document into the project.

*Action:* Ratification

- F.** *Title:* Revision #6 to Agreement  
*Vendor:* The Ratcliff Architects  
*Agreement Date:* June 17, 2008  
*Campus:* De Anza College  
*Project No.:* 261  
*Project Name:* Mediated Learning Center  
*Amount:* Not to Exceed \$50,000  
*For:* Provide pre-construction services on a time and materials basis. Services include, but are not limited to, participation in constructability review with potential LLB Contractor, cost analysis of potential changes to the project documents and revision of documents for District approved changes. Ratcliff's consultants' services shall be included with this scope.
- Action:* Ratification

- G.** *Title:* Revision #4 to 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:* \$94,380  
*For:* Revise Standard Form of Agreement to allow Salas O'Brien Engineers to provide: submittal review and support, Construction Administration services beyond contracted efforts, redesign of power generators during Shutdown 4, design for structural fix at Buildings S2 and S6, change order review beyond contracted efforts, design temporary cooling system, re-design enclosure for transformers TX6&6A, design conduit support/attachments for conduits, document field changes, Site Observations and Supplementary Instructions.

*Action:* Funding is available within the project budget for this change  
Approval

**H.** *Title:* Change Order #6  
*Vendor:* Tricon Construction, Inc.  
*Agreement Date:* November 2, 2009  
*Campus:* De Anza College  
*Project No.:* 200B  
*Project Name:* Pool Chlorination systems  
*Amount:* <\$16,236>  
*For:* PCO #32: Deductive change order to recover in full, all costs incurred by the District due to the chlorine gas incident that occurred on 3/10/10. Costs are as follows:  
\$7,675 Clean Harbors: Invoice for removal and disposal of affected water.  
\$3,068 Campus Police: Time expended by personnel responding to the incident.  
\$5,493 GilbaneMAAS: Time expended by personnel responding to the incident and coordination efforts.

*Action:* Approval

**I.** *Title:* Change Order #11  
*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:* \$47,370  
*For:* Miscellaneous changes: Revise location for Switchgear #6 / #7, credit for splices, level and grout transformers TX1 and TX1A, credit for power generators during Shutdown #3, survey crew standby time, revise point of connection for Autotech building, provide shunt trip device for Switchgear H24, revise feeders from MH-6 to TX-24&24A, reroute conduits and provide EMT in lieu of GRC at S6, provide power for Dolphin System at Cooling Tower, relocate area drain at MH-21A, relocate fire hydrant at MLC, provide structural reinforcement of concrete footing at S6, premium time for Schedule Recovery.

The total Change Orders to date represent 8.7 % against the original contract amount. Funding is included in the current budget.

*Action:* Approval

**J.** *Title:* Revision #1 to PO #PG876096  
*Vendor:* Energy Resource Associates, Inc.

*Agreement Date:* October 2, 2007  
*Campus:* Foothill College  
*Project No.:* 161  
*Project Name:* Fire Alarm systems Replacement Phase II  
*Amount:* \$0  
*For:* No-cost time extension to the contract to accommodate a delay in the project due to problems discovered in the fire alarm network wiring system.  
*Action:* Ratification

**K.** *Title:* Revision to PAA #F-HMC-#3A  
*Vendor:* HMC Architects  
*Agreement Date:* July 17, 2009  
*Campus:* Foothill College  
*Project No.:* 120  
*Project Name:* Smithwick Theater  
*Amount:* \$141,000  
*For:* Professional services agreement to provide design, bidding & negotiation, construction administration, and DSA closeout services for Smithwick Theater.

The added scope of work includes ADA accessibility upgrades, HVAC work for those areas below the ceiling diaphragm, electrical improvements, door hardware, increased storage, and exterior refinishing. This is in addition to the current structural and HVAC improvements under design.

The funding is included in the current budget.

*Action:* Ratification

**L.** *Title:* Change Order #2  
*Vendor:* Quali-Con Enterprise, Inc.  
*Agreement Date:* June 23, 2008  
*Campus:* Foothill College  
*Project No.:* 161  
*Project Name:* Fire Alarm Systems Replacement Phase II  
*Amount:* \$3,000  
*For:* Time extension to contract due to unforeseen conditions in the fire alarm network wiring system that caused a delay to the project.

Qualicon is to provide additional services required in order to verify the modified system meets code requirements.

*Action:* Ratification

**M.** *Title:* Change Order #2  
*Vendor:* YESCO  
*Agreement Date:* February 23, 2010

*Campus:* Foothill College  
*Project No.:* 134  
*Project Name:* Exterior Signage  
*Amount:* \$11,113  
*For:* This change order addresses signage in CCD 001, refinishing of entire ST-8 signs and minor signage revisions due to field conditions & drawing clarifications.

*Action:* This change plus all previously approved change orders equal to 13.3% of the base contract value.  
Ratification

**N.** *Title:* Change Order #2  
*Vendor:* Zolman Construction and Development, Inc.  
*Agreement Date:* February 12, 2010  
*Campus:* Foothill College  
*Project No.:* 112  
*Project Name:* Modernization of Administration Building and General Classrooms  
*Amount:* \$47,455  
*For:* This change order addresses work directed by existing field conditions. Electrical raceway to 5500 will be upsized and replaced due to the condition of the existing feeder. Entrance to classroom 6402 will be made ADA accessible. Walker duct revisions for raceways in 5500 and 6400 were made in the submittal phase. Walls in 6400 are being furred out to cover exposed electrical raceways. Transformers will be upgraded from aluminum to copper windings for longevity and energy savings.

*Action:* This change represents 1.00% change to the contract value. Total project changes represent a 2.32% change to the contract value.  
The funding for this change is within the current budget.  
Ratification

**Item 23**

**Measure C Project List Revision and De Anza College Budget Transfer #22**

**M/S/C:** Bechtel/Barram  
**Advisory vote:** 2  
**Board vote:** unanimous  
**Action:** **Approved** the Bond Project List Revision and De Anza Budget Transfer #22

**Item 24**

**Award a Contract Pursuant to Bid Document 1259-217 Secured Bicycle Storage for Students a De Anza College**

**M/S/C:** Bowie/Casas Frier  
**Advisory vote:** 2  
**Board vote:** unanimous  
**Action:** **Authorized** the Director of Purchasing and Material Services to award a contract pursuant to Bid 1259-217 in the amount of \$153,000 to R. C. Benson & Sons, Inc.

**Item 25**

**Authorize Award of a Non-Exclusive One-Year Moving and Modular Furniture Installation Services Contract Pursuant to Bid 1198A**

**M/S/C:** Barram/Bechtel  
**Advisory vote:** 2  
**Board vote:** unanimous  
**Action:** **Authorized** the Director of Purchasing and Materials Services to award a non-exclusive one-year contract for moving and modular furniture installation services pursuant to Bid 1198A to Moving Solutions, Inc. and to renew it up to four additional one-year periods

**Item 28**


**Change Order #10 to SJ Amoroso, Inc. for Project 241 S2 and S6 Phase II Utility Master Plan**

**M/S/C:** Cheng/Barram  
**Advisory vote:** 2  
**Board vote:** unanimous  
**Action:** **Ratified** the revision for Additional Service Items and **modified** the existing contract with SJ Amoroso, Inc.

**ADJOURNMENT**

President Swenson adjourned the meeting at 8:20 p.m.

Approved: 7/12/10

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