



**Tuesday, July 27, 2021**  
**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**4:00 p.m. Closed Session**  
**6:00 p.m. Public Session**

**333 East 8th Street**  
**Oakland, CA 94606**  
**VIRTUAL MEETING VIA ZOOM WEBINAR**

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**NOTICE OF TELECONFERENCING IN COMPLIANCE WITH EXECUTIVE ORDER N-25-20**

Those that would like to view the meeting can do so Live on Peralta College's YouTube link:  
[https://www.youtube.com/channel/UCTEVyZCQ1p\\_yqMRafmQFUww](https://www.youtube.com/channel/UCTEVyZCQ1p_yqMRafmQFUww)

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**PUBLIC COMMENTS - CLOSED SESSION:**

To register for public comment for a Closed Session item, email the Clerk of the Board at:  
[samiri@peralta.edu](mailto:samiri@peralta.edu) (Public comments must be received prior to 12:00 p.m. on the day of the meeting.)

**PUBLIC COMMENTS**

In order to equitably facilitate public comments, the following is required:

**STEP 1 -** Send all public comments to the Clerk of the Board at [samiri@peralta.edu](mailto:samiri@peralta.edu) (Public comments must be received prior to 12:00 p.m. on the day of the meeting.)

**STEP 2 -** Those participating in public comment and providing institutional reports are required to register for the webinar at the following link:

[https://zoom.us/webinar/register/WN\\_UIBLoM2TQNezZyyXjAwuvw](https://zoom.us/webinar/register/WN_UIBLoM2TQNezZyyXjAwuvw)

After registering, you will receive a confirmation email containing information about joining the webinar.

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Welcome to a meeting of the Peralta Community College District Board of Trustees. Meetings of the Peralta Community College District Governing Board are Broadcast Live on KGPC, 96.9FM, and Peralta TV on Cable Channel 27 in Alameda and Berkeley, Cable Channel 28 – Oakland, Emeryville, and Piedmont and Channel 99 on AT&T U-Verse. Listed agenda times are estimates. Live stream video of the meetings, agendas, minutes, and all open session reports and meeting materials are available for viewing on BoardDocs:

<https://www.boarddocs.com/ca/peralta/Board.nsf>

Link on the Peralta Board Website: <http://web.peralta.edu/trustees/>

The meeting can also be viewed Live on Peralta College's YouTube link:

[https://www.youtube.com/channel/UCTEVyZCQ1p\\_yqMRafmQFUww](https://www.youtube.com/channel/UCTEVyZCQ1p_yqMRafmQFUww)

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**1. CLOSED SESSION**

<b>Subject</b>	<b>1.1 Public Comment on Closed Session Items</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	

1. CLOSED SESSION

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Subject	1.2 Conference with Labor Negotiator, Peralta Federation of Teachers, Local 39, and SEIU 1021 (Government § 54957.6) (40 minutes)
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action

1. CLOSED SESSION

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Subject	1.3 Public Employee Appointment (Government Code Section 54957)
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information
1. Recommendation to appoint Sean Brooks as the Vice President of Administrative Services, effective August 18, 2021, through June 30, 2024.	
2. Recommendation to appoint Diane Chang as the Dean of Student Services, effective July 28, 2021, through June 30, 2023.	

1. CLOSED SESSION

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Subject	1.4 Public Employee Discipline/Dismissal/Release
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

**1. CLOSED SESSION**

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Subject	1.5 Public Employee Performance Evaluation Title Chancellor (Government Code Section 54957)
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	

## 1. CLOSED SESSION

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**Subject**                      **1.6 Conference with Legal Counsel, Multiple Cases: (Government Code § 54956.9)**

**Meeting**                      Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type**                          Information

- *Conference with Legal Counsel*, Anticipated/Potential Litigation (54956.9(b)-(c)) (2 cases)
- Bayinbasa v. Peralta Community College District et.al, Alameda Superior Court Case no. RG18891362
- D.W. v. Peralta Community College District, U.S. District Court, Northern District of CA, Case No. 3:21-cv-01421-JCS.
- Payne v. Peralta Community College District, U.S. District Court, Northern District of CA, Case No. 3:16-cv-04390-MMC.
- Hussain v. Peralta Community College District, Alameda Superior Court Case no. RG20057885.
- Peralta Community College District v. Gale Associates, Inc. et al., Alameda Superior Court, Case No. RG19005482

2. OPEN SESSION

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Subject	2.1 Call to Order
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Procedural

2. OPEN SESSION

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Subject	2.2 Pledge of Allegiance
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Procedural



2. OPEN SESSION

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Subject	2.3 Roll Call
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Procedural

## 2. OPEN SESSION

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Subject	2.4 Affirmation of the Statement of Cooperation
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Procedural

We the Peralta Community College District Board of Trustees commit to the following in our efforts to help students reach their educational goals:

1. We agree to listen and seek to understand others and opposing viewpoints with the expectation of good intentions and a deep commitment to the District's students.
2. We commit to being prepared for each meeting and to work within our established communication protocols when we seek additional information. Members will review the agenda in advance of each meeting and adhere to Board Policy 2340 for adding items to the agenda.
3. We have reviewed the Board's Code of Ethics and commit to reviewing it annually at our organizational meeting to remind ourselves of the behavior we are to exhibit and the guidelines we are to follow in our role.
4. If the Code of Ethics is violated, we commit to follow the process stated in the Code and will first address concerns informally to settle disagreements one-on-one between and among members before moving to the formal process.
5. We agree that from time to time, the Chair will remind members of appropriate behavior and may call for a recess or redirect members if they stray from the topic of discussion.
6. We collectively recognize that it is within the duties and authority of the Chair to render decisions or take actions to keep our meetings on track in adherence to Board policy.
7. We will strive to fulfill the vision we established for ourselves.
8. We will model the behavior we want others to exhibit.

File Attachments

[PCCD Cooperation Statement.final fully signed.pdf \(427 KB\)](#)

2. OPEN SESSION

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Subject	2.5 Report of Action Taken in Closed Session
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

2. OPEN SESSION

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Subject	2.6 Approval of the Agenda
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Recommended Action	Recommend Approval of the July 27, 2021 Board agenda

Motion & Voting

Recommend Approval of the July 27, 2021 Board agenda

Motion by Bill Withrow, second by Kevin Jenkins.  
Final Resolution: Motion Carries  
Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

## 2. OPEN SESSION

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<b>Subject</b>	<b>2.7 Approval of the Minutes</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action, Minutes
Preferred Date	Jul 27, 2021
Fiscal Impact	No
Budgeted	No
Recommended Action	Motion to approve the July 13, 2021 Board Minutes.
Minutes	<a href="#">View Minutes</a> for Jul 13, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES

### Motion & Voting

Motion to approve the July 13, 2021 Board Minutes.

Motion by Bill Withrow, second by Julina Bonilla.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

2. OPEN SESSION

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Subject	2.8 Associated Student Government Reports
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

2. OPEN SESSION

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Subject	2.9 Peralta Classified Senate Report
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

2. OPEN SESSION

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Subject	2.10 District Academic Senate Report
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information



## 2. OPEN SESSION

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**Subject**                      **2.11 Public Communication**

**Meeting**                      Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type**                         Information

At this time, the Board of Trustees will listen to communication from the public on matters that are not on the agenda and are within the Board's jurisdiction. Under provisions of the Brown Act, the Board and District staff are prohibited from discussing or taking action on oral requests that are not part of the agenda, but may respond briefly. A maximum of 15 minutes (up to 3 minutes per individual) will be provided for speakers under this agenda section, at the Board President's discretion. Requests to speak which cannot be honored within the time limit will be scheduled for subsequent meetings in the order received. Persons addressing items included on the agenda will be heard at the time the item is considered, and comments on tangential issues not directly related to the item may be ruled out of order. Speakers are asked to submit any materials to the Board Clerk and shall not be directly sent to the Board of Trustees. Once it is your turn, you will be unmuted and allowed to make your comment. After the allotted time, you will be re-muted. Further direction is provided in Board Policy and Administrative Procedure 2345 Public Participation at Board Meetings.

<http://web.peralta.edu/trustees/board-policies/>

2. OPEN SESSION

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Subject	2.12 Chancellor's Reports
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information
	<ul style="list-style-type: none"><li>Campus Updates</li></ul>

File Attachments
7.27.21 COA BOT Report.pdf (424 KB)
7.27.21 Merritt College BOT Report.pdf (1,218 KB)
7.27.21 Laney BOT Report.pdf (5,303 KB)

### 3. INFORMATIONAL ITEMS

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**Subject** 3.1 PCF & PCCD Presentation by LaNiece Jones, LaJones & Associates

**Meeting** Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type** Information

**TO: Peralta Board of Trustees**

**FROM: LaNiece Jones, LaJones & Associates**

**PREPARED BY: LaNiece Jones, LaJones & Associates**

#### BACKGROUND/ANALYSIS:

- Since 1971, the Peralta Colleges Foundation (“Foundation”) continues to generate financial support and fiscal management for programs and students at each college. Further, the Foundation provides services related to receiving donations, gifts, bequests, and planned gifts for the benefit of the Peralta Community College District (“District”) funding student scholarships, equipment and financial support for faculty and classroom programs.
- In recent years, organizational issues and leadership changes at the District and Foundation prompted a comprehensive review of the Foundation’s nature, purpose, goals, and structure to determine how to increase its efficiency and effectiveness in a turbulent environment with uncertain financial support.

#### DELIVERABLES/SCOPE OF WORK:

- Convene college presidents, students, a small group of the Foundation’s most experienced board members, and organizational development experts including Dr. Charles R. Middleton of AGB, Dr. Robyn Fisher, PCF Board Director and Dr. Melvin L. Musick of Organizational Concepts to examine and inform guide day-to-day work and to create an evidence-based three to five-year Strategic Plan.
- Update our Master Agreement between the Foundation and District that recommit the support and partnership of the District and the Foundation.
- Develop a three-to-five year Strategic Plan that examines and modifies the Foundation’s nature, purpose, goals, and organizational structure.
- Identify, cultivate, and recruit new high-value Foundation board members.
- Conduct annual fundraising events:
- Hold Foundation Board meetings as written in the By-Laws and California Corporations Code.
- Create annual financial reports, budgets and fundraising plans managed by the Foundation.

#### EVALUATION AND RECOMMENDED ACTION:

- The Foundation will use process evaluation methodology to provide internal and external stakeholders with updates on the general operations, workstreams and the strategic planning process. This predominantly qualitative approach explains how and why specific decisions are made and activities undertaken.
- Process evaluation methods capture feelings and perceptions of stakeholders throughout the District, and include participant observation, content analysis, situational analysis, surveys, and interviews. By combining sources and methods, a more informed understanding is shown regarding the Foundation’s work.

#### File Attachments

[PCF Presentation for A Sanchez 07272021.pdf \(3,362 KB\)](#)

3. INFORMATIONAL ITEMS

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**Subject**                      **3.2 Risk Management Update. Presenter: Chief of Staff Royl Roberts**

Meeting                      Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type                          Information

**TO: Peralta Board of Trustees**

**FROM: Royl L. Roberts, Chief of Staff**

**BACKGROUND/ANALYSIS:**

Royl Roberts Chief of Staff, will be providing the Board with a Risk Management Report.

**EVALUATION AND RECOMMENDED ACTION:**

Information

File Attachments

RAP Peralta CCD- 2.28.2021 JD Edits 4-9-21- Royl Roberts.pdf (1,138 KB)

## 4. CONSENT CALENDAR - FACILITIES

<b>Subject</b>	<b>4.1 Consider Ratification of an Independent Consultant Agreement for Special Services with Kneal Resource System not to exceed \$75,000 for Organizational Development and Related Services for the Department of General Services. Presenter: Interim Vice Chancellor Smith.</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	Yes
Dollar Amount	\$75,000.00
Budgeted	Yes
Budget Source	1-01-161-5105-1-660700-0000-01 (Fund 01, General Funds)
Recommended Action	Ratify an Independent Consultant Agreement for Special Services with Kneal Resource System not to exceed \$75,000 for Organizational Development and Related Services for the Department of General Services

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: Department of General Services / DWK**

### BACKGROUND/ANALYSIS:

The Board is asked to ratify an Independent Consultant Agreement for Special Services (“Agreement”) with Kneal Resource System (“KRS”) whereby KRS will provide special administrative services for the District’s Department of General Services in form of organizational development, non-construction project management, and related support services.

The District is authorized by Government Code section 53060 to contract with and employ any persons for the furnishing of special services and advice in financial, economic, accounting, engineering, legal, or administrative matters, if those persons are specially trained and experienced and competent to perform the special services required. KRS is specially trained, experienced, and competent to perform the special services required by the District.

A summary of this Agreement is set forth below:

Contract	Approved Amount	Time Extension	Board Approval Date	Contract End Date
Independent Consultant Agreement for Special Services	\$75,000.00		7/13/2021 <u>Pending</u>	12/31/2021
<b>TOTAL</b>	<b>\$75,000.00</b>			

Budget String	Amount	Addendum	Total	Percentage
1-01-161-5105-1-660700-0000-00	\$75,000.00	N/A	\$75,000.00	100%
<b>CONTRACT TOTAL</b>			<b>\$75,000.00</b>	<b>100%</b>

### DELIVERABLES/SCOPE OF WORK:

**KRS's Scope of Work is set forth in detail in Exhibit A to the Agreement, and includes the following Deliverables:**

1. Policies and Procedures

- a. Written analysis of current state of policies and procedures including updating recommendations.
- b. Interviews of appropriate staff to review current policies and procedures and gather input on what does or does not work. Written report(s) on outcomes of meeting(s).
- c. Draft updated policies and procedures, review with appropriate staff, revise as warranted and produce updated manuals.

2. Job Descriptions

- a. Written report on side-by-side comparison of job descriptions, any relevant union contract descriptions and current responsibilities and tasks as described by employees.
- b. Draft DGS organization chart based on job descriptions reporting relationships.

3. Staff Development

- a. Research, identify and propose in writing training plans for various staff based on input and direction from the VC of General Services.

4. Staff Accountability

- a. Based on direction from VC of General Services, draft measurable goals and objectives for individual job positions.

5. Internal DGS Communications

- a. Written report with recommendations on internal communications.

6. Bond Compliance

- a. Written report on review and recommendations if any outstanding compliance issues are identified.

7. New Staff Onboarding

- a. Written report on any follow-up needed for new staff onboarding as directed by the VC General Services.

8. PCCD Reopening

- a. Written reports on related activities as directed by the VC of General Services.

9. Additional Assignments

- a. Activities and results of any additional assignments will be documented in writing.

**Company Location:**

Kneal Resource System  
6114 La Salle Avenue #641  
Oakland, CA 94611  
Email: [Kathy@Kneal.com](mailto:Kathy@Kneal.com)  
Attn: Kathy Neal, President

**ANTICIPATED COMPLETION DATE:**

It is anticipated that KRS will complete the Services set forth in the Agreement by December 31, 2021.

**EVALUATION AND RECOMMENDED ACTION:**

The Interim Vice Chancellor of General Services and the Interim Chancellor recommend ratification.

File Attachments

[Updated DWK Kneal Resource Systems-Agreement - Signed.pdf \(6,213 KB\)](#)

*All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.*

**Motion & Voting**

Ratify an Independent Consultant Agreement for Special Services with Kneal Resource System not to exceed \$75,000 for Organizational Development and Related Services for the Department of General Services

Motion by Kevin Jenkins, second by Linda Handy.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

Not Present at Vote: Nicky Gonzalez Yuen

## 4. CONSENT CALENDAR - FACILITIES

<b>Subject</b>	<b>4.2 Consider Approval of an Agreement Incorporating Joint Powers Authority OMNIA Partners Contract for Roofing and Waterproofing Materials and Services with Garland/DBS, Inc. in the Amount of \$798,514.00 for the Provision of Roofing Services at College of Alameda. Presenter: Interim Vice Chancellor Smith</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	Yes
Dollar Amount	\$798,514.00
Budgeted	Yes
Budget Source	Measure G - 01-43-391-6120-1-710000-2398-00
Recommended Action	Approve an Agreement Incorporating Joint Powers Authority OMNIA Partners Contract for Roofing and Waterproofing Materials and Services with Garland, DBS, Inc. in the amount of \$798,514.00 for the provision of roofing services at College of Alameda.

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: Roebbelen Construction Management Services, Inc.**

### BACKGROUND/ANALYSIS:

District staff seek Board approval of an Agreement Incorporating Joint Powers Authority OMNIA Partners Contract for Roofing and Waterproofing Materials and Services (“Agreement”) with Garland/DBS, Inc. (“Garland”). The scope of work set forth in this Agreement stems from Garland’s provision of Districtwide Roof Assessment Services, pursuant to a separate Board approved contract, to address the critical issue of roof leaks faced by all four District campuses. The Roof Assessment was completed in Winter 2020. The comprehensive report evaluated the roof conditions at each campus location and their respective buildings, identifying any deficiencies, recommending corrections, prioritizing the repair work, and providing an estimated budget for each proposed solution.

For the College of Alameda, the Roof Assessment identified seven buildings as priority for Fiscal Year 2021-2022 with the recommended correction as shown in table 1.1.

Table 1.1.

<b>College of Alameda - Priority Roof Repairs, 2021 - 2022</b>			
<b>Item No.</b>	<b>Building/Location</b>	<b>Recommended Correction</b>	<b>Scope of Work in this Agreement</b>
1	Building G1 (Metal Roof)	Repair failed gutter drain	Yes
2	Building L	Replace w/ 30-year Mod Bit	No
3	Children's Center	Replace w/ 30-year Mod Bit	Yes
4	Science Annex Roof	15- or 20-year Restoration System	Yes

Generally, the District is required to competitively bid the purchase of equipment, materials, or supplied to be furnished, sold, or leased to the district,” that exceeds \$96,700 for 2021 pursuant to Public Contract Code section 20111. However, Government Code section 6500 et seq. provides that public agencies, including community college districts and public agencies outside of the State, may enter into joint powers agreements to exercise powers common to them, including the power to procure equipment, materials, and supplies.



The District is a participating public agency in OMNIA Partner and Garland/DBS, Inc. agreement with Racine County, Wisconsin and the purchase of roofing and waterproofing materials and services is available to OMNIA Partners members. Under this Agreement, the District seeks to purchase Roofing Services for the College of Alameda's, Building G1 (Metal Roof), Children's Center, and Science Annex in the amount of \$798,514.00.

This is the first contract the District is entering into with Garland for Fiscal Year 2021-2022.

### Contact Information

Garland/DBS, Inc.  
Doug Clark, Territory Manager  
3800 East 91<sup>st</sup> Street  
Cleveland, OH 44105  
dclark@garlandind.com

### DELIVERABLES/SCOPE OF WORK:

The Scopes of Work set forth in this Agreement are detailed in Exhibit B to the Agreement and summarized as follows:

Item No	College of Alameda Building	Scope of work	Garland
1	Building G1 (Metal Roof)	Repair failed existing gutters and drains, includes restoration at weak points, material, equipment and labor	\$24,138.00
2	Children's Center	Replace existing build-up with roof with new 30-year modified bitumen roof, material, equipment and labor	\$329,850.00
3	Science Annex Roof	Replace existing build-up with roof with new 30-year modified bitumen roof, material, equipment and labor	\$444,526.00
<b>TOTAL Contract Price:</b>			<b>\$798,514.00</b>

### ANTICIPATED COMPLETION DATE:

The Scopes of Work set forth in this Agreement are anticipated to be completed by January 2022.

### EVALUATION AND RECOMMENDED ACTION:

The Interim Vice Chancellor of General Services, and Interim Chancellor recommend approval.

File Attachments  
[Garland Agreement\\_COA Roofing\\_3734873\\_1\(DMS\)\\_GDI Signed.pdf.pdf \(11,138 KB\)](#)

*All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.*

### Motion & Voting

Ratify an Independent Consultant Agreement for Special Services with Kneal Resource System not to exceed \$75,000 for Organizational Development and Related Services for the Department of General Services

Motion by Kevin Jenkins, second by Linda Handy.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

Not Present at Vote: Nicky Gonzalez Yuen

## 4. CONSENT CALENDAR - FACILITIES

<b>Subject</b>	<b>4.3 Consider Ratification of Change Order No. 1 to the Agreement for Construction Services with Castillo Plumbing, Inc. to Increase the Contract Price by \$38,126.00 and Extend the Contract Time to Allow for the Removal and Replacement of the Rusted Sewer Pipe System Discovered During the Sewer Pump Replacement Project at the College of Alameda Aviation Facility. Presenter Interim Vice Chancellor Smith</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	Yes
Dollar Amount	\$38,126.00
Budgeted	Yes
Budget Source	1-43-391-6120-1-710000-2398-05 Measure G
Recommended Action	Ratify Change Order No. 1 to the Agreement for Construction Services with Castillo Plumbing, Inc. to increase the Contract Price by \$38,126 and Extend the Contract Time to allow for the removal and replacement of the rusted sewer pipe system discovered during the Sewer Pump Replacement project at the College of Alameda Aviation facility.

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: Roebbelen CM**

### BACKGROUND/ANALYSIS:

Castillo Plumbing, Inc. ("Castillo") is currently providing construction services for the Peralta Community College District's ("District") Aviation Sewer Pump Replacement Project ("Project") under a contract approved by the District's Board on May 11, 2021.

During the course of Castillo's work on the Project, the contractor discovered that the existing sewer pipes were rusted and beyond repair. To address the unforeseen condition, District staff asked Castillo to replace the rusted sewer pipe system. This Change Order No. 1 amends the scope of services set forth in Castillo's existing contract with the District to include these additional tasks and provide a commensurate increase in fees for services rendered and extension of the contract time.

The Project was awarded to Castillo following an informal bid-process conducted in accordance with Public Contract Code section 22030. As a CUPCAA participant, the District can use an informal bid procedure for public works contracts in the amount of \$200,000 or less. The total Contract Price is now \$184,902.00.

District staff seek ratification of this Change Order No. 1 in accordance with Administrative Procedure 6350 as the performance of the scope of work set forth in Change Order No. 1 was necessary to avoid delay or disruption to the construction process.

The District has not awarded Castillo any other contracts in Fiscal Year 2021-2022 and this is the first amendment to Castillo's contract with the District for the Project. See Table 1.1 below for the history of this contract.

Table 1.1

Contract	Approved Amount	Board Approval Date

Original Contract	\$146,776.00	5/25/2021
Change Order No. 1 (This item.)	\$38,126.00	Pending 7/27/2021
<b>New Contract Total</b>	<b>\$184,902.00</b>	

#### Contact Information

Castillo Plumbing, Inc.  
 1308 Old Bayshore Hwy Ste #188  
 Burlingame, CA 94010  
 Ph: (650)420-8190

#### DELIVERABLES/SCOPE OF WORK:

Change Order No. 1 expands Castillo scope of work to include the following tasks:

1. Remove and replacement of existing failed rusted sewer pipe, connections, and back flow valve.
2. Extend rental 4 weeks for temporary fencing, portable toilet, and trailer storage.

#### ANTICIPATED COMPLETION DATE:

The anticipated completion date for the Project is August 2021.

#### EVALUATION AND RECOMMENDED ACTION:

The Interim Vice Chancellor of General Service and Interim Chancellor recommend ratification.

##### File Attachments

[Castillo COA 4.21.21 MARC signed.pdf \(5,177 KB\)](#)

[Castillo Plumbing Change Order No1 \(DWK.7.14.2021\)\\_3737408\\_1\(DMS\)\\_20210716.pdf \(211 KB\)](#)

*All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.*

#### Motion & Voting

Ratify an Independent Consultant Agreement for Special Services with Kneal Resource System not to exceed \$75,000 for Organizational Development and Related Services for the Department of General Services

Motion by Kevin Jenkins, second by Linda Handy.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

Not Present at Vote: Nicky Gonzalez Yuen

## 5. ACTION ITEMS

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**Subject**                      **5.1 Delegation of Authority During Board Recess for August 2021. Presenter: Interim Chancellor, Dr. Jannett Jackson**

**Meeting**                      Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type**                         Action

**TO: Peralta Board of Trustees**

**FROM: Dr. Jannett Jackson, Interim Chancellor**

**PREPARED BY: Dr. Jannett Jackson, Interim Chancellor**

### **BACKGROUND/ANALYSIS:**

Recommendation to approve Delegation of Authority to ensure operational continuity during the month of August 2021, (during the Board of Trustees' recess),

The chancellor requests that the Board authorize the Board President and the Chancellor to approve contracts, if needed during the board of trustees recess, to ensure operational continuity. Any contracts will be provided for ratification along with contractual documentation at the next BOT meeting September 14, 2021.

### **EVALUATION AND RECOMMENDED ACTION:**

The Board President and the Interim Chancellor recommend approval.

### **Motion & Voting**

(not specified)

Motion by Bill Withrow, second by Kevin Jenkins.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

Not Present at Vote: Nicky Gonzalez Yuen

## 5. ACTION ITEMS

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<b>Subject</b>	<b>5.2 Consider Approval of an Academic (Faculty) Personnel Item. Presenter: Interim Vice Chancellor Ronald McKinley</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	Restricted General Fund 11
Recommended Action	Approve an academic personnel item (Employment).

**TO: Peralta Board of Trustees**

**FROM: Dr. Ronald McKinley, Interim Vice Chancellor for Human Resources & Employee Relations**

**PREPARED BY: Socorro Taylor**

**BACKGROUND/ANALYSIS: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)**

### APPROVAL OF ACADEMIC (FACULTY) PERSONNEL ITEMS

New employment; changes in assignment, compensation, and placement; leaves of absence; changes in staff allocation and classification of academic personnel; retirements, phase-in retirements and resignations; and equivalence of minimum qualifications for positions

#### A. ACADEMIC (FACULTY)

##### EMPLOYMENT

(NP = New Position \*= New Employee)

<u>Name</u>	<u>Location</u>	<u>Department/Reports to:</u>
Adriana Regalado	<u>Berkeley City College</u> Counselor - HSI - Conocimiento Los Caminos	Student Services/Vice President Stacey Sh
Academic employment effective August 19, 2021		
	<u>College of Alameda</u>	
	<u>District Office</u>	
None		
	<u>Laney College</u>	
None		
	<u>Merritt College</u>	
None		

**B. PHASE-IN RETIREMENT**

None

**C. LEAVE OF ABSENCE**

None

**D. PUBLIC EMPLOYEE RETIREMENT AND RESIGNATION****1. Retirement**

<u>Name</u>	<u>Location</u>	<u>Department/Reports to:</u>
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	<u>Berkeley City College</u>	
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None

	<u>College of Alameda</u>	
--	---------------------------	--

None

	<u>District Office</u>	
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None

	<u>Laney College</u>	
--	----------------------	--

None

	<u>Merritt College</u>	
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None

**2. Resignation**

	<u>Berkeley City College</u>	
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None

	<u>College of Alameda</u>	
--	---------------------------	--

None

	<u>District Office</u>	
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None

	<u>Laney College</u>	
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None

	<u>Merritt College</u>	
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None

**EVALUATION AND RECOMMENDED ACTION:**

The Interim Vice Chancellor of Human Resources and Employee Relations and the Interim Chancellor recommend approval.

**Motion & Voting**

Approve an academic personnel item (Employment).

Motion by Bill Withrow, second by Kevin Jenkins.

Final Resolution: Motion Carries

Yea: Juliana Bonilla, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

Not Present at Vote: Nicky Gonzalez Yuen

## 5. ACTION ITEMS

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**Subject**                      **5.3 Consider Approval of Classified Personnel Item (Employment). Presenter: Interim Vice Chancellor Ronald McKinley**

Meeting                      Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type                          Action

Preferred Date              Jul 27, 2021

Absolute Date               Jul 27, 2021

Fiscal Impact               Yes

Budgeted                    Yes

Budget Source               Child Development Fund 68

Recommended Action      Approve the employment of a classified personnel employee.

**TO: Peralta Board of Trustees**

**FROM: Dr. Ronald McKinley, Interim Vice Chancellor for Human Resources & Employee Relations**

**PREPARED BY: Socorro Taylor**

**BACKGROUND/ANALYSIS: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)**

### APPROVAL OF CLASSIFIED PERSONNEL ITEMS

New employment; changes in assignment, compensation, and placement; leaves of absence; changes in staff allocation or classification of classified personnel; retirements, phase-in retirements and resignations; and short-term temporary classified positions.

#### A. CLASSIFIED EMPLOYMENT

(NP = New Position \*= New Employee)

<u>Name</u>	<u>Location</u>	<u>Department/Reports to:</u>
	<u>Berkeley City College</u>	
None		
	<u>College of Alameda</u>	
None		
	<u>District Office</u>	
Robin Green	Child Care	Child Care/Vice Chancellor Siri Brown
Classified employment effective July 28, 2021		
	<u>Laney College</u>	
None		
	<u>Merritt College</u>	
None		

#### B. PHASE-IN RETIREMENT

None



**C. LEAVE OF ABSENCE**

None

**D. PUBLIC EMPLOYEE RETIREMENT AND RESIGNATION****1. Retirement**

<u><b>Name</b></u>	<u><b>Location</b></u>	<u><b>Department/Reports to:</b></u>
None	<u><b>Berkeley City College</b></u>	
None	<u><b>College of Alameda</b></u>	
None	<u><b>District Office</b></u>	
None	<u><b>Laney College</b></u>	
None	<u><b>Merritt College</b></u>	

**2. Resignation**

None	<u><b>Berkeley City College</b></u>
None	<u><b>College of Alameda</b></u>
None	<u><b>District Office</b></u>
None	<u><b>Laney College</b></u>
None	<u><b>Merritt College</b></u>

**E. SHORT-TERM, NON-CONTINUING POSITIONS****EVALUATION AND RECOMMENDED ACTION:**

The Interim Vice Chancellor of Human Resources and Employee Relations and the Interim Chancellor recommend approval.

**Motion & Voting**

Approve the employment of a classified personnel employee.

Motion by Bill Withrow, second by Julina Bonilla.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

## 5. ACTION ITEMS

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<b>Subject</b>	<b>5.4 Consider Approval of a Tentative Agreement Between the District and the Peralta Federation of Teachers (PFT) Local 1603 Regarding Re-Openers for Contract Years 2020-2021 and 2021-2022. Presenter: Interim Vice Chancellor Ronald McKinley</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	General Fund
Recommended Action	Approve a Tentative Agreement between the District and PFT Local 1603 regarding re-openers for contract years 2020-2021 and 2021-2022.

**TO: Peralta Board of Trustees**

**FROM: Dr. Ronald McKinley, Interim Vice Chancellor for Human Resources & Employee Relations**

**PREPARED BY: Socorro Taylor**

### BACKGROUND/ANALYSIS:

On July 12, 2021, the District and PFT negotiated over the salary openers for contract years 2020-2021 and 2021-2022, in accordance with page 2, item 2 of the 2019-2022 Agreement between the parties.

The parties reached a Tentative Agreement, and the 2019-2022 Agreement between the parties will be amended as follows:

#### Article 21. Salary

##### B. Salary Increases

Fiscal Year 2020-2021. There will be no salary increase for the fiscal year 2020-2021.

Fiscal Year 2021-2022. Effective July 1, 2021, the District will provide an ongoing five percent (5%) increase in salaries for full and part-time faculty. The increase will apply to the following salary schedules:

1. Full-Time contract faculty (25 steps)
2. Full-Time faculty extra service schedule (1 step)
3. Part-Time salary schedule (no other full-time employment) (25-steps) (Formerly the 75% pro-rata schedule)
4. Part-Time salary schedule (with other full-time non-Peralta income) (25-steps) (Formerly the 60% pro-rata schedule)

### EVALUATION AND RECOMMENDED ACTION:

Any contract approval is subject to negotiation and execution by the Chancellor.

The Interim Vice Chancellor of HR and the Interim Chancellor recommend approval.

File Attachments  
[07-27-21 Tentative Agreement - PFT Reopeners.pdf \(344 KB\)](#)

### **Motion & Voting**

Approve a Tentative Agreement between the District and PFT Local 1603 regarding re-openers for contract years 2020-2021 and 2021-2022.

Motion by Bill Withrow, second by Dyana Delfin Polk.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan

Abstain: Micah Cooper

## 5. ACTION ITEMS

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<b>Subject</b>	<b>5.5 Consider Second Reading and Approval of FY 2020-2021 EEO Fund Multiple Method Allocation Certification Report. Presenter: Interim Vice Chancellor Ronald McKinley</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	No
Recommended Action	Approve FY 2020-2021 EEO Fund Multiple Method Allocation Certification Report.

**TO: Peralta Board of Trustees**

**FROM: Dr. Ronald McKinley, Interim Vice Chancellor of Human Resources & Employee Relations**

**PREPARED BY: Socorro Taylor**

### BACKGROUND/ANALYSIS:

In the Fall of 2015, the State Chancellor's Office, EEO and Diversity Advisory Committee and the Office of the General Counsel identified nine best practice areas for success in promoting Equal Employment Opportunity. These nine areas serve as the "Multiple Methods" for allocating the EEO Fund for the purpose of promoting equal employment opportunities in hiring and promotion at community college districts. In order to qualify for EEO funding for Fiscal Year 2021-2022, the District is required to submit a Board-approved and signed Multiple Method Certification Form. The District must demonstrate compliance with Multiple Method #1 and at least six of the remaining eight Multiple Methods. The Certification Report was due to the State Chancellor's Office on June 1, 2021, but the District's submission date was extended to July 31, 2021.

In order to remain eligible for EEO funding (approximately \$50,000 per fiscal year), the District's EEO Advisory Committee, the Chief Human Resources Officer, the Chancellor, and the Board must certify that Peralta has met seven of the nine Multiple Methods. The District's EEO Advisory Committee met on July 6, 2021, and approved the EEO Fund Multiple Method Allocation Certification Report. This agenda item will address how the District has met all nine of the Multiple Methods.

The FY 2020-2021 EEO Fund Multiple Method Allocation Certification Report was presented for the first reading at the July 13th Board meeting.

### EVALUATION AND RECOMMENDED ACTION

The Interim Vice Chancellor of HR and the Interim Chancellor recommend approval of the Certification Report.

#### File Attachments

Exhibit 1.pdf (3,354 KB)

Exhibits 2-9.pdf (5,956 KB)

Exhibits 10-15.pdf (2,514 KB)

Exhibits 17-23.pdf (4,347 KB)

Exhibits 24-34.pdf (8,950 KB)

Exhibits 35-38.pdf (6,198 KB)

Exhibit 16.pdf (6,006 KB)

07-27-21 Equal Employment Opportunity Fund Multiple Method Allocation Model Certification Form for FY 2020-2021.pdf (2,192 KB)

**Motion & Voting**

Approve FY 2020-2021 EEO Fund Multiple Method Allocation Certification Report.

Motion by Bill Withrow, second by Julina Bonilla.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

## 5. ACTION ITEMS

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<b>Subject</b>	<b>5.6 Consider approval of Resolution No. 21/22-36 to authorize local agreement number CSPP-1022 and to renew the contract for the 2021-2022 fiscal year with the California Department of Education (CDE) to provide childcare and developmental services. Presenter: Vice Chancellor Siri Brown</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	Yes
Dollar Amount	\$1,037,801.00
Budgeted	Yes
Budget Source	Fund 68- Childcare
Recommended Action	Approve of CSPP-1022 Resolution No. 21/22-36 to authorize local agreement number CSPP-1022 and to renew the contract for the 2021-2022 fiscal year with the California Department of Education (CDE) to provide childcare and developmental services.

**TO: Peralta Board of Trustees**

**FROM: Office of Academic Affairs**

**PREPARED BY: Siri Brown Ph.D. Vice Chancellor of Academic Affairs**

### BACKGROUND/ANALYSIS:

Consider approval of CSPP-1022 Resolution 21/22-36 to authorize local agreement number CSPP-1022 and renew the contract for the 2021-22 fiscal year with the California Department of Education (CDE) to provide childcare and developmental services at Laney College and Merritt College. The resolution is adopted in order to certify the approval of the Governing Board to enter into this transaction with CDE for the purpose of providing childcare and developmental services and to authorize the designated personnel to sign contract documents for the fiscal year 2021-2022.

### DELIVERABLES/SCOPE OF WORK:

The Children's Center are licensed to serve 110 children ages 1-5 years. Currently, each Children Center serves 3-5 years old. Most of the parents of the children are students within the District. Less than 30% of the parents are Non-PCCD students. Priority is given to children from low-income families consistent with State requirements. Continued funding through this contract will allow the PCCD Children's Centers to continue to provide comprehensive child development services during the period when most classes are in session.

Funding of this agreement is contingent upon appropriation and availability of sufficient funds. This agreement may be terminated immediately by the State if funds are not appropriated or available in amounts sufficient to fund the State's obligations under this agreement. The period of performance for this agreement is July 1, 2021 through June 30, 2022. For satisfactory performance of the required services, the Contractor shall be reimbursed in accordance with the determination of Reimbursable Amount section of the FT&C, at a rate not to exceed \$53.41 per child day of fulltime enrollment and a Maximum Reimbursable Amount (MRA) of \$1,037, 801.00.

### ANTICIPATED COMPLETION DATE:

Services funded through the California Department of Education, Early Care and Education Division for the period of July 1, 2021 through June 30, 2022.

**EVALUATION AND RECOMMENDED ACTION:**

The District's Department of Academic Affairs has evaluated the deliverables to date for California Department of Education and found them to be satisfactory.

The Vice Chancellor of Academic Affairs and the Interim Chancellor recommend approval.

**File Attachments**

SKM\_C25821062211200.pdf (752 KB)

SKM\_C25821070611400.pdf (886 KB)

**Motion & Voting**

Approve of CSPP-1022 Resolution No. 21/22-36 to authorize local agreement number CSPP-1022 and to renew the contract for the 2021-2022 fiscal year with the California Department of Education (CDE) to provide childcare and developmental services.

Motion by Julina Bonilla, second by Bill Withrow.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

## 5. ACTION ITEMS

<b>Subject</b>	<b>5.7 Consider Approval of a List of Firms to Provide Commissioning Services Districtwide. Presenter: Interim Vice Chancellor Atheria Smith</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	No
Budget Source	N/A
Recommended Action	Approve the List of Firms to Provide Commissioning Services Districtwide

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: AECOM**

### BACKGROUND/ANALYSIS:

The District currently has an active program at all four sites and requires Commissioning services to continue to move forward. The Department of General Services has solicited experienced and proven firms to submit their qualifications to provide full commissioning services for the District's Measure A and Measure G Bond Programs.

The District issued a Request for Qualifications (RFQ 20/21-10) in May 2021 that defined the commissioning services requirements. The District's goal in issuing the RFQ was to select a pool of experienced commissioning firms that can provide commissioning services. From there, the District intends to issue a Request for Proposals (RFP) to select one or more qualified firm(s) from that pool to provide said services to the District as needed.

This list of firms will be a preferred vendor list that the District has prequalified to work on large and small projects. The fees for the services will be paid from the appropriate budget. Board approval will be requested, as required, as firms are hired for projects district-wide.

The RFQ was publicly advertised, and qualifications were received and reviewed by a committee composed of DGS staff, the Program Manager, and the Campus Construction Management Firms. The review consisted of required experience with education sectors and state agencies for specific projects, along with additional data that was called out in the RFQ to aid in completing specific services.

A total of six (6) qualified firms submitted responses to the RFQ. All firms were accepted as qualified for the pool for Commissioning Services.

All firms have a presence in the Bay Area, and all have committed to meeting the small local business criteria for work that will be completed with Peralta Colleges.

Firm	Score
3QC	93.3
Guttmann & Blaevoet	80.3
Interface Engineering	81.0
P2Scx	83.3
Salas O'Brien	76.0
CBRE Henry	81.0



**EVALUATION AND RECOMMENDED ACTION:**

The Vice Chancellor of General Services and the Interim Chancellor recommend approval.

**File Attachments**

RFQ RFP 20 21\_10\_Commissioning\_final.pdf (503 KB)

**Motion & Voting**

Approve the List of Firms to Provide Commissioning Services Districtwide

Motion by Nicky Gonzalez Yuen, second by Bill Withrow.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

## 5. ACTION ITEMS

<b>Subject</b>	<b>5.8 Consider Approval of Change Order Number 1 for Construction Services with, Diablo Plumbing, Inc, no cost time extension for the Merritt College Building D Heating Loop Repair Project. Presenter: Interim Vice Chancellor Atheria Smith</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Budgeted	Yes
Budget Source	1-43-391-6206-1-710000-2355-00, Fund 43, Measure G Infrastructure Funds
Recommended Action	Approval of Change Order Number 1 for Construction Services with Diablo Plumbing, Inc. no cost time extension for the Merritt College Building D Heating Loop Repair Project.

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: Kitchell CM**

### BACKGROUND/ANALYSIS:

The Board is asked to approve a no cost time extension change order for Construction Services with Diablo Plumbing, Inc. ("Diablo") for the Merritt College Building D Heating Loop Repair Project ("Contract") in order to address ongoing heating issues on the campus.

The change order is the result of discovered corroded sections of the existing steel gas piping to Building D.

Diablo Plumbing was selected from a pool of three bidding contractors in the last quarter of 2020, because of staff discovered water was leaking into an underground electrical vault known as sub-station B. As part of the subsequent investigation, District staff learned that water had also filled the campus underground heating concrete trench/vault piping system resulting in the corrective scope as defined by this initial agreement.

A summary of the Contract follows:

<b>Contract</b>	<b>Approved Amount</b>	<b>Time Extension</b>	<b>Board Approved Date</b>
Original Contract	\$49,034.42	N/A	Approved 3/23/21
<b>Total</b>	<b>\$49,034.42</b>		

Budget Strings are as follows:

<b>Budget String</b>	<b>Amount</b>	<b>Addendum</b>	<b>Total</b>	<b>Percentage</b>
1-43-391-6206-1-710000-2355-00,	\$49,034.42	\$0.00	\$49,034.42	100%
<b>Contract Total</b>			<b>\$49,034.42</b>	<b>100%</b>

In the 2021-22 Fiscal Year, Diablo has not been awarded contracts or contract amendments with the District.

**Contact Information for Diablo Plumbing, Inc.**

Daniel Sawyer, CFO  
Diablo Plumbing Inc.  
License # 570711  
7074 Commerce Circle #D  
Pleasanton CA 94588  
925.463.7900  
[daniel@diabloplumbing.com](mailto:daniel@diabloplumbing.com)

**DELIVERABLES/SCOPE OF WORK:**

Diablo will replace appropriate sections of the existing steel supply and return heating piping up to Building D. This scope includes concrete walkway removal and disposal and removal of underground heating pipes. A detailed description of Diablo's scope of work is outlined in "Exhibit A" to the Contract.

**ANTICIPATED COMPLETION DATE:**

Diablo will complete the above-described scope of work by August 31, 2021.

**EVALUATION AND RECOMMENDED ACTION:**

The Interim Vice Chancellor of General Services and the Interim Chancellor recommend approval.

**File Attachments**

[Diablo Plumbing CO 1 package.pdf \(14,072 KB\)](#)

**Motion & Voting**

Approval of Change Order Number 1 for Construction Services with Diablo Plumbing, Inc. no cost time extension for the Merritt College Building D Heating Loop Repair Project.

Motion by Nicky Gonzalez Yuen, second by Bill Withrow.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

## 5. ACTION ITEMS

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<b>Subject</b>	<b>5.9 Consider approval of the American with Disabilities Act (ADA) Assessment Services Agreement with LPAS Architecture + Design (LPAS) for the Merritt College ADA Assessment Services in the amount of \$295,300.00 Presenter: Interim Vice Chancellor Atheria Smith</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	Yes
Dollar Amount	\$295,300.00
Budgeted	Yes
Budget Source	Fund 43 (Measure G), 43-391-5105-1-71000-2398-00 (Merritt College)
Recommended Action	Approve the ADA Assessment Services Agreement with LPAS Architecture + Design (LPAS) for the Merritt College ADA Assessment Services in the amount of \$295,300.00

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: AECOM**

### BACKGROUND/ANALYSIS:

The Board is asked to consider the award of the Architectural Services Agreement between the Peralta Community College District ("District") and LPAS for Merritt College ADA Assessment service.

As a result of RFQ#20-21/05, certain firms were prequalified and approved for architectural services by the Board of Trustees on April 13, 2021.

The project will include providing Architecture Design Services associated with ADA Assessment and campus wide ADA upgrades at Merritt College and Restroom Renovations.

On March 24, 2021, the District released the RFP#i20-21/04 documents to the qualified firms from the RFQ phase. The RFP documents included ADA Facility Assessment Reports, a sample agreement, and a template for identifying anticipated team members. On June 18, 2021, the District received five (5) proposals in response to the RFP; and an evaluation committee, consisting of representatives the Department of General Services (DGS), evaluated the proposals and scored proposals accordingly.

The RFP selection committee evaluated all five submissions based on best value and completed a scoring matrix to determine the highest scoring proposal.

Each of the firms were requested to submit a SLBE/SELBE Self Certification Affidavit for the Prime firm as well as all subcontractors that are intended to participate on the contract. LPAS submitted the affidavits for all subcontractors listed in their documentation. The documentation also included the estimated percentage and actual dollar amounts for each individual subcontractor firm. The LPAS submission reflected 25% or higher participation of SLBE/SELBE firms.

Firm	Score
LPAS	359
PhD	356
Powell	323
Shelterwerk	264
Gutierrez	200

**Contact:**

LPAS  
 Kami Kinkaid, Principal  
 5 Third St. Suite 1117  
 San Francisco, CA 94103  
 415-213-0335

**DELIVERABLES/SCOPE OF WORK:**

The scope of services under the contract includes:

- Reaffirming compliance with all current applicable codes and regulations.
- Provide cost estimates for funding needs based upon current dollars projected forward to a halfway point of construction.
- Determine the appropriate level of basic services outlining specific scopes of support including the listing of your proposed consultant team for 'Basic Services'.
- Prepare a separate written assessment for each campus based required scope of work that should include all coordination reviews with the Division of the State Architect ("DSA").
- Prepare a project timeline/ work plan outlining project strategy with a special emphasis on interface with DSA. Confirm or modify preliminary projected phase durations, offering explanation for change of durations.
- Prepare necessary project documentation for agency review and approvals by DSA and/or any other appropriate agency local or otherwise having jurisdiction authority over this project.
- Prepare necessary project documentation in conjunction with campus assigned Construction Manager for Merritt College for a public bid.
- Appropriate Construction Administrative Support Services inclusive of DSA Closed Project File with Certification status.
- Other project specific scopes of work that align with the Campus ADA projects as listed under each campus section.

**ANTICIPATED COMPLETION DATE:**

The final contract completion date on or about 3/31/22.

**EVALUATION AND RECOMMENDED ACTION:**

The Interim Vice Chancellor of General Services, and Interim Chancellor recommend approval of the ADA Assessment Services Agreement with LPAS for College of Alameda ADA Assessment Services in an amount not to exceed \$301,115.

## File Attachments

[LPAS\\_ Merritt\\_ADA\\_Assessment\\_Architect Agreement\\_Complete.pdf \(17,598 KB\)](#)

**Motion & Voting**

Approve the ADA Assessment Services Agreement with LPAS Architecture + Design (LPAS) for the Merritt College ADA Assessment Services in the amount of \$295,300.00

Motion by Nicky Gonzalez Yuen, second by Bill Withrow.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

## 5. ACTION ITEMS

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<b>Subject</b>	<b>5.10 Consider Approval of Resolution No. 21/22-37 to sole source Kubota Earthquake Resistant Ductile Iron Pipe (ERDIP) to use on East Bay Municipal Utility District (EBMUD) 36" waterline relocation for the Laney College Library Resource Center (LRC) project, located at 26 7th Street, Oakland. Presenter: Interim Vice Chancellor Atheria Smith</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	No
Budgeted	No
Budget Source	Fund 43, Measure G 1-43-391-6206-1-710002492-00
Recommended Action	Approve Resolution No 21/22-37 to sole source Kubota Earthquake Resistant Ductile Iron Pipe (ERDIP) to use on East Bay Municipal Utility District (EBMUD) 36" waterline relocation for the Laney College Library Resource Center (LRC) project, located at 26 7th Street Oakland.

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: Swinerton CM**

### BACKGROUND/ANALYSIS:

Peralta Community College District (PCCD) will be constructing the new Library and Learning Resource Center (LRC) at the Laney College campus located at 26 7<sup>th</sup> Street, Oakland. During the design phase of the LRC project, it was discovered that an existing 36" waterline owned and operated by East Bay Municipal Utility District (EBMUD) is located in the middle of the footprint of the new building. In order to construct the building as planned, the waterline must be relocated.

Per previous agreement between the District and EBMUD, EBMUD is responsible for the design of the relocated waterline, and the District is responsible for procurement and construction of said waterline. During the design process to relocate the waterline, a soils report was generated and provided to EBMUD. The soils report showed excessive hydrocarbons per EBMUD water quality standards. As a result, the use of High Density Poly-Ethylene (HDPE) pipe was abandoned and will not be used; instead, Ductile Iron/Metal Pipe was determined as the suitable replacement pipe material. Furthermore, due to the existing soil properties as noted in the Geotechnical Investigation and Geologic Hazards Evaluation report, the site lies on East Bay muds, which are susceptible to liquefaction and settlement during a large seismic event. To address both concerns, water quality and geotechnical, both EBMUD and the Project team determined that the use of Earthquake Resistant Ductile Iron Pipe (ERDIP) was necessary.

Given that the only other feasible alternative is to design and install piles and grade beams to address the liquefaction issues during a seismic event, use of ERDIP is the more cost-effective option and has the least impact to schedule.

ERDIP in this large diameter size is only manufactured in Japan by Kubota Corporation, and therefore must be sole sourced. Large diameter ERDIP is not manufactured in the U.S. There is no cost to designating a specific material at this time; only an approval to proceed with sole sourcing the ERDIP.

### Contact Information for EBMUD:

375 Eleventh Street  
Oakland, CA 94607-4240  
1-510-287-1191  
Emiliano Esparza, Pipeline Infrastructure Division

### Contact Information for Kubota:

Kubota Membrane USA  
ERDIP Los Angeles Department  
Mobile 1-424-488-4035  
Kotaro Wakahara  
Kotaro.wakahara@kubota.com

**DELIVERABLES/SCOPE OF WORK:**

This resolution is required to procure materials from a sole source for the existing approved project to relocation of the EBMUD 36" water main for the Laney College Learning Resource Center.

**ANTICIPATED COMPLETION DATE:**

Anticipated completion date of the project is Summer, 2022

**EVALUATION AND RECOMMENDED ACTION:**

The Project Manager, Interim Vice Chancellor of General Services and Interim Chancellor recommend approval of Resolution No. 21/22-37.

File Attachments  
[PCCD Resolution 21.22-37 - PCC 3400 - Kubota ERDIP.pdf \(58 KB\)](#)

**Motion & Voting**

Approve Resolution No 21/22-37 to sole source Kubota Earthquake Resistant Ductile Iron Pipe (ERDIP) to use on East Bay Municipal Utility District (EBMUD) 36" waterline relocation for the Laney College Library Resource Center (LRC) project, located at 26 7th Street Oakland.

Motion by Nicky Gonzalez Yuen, second by Bill Withrow.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

## 5. ACTION ITEMS

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<b>Subject</b>	<b>5.11 Consider Adoption of Resolution No. 21/22–39 Resolution of Intent to Convey an Easement to East Bay Municipal Water District for Public Utilities and a Right-of-Way Required to Accommodate the Relocation of a 36” Waterline for the Design and Construction of the Library Resource Center on the Laney College campus. Presenter: Interim Vice Chancellor Atheria Smith</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	No
Budgeted	No
Budget Source	N/A
Recommended Action	Adopt Resolution No. 21/22-39 Resolution of Intent to Convey an Easement to East Bay Municipal Utility District for public utilities and a right-of-way required to accommodate the relocation of a 36” waterline for the design and construction of the Library Resource Center on the Laney College campus.

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY:** Swinerton Management and Consulting, CM / DWK

### BACKGROUND/ANALYSIS:

The Board of Trustees (“Board”) is asked to consider the adoption of a Resolution of Intent to Convey an Easement to East Bay Municipal Utility District (“EBMUD”), (“Resolution of Intent”) for public utilities and a right-of-way required to accommodate the relocation of a 36” waterline for the design and construction of the Library Resource Center on the Laney College campus (“LRC Project”). The Board is asked to approve and adopt the Resolution of Intent (1) to declare its intent to convey an easement to EBMUD for public utilities purposes and set a hearing date to consider and approve the easement, in accordance with statute, and (2) so staff can make the appropriate public notices in accordance with statute.

During the LRC Project design phase it was discovered that an existing 36” waterline owned and operated by EBMUD is located in the middle of the footprint of the new building. In order to construct the building the waterline must be relocated. Per EBMUD policy, their working crews must have full access to the areas above the relocated waterline for maintenance and operating purposes. In addition, no structures of any kind can be built above the waterline for the life of the pipeline.

Professional land surveyors have surveyed the areas where the existing waterline is located and where the waterline will be relocated and those documents have been incorporated into the Grant of Easement as the legal description and plat map. There is no cost associated with to this transaction beyond the administration costs related to the legal review of the necessary documentation.

California Education Code section 81310 et seq. requires the District’s Board to comply with a statutory process in order to convey the easement to EBMUD. Under this statute, approval of the Resolution of Intention is the first in a two-step process required of the Board in order to dedicate or convey an interest in real property to a public entity or provider of public utilities. At the regularly scheduled September 14, 2021 Board meeting, a public hearing will be held and staff will seek approval of a Resolution of Conveyance to finalize the process.

The proposed Easement would grant EBMUD an easement for public utilities, together with a right-of-way, for the purpose of laying down, constructing, reconstructing, removing, replacing, repairing, maintaining, operating and using, any facilities necessary for the transmission of utilities, including all necessary braces, connections, fastenings and other



appliances and fixtures, in, under, along and across a six thousand, six hundred one (6,601) square foot portion of the District's property.

**Contact Information for EBMUD:**

East Bay Municipal Utility District  
375 Eleventh Street  
Oakland, CA 94607-4240  
1-866-403-2683  
Adriana Soares, New Business Representative

**ANTICIPATED COMPLETION DATE:**

Recorded easement must be in place by the end of September 2021

**EVALUATION AND RECOMMENDED ACTION:**

The Interim Vice Chancellor of General Services and Interim Chancellor recommend adoption of Resolution No. 21/22-39.

File Attachments

[Resolution of Intent to Convey Utility Easement to EBMUD\\_3736866\\_1\(DMS\).pdf \(134 KB\)](#)

**Motion & Voting**

Adopt Resolution No. 21/22-39 Resolution of Intent to Convey an Easement to East Bay Municipal Utility District for public utilities and a right-of-way required to accommodate the relocation of a 36" waterline for the design and construction of the Library Resource Center on the Laney College campus.

Motion by Nicky Gonzalez Yuen, second by Bill Withrow.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

## 5. ACTION ITEMS

<b>Subject</b>	<b>5.12 Consider approval of the Independent Consultant Agreement with 3QC- to provide Commissioning Services for the Laney College Central Utility Plant (Laney CUP) in the amount of \$44,508.00 plus a District contingency of 10% in the amount of \$4,451.00 for a total approval of \$48,959.00. Presenter: Interim Vice Chancellor Atheria Smith</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	Yes
Dollar Amount	\$48,959.00
Budget Source	Consider approval of the Independent Consultant Agreement with 3QC- to provide Commissioning Services for the Laney College Central Utility Plant (Laney CUP) in the amount of \$44,508.00 plus a District contingency of 10% in the amount of \$4,451.00 for a total approval of \$48,959.00. Presenter Interim Vice Chancellor Smith
Recommended Action	Approve the Independent Consultant Agreement with 3QC to provide Commissioning Services for the Laney College Central Utility Plant (Laney CUP) in the amount of \$48,959.00.

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: AECOM**

### BACKGROUND/ANALYSIS:

The Board is asked to consider the award of the Independent Consultant Agreement between the Peralta Community College District ("District") and 3QC to provide Commissioning services for the Laney Central Utility Plant.

As a result of RFQ#20-21/10, certain firms were prequalified and approved for Commissioning services by the Board of Trustees on July 27, 2021.

3QC shall provide professional Building Commissioning and related services as needed throughout the life of the project. All work performed shall comply with the approved construction documents and applicable codes and regulations. Estimated project design and construction cost is \$12 million.

On May 28, 2021, a request for Proposal "RFP" for lump sum commissioning proposals for the Central utility Plant "CUP" project was issued by the District. On June 21, 2021, five proposals were received. The selection committee evaluated each proposal based on best value point scoring system, with results as follows:

Firm	Score
3QC	83.9
CBRE	75.5
Interface	68.5
P2S	64.7
Salas O'Brien	57.1

### Contact:

3QC, 950 Glenn Drive, Suite 200

Folsom, California, 95630  
James Becker, Principal in Charge  
JBecker@3QCinc.com, (530)721-0171

**DELIVERABLES/SCOPE OF WORK:**

Provide Commissioning Services in accordance with the Agreement.

**ANTICIPATED COMPLETION DATE:**

The final contract completion date on or about 5/30/2023

**EVALUATION AND RECOMMENDED ACTION:**

The Interim Vice Chancellor of General Services, and Interim Chancellor recommend approval.

File Attachments  
[3QC Agreement package for upload.pdf \(3,003 KB\)](#)

**Motion & Voting**

Approve the Independent Consultant Agreement with 3QC to provide Commissioning Services for the Laney College Central Utility Plant (Laney CUP) in the amount of \$48,959.00.

Motion by Nicky Gonzalez Yuen, second by Bill Withrow.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

## 5. ACTION ITEMS

<b>Subject</b>	<b>5.13 Consider Approval of an Agreement for Construction Services with W.E. Lyons Construction Co. in the Amount of \$2,730,600.00 and Approval of a 10% Contingency in the Amount of \$273,060.00 for a Total of \$3,003,660.00 for the Leak Waterproofing Repairs Phase III Project at Laney College. Presenter: Interim Vice Chancellor Atheria Smith</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	Yes
Dollar Amount	\$3,003,660.00
Budgeted	Yes
Budget Source	Measure A, 1-63-391-6206-1-710000-2465-00
Recommended Action	Approve an Agreement for Construction Services with W.E. Lyons Construction Co. in the amount of \$2,730,600.00 and approval of a 10% contingency in the amount of \$273,060.00 for a total of \$3,003,660.00 for the Leak Waterproofing Repairs Phase III Project at Laney College.

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: Swinerton CM**

### BACKGROUND/ANALYSIS:

The Board is asked to approve an Agreement for Construction Services with W.E. Lyons Construction Co. ("WE Lyons") in the amount of \$2,730,600.00 and approval of a 10% contingency in the amount of \$273,060.00 for a total of \$3,003,660.00 for the Leak Waterproofing Repairs Phase III Project at Laney College ("Project"). For clarity, at this time the District is awarding the Agreement in the amount of \$2,730,600.00 to WE Lyons and is delegating authority to District staff to approve change orders for the Project up to an amount of \$273,060.

The scope of work for the Project includes courtyard waterproofing repairs at Buildings A and E and walkway waterproofing at Buildings A, B/C, D, G, and the Student Center. Such work includes demolition of topping slab and/or planters; providing new waterproofing system; providing topping slab and reinforcement; flashing repairs at doors, windows, and adjacent components; replacement of drain bowls and associated piping; and providing expansion joints. Other miscellaneous repairs will take place throughout the campus at the following locations: (1) 9th Floor Tower Building; (2) Student Center; (3) Theater; (4) Library; (5) Building A Skylights; (6) Building B electrical lab; (7) Building C laundry room; (8) Fitness Center, Building F roof at F254, and (9) Building A area above room A202. This third phase of the Project completes the waterproofing repairs/remediation that began with Phases I and II, which took place in the Fall/Winter of 2017/2018 and Summer/Winter 2018/2019 respectively. The majority, if not all, known remaining leaks should now be addressed with the completion of this work.

The District has adopted CUPCCAA which requires the District to competitively bid a public works project with a contract value over \$200,000.00. Accordingly, the District's Purchasing Department conducted a formal competitive bid and called for sealed bids from contractors to perform the waterproofing repairs. The Project information was publically advertised on June 4, 2021 and June 11, 2021. A mandatory bidder's conference was held on June 15, 2021, followed up by a mandatory site walk on June 16, 2021. A total of five (5) bids were received on June 30, 2021. See table below for summary of bid results.

Contractor	Amount	Office Location
1. WE Lyons Construction Co.	\$2,635,600.00	Walnut Creek, CA

2. Cal Pacific Construction, Inc.	\$3,100,600.00	Pacifica, CA
3. Arntz Builders, Inc.	\$3,532,381.26	Petaluma, CA
4. Stronger Building Services	\$3,750,000.00	San Leandro, CA
5. S&H Construction Inc.	\$3,998,600.00	Fremont, CA

The lowest responsible and responsive bid was submitted by WE Lyons in the amount of \$2,635,600.00 and WE Lyons was selected to perform the work for the Project. Allowance monies for sloping course and for plumbing repairs, in the amounts of \$60,000.00 and \$35,000.00 respectively, were incorporated into the Agreement and the total amount of the agreement is \$2,730,600.00.

WE Lyons, the general contractor, has been in business since 1926. Greg Lyons is the current President of the company which has a history of performing work at the Laney College campus. Recent work includes the BEST Center and Waterproofing Remediation Phase II Project at courtyards A, F, and G.

This is the first contract the District has awarded to WE Lyons in Fiscal Year 2021-2022.

#### **Contact Information:**

W.E. Lyons Construction Co.  
 Greg Lyons  
 1301 Ygnacio Valley Road, Suite 200  
 Walnut Creek, CA 94598  
 925-658-1600  
[www.welyons.com](http://www.welyons.com)

#### **DELIVERABLES/SCOPE OF WORK:**

The scope of work set forth in this Agreement includes courtyard waterproofing repairs at Buildings A and E and walkway waterproofing at Buildings A, B/C, D, G, and the Student Center. Such work includes demolition of topping slab and/or planters; providing new waterproofing system; providing topping slab and reinforcement; flashing repairs at doors, windows, and adjacent components; replacement of drain bowls and associated piping; and providing expansion joints. Other miscellaneous repairs will take place throughout the campus at the 9th Floor Tower Building, Student Center, Theater, Library, Building A Skylights, Building B electrical lab, Building C laundry room and Fitness Center, Building F roof at F254, and Building A area above room A202.

#### **ANTICIPATED COMPLETION DATE:**

The Project duration is 120 days from issuance of Notice to Proceed. The Project is anticipated to be substantially complete by November 28, 2021.

#### **EVALUATION AND RECOMMENDED ACTION:**

The Interim Vice Chancellor of General Services and Interim Chancellor recommend approval.

File Attachments  
[WE Lyons Agreement signed.pdf \(2,920 KB\)](#)

#### **Motion & Voting**

Approve an Agreement for Construction Services with W.E. Lyons Construction Co. in the amount of \$2,730,600.00 and approval of a 10% contingency in the amount of \$273,060.00 for a total of \$3,003,660.00 for the Leak Waterproofing Repairs Phase III Project at Laney College.

Motion by Nicky Gonzalez Yuen, second by Bill Withrow.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

## 5. ACTION ITEMS

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<b>Subject</b>	<b>5.14 Consider Approval of Resolution 21/22-38 for Purchase of Computers for the Laney Computer Refresh Program and an Agreement Incorporating Piggyback Contract with CDWG, Inc. in an Amount Not To Exceed \$1,465,434.84. Presenter: President Rudy Besikof</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	Yes
Dollar Amount	\$1,465,434.84
Budgeted	Yes
Budget Source	CARES funding for Laney College : 5-11-533-6407-1-070100-1932-20
Recommended Action	Consider Approval of Resolution 21/22-38 for Purchase of Computers for the Laney Computer Refresh Program and an Agreement Incorporating Piggyback Contract with CDWG, Inc. in an Amount Not To Exceed \$1,465,434.84.
Goals	A: Advance Student Access, Equity, and Success

**TO: Peralta Board of Trustees**

**FROM: Laney College**

**PREPARED BY: Rupinder Bhatia, Director of Laney College IT Services**

### BACKGROUND/ANALYSIS:

This agenda item is to request approval of Resolution 21/22-38 and the Agreement incorporating piggyback contract with CDWG, Inc. for an upgrade of campus computers, software and security to support students who log into on-campus computers remotely from their home or other devices. Currently, Laney student computers support this type of access but the processors and other software do not do so in optimal fashion to support student learning.

A more detailed explanation with examples is helpful. Although students are taking courses remotely, they nonetheless make use of campus computers. Laney College must have the capacity to support software that allows students to log into campus computers from remote devices. This means computers on campus need to have greater processing systems so those off campus can log into them for virtual instruction. Since March of 2020, Laney College has been providing such limited remote access. For example, by using Splashtop software – a platform that allows students to view and use expensive software that is loaded on a campus computer - we provide critical remote access to Architecture and Engineering students to work with the CAD/CAM software which is otherwise not available. Similarly, we provide access through computers in the Technology Center Lab for classes in Media design, Photo and Video editing and Gaming Design programs. Additionally, Industrial Trade disciplines such as Wood and Machine Technology programs would not be able to hold online instruction without the remote access provided to the unique software and the powerful computers required by these programs.

In short, student lab computers now need to be updated further to support new challenges presented by remote delivery of instruction. The new computers will greatly enhance the student learning experience in a technologically secure learning environment that is supported by necessary security patches, and this purchase will also make those cybersecurity resources compatible with updated software required for instruction.

As the future of instructional delivery evolves from onsite to more online and hybrid offerings, these updated labs will expand the usage of our facilities and provide students a safe and socially distanced environment for learning.

This qualifies as a purchase funded by CARES, and represents an investment in our academic programs for students.

This purchase also represents an opportunity for the College to bridge:

- the digital divide for our students, through purchasing technology students need but cannot afford;
- the usability divide, addressing accessibility to software and computing solutions that students need;
- the empowerment divide, addressing participation inequality by giving students access to tools they need to participate in a competitive global environment.

Funding Source and Justification: The Higher Education Emergency Relief Fund FAQ provides the following guidance for the use of CARES funding for colleges:

The CARES Act establishes and funds the Higher Education Emergency Relief Fund (HEERF). Sections 18004(a)(1) and 18004(c) of the CARES Act, which address the HEERF, allow institutions of higher education to use up to 50 percent of the funds they receive to cover any costs associated with significant changes to the delivery of instruction due to the coronavirus pandemic.

Vendor Information: The purchase will be made from vendor CDWG, Inc through a piggyback CollegeBuys/CSU/CCC Consortium Joint Template Master Agreement. **Resolution Number: 21/22-38 is attached along with Exhibits A (vendor agreement) and B (vendor quotes).**

### **DELIVERABLES/SCOPE OF WORK:**

The Technology Center Lab, Business and Accounting Labs, Math Lab, Graphic Arts Labs, Various CTE Labs, Architecture & Engineering, Computer Information Systems labs, and the Transfer Center Lab will be updated. The equipment purchase will be made from vendor CDWG through a CollegeBuys/CSU/CCC Consortium Joint Template Master Agreement (see attachments).

Equipment Order and Delivery- Fall 2021

See below for Labs to be updated and estimate of costs.

<b>Name of Lab</b>	<b>Number of devices</b>	<b>Estimated Costs</b>
Business and Accounting	140	\$355,549.53
Tech Center	120	
Writing Center	68	\$209,227.12
Wood and ECT	60	
Transfer Center	25	
CIS	120	\$294,012.34
Math Lab	95	
Architecture and Engineering (Cost includes monitors)	105	\$310,558.48
Graphic Arts (iMacs)	55	\$130,982.10
Monitors	628	\$165,105.27
Total estimated costs		\$1,465,434.84

**ANTICIPATED COMPLETION DATE:**

**ANTICIPATED COMPLETION DATE:**

Equipment Installation to be completed by 06/30/2022

### **EVALUATION AND RECOMMENDED ACTION:**

The Director of Laney College IT Services, College leadership, District IT and the Interim Chancellor recommend approval.

### **Attachments:**

1. Legal Resolution Authorizing Piggyback Contract
2. Agreement Incorporating Piggyback Contract with Exhibit B



3. Exhibit A- CollegeBuys/CSU Consortium Joint Template Master Agreement No. 00004442
4. Summary of costs
5. MARC-along with Requisition to purchase equipment

**File Attachments**

Resolution Authorizing Piggyback Contract (GHS 7.12.21).docx (54 KB)  
Agreement Incorporating Piggyback Contract -CDWG w Exhibit B.pdf (151 KB)  
Exhibit A\_CDW and CCC\_PurchasingContract.pdf (3,028 KB)  
Summary Costs.pdf (41 KB)  
MARC\_Laney College Computer Purchase\_Req2-143791.pdf (532 KB)

**Motion & Voting**

Consider Approval of Resolution 21/22-38 for Purchase of Computers for the Laney Computer Refresh Program and an Agreement Incorporating Piggyback Contract with CDWG, Inc. in an Amount Not To Exceed \$1,465,434.84.

Motion by Nicky Gonzalez Yuen, second by Bill Withrow.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

## 5. ACTION ITEMS

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<b>Subject</b>	<b>5.15 Consider approval of the American with Disabilities Act (ADA) Assessment Services Agreement with LPAS Architecture + Design (LPAS) for the College of Alameda ADA Assessment Services in the amount of \$301,115.00 Presenter: Interim Vice Chancellor Atheria Smith</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	Yes
Dollar Amount	\$301,115.00
Budgeted	Yes
Budget Source	Fund 43 (Measure G), 43-391-5105-1-71000-2398-00 (College of Alameda)
Recommended Action	Approve the ADA Assessment Services Agreement with LPAS Architecture + Design (LPAS) for College of Alameda ADA Assessment Services in the amount of \$301,115.00

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: AECOM**

### BACKGROUND/ANALYSIS:

The Board is asked to consider the award of the Architectural Services Agreement between the Peralta Community College District ("District") and LPAS for College of Alameda ADA Assessment service.

As a result of RFQ#20-21/05, certain firms were prequalified and approved for architectural services by the Board of Trustees on April 13, 2021.

The project will include providing Architecture Design Services associated with ADA Assessment and campus wide ADA upgrades at College of Alameda and Restroom Renovations.

On March 24, 2021, the District released the RFP#i20-21/04 documents to the qualified firms from the RFQ phase. The RFP documents included ADA Facility Assessment Reports, a sample agreement, and a template for identifying anticipated team members. On June 18, 2021, the District received five (5) proposals in response to the RFP; and an evaluation committee, consisting of representatives the Department of General Services (DGS), evaluated the proposals and scored proposals accordingly.

The RFP selection committee evaluated all five submissions based on best value and completed a scoring matrix to determine the highest scoring proposal.

Each of the firms were requested to submit a SLBE/SELBE Self Certification Affidavit for the Prime firm as well as all subcontractors that are intended to participate on the contract. LPAS submitted the affidavits for all subcontractors listed in their documentation. The documentation also included the estimated percentage and actual dollar amounts for each individual subcontractor firm. The LPAS submission reflected 25% or higher participation of SLBE/SELBE firms.

Firm	Score
LPAS	359
PhD	356
Powell	323
Shelterwerk	264
Gutierrez	200

**Contact:**

LPAS  
Kami Kinkaid, Principal  
5 Third St. Suite 1117  
San Francisco, CA 94103  
415-213-0335

**ANTICIPATED COMPLETION DATE:**

The final contract completion date on or about 3/31/22.

**EVALUATION AND RECOMMENDED ACTION:**

The Interim Vice Chancellor of General Services and the Interim Chancellor recommend approval.

## File Attachments

[LPAS\\_COA\\_ADA\\_Assessment\\_Architect Agreement .. \(1\).pdf \(17,825 KB\)](#)

**Motion & Voting**

Approve the ADA Assessment Services Agreement with LPAS Architecture + Design (LPAS) for College of Alameda ADA Assessment Services in the amount of \$301,115.00

Motion by Nicky Gonzalez Yuen, second by Bill Withrow.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

## 5. ACTION ITEMS

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<b>Subject</b>	<b>5.16 Consider Approval of a CMAS Purchase Agreement under CMAS Contract Pricing and Provisions with CASE Emergency Systems in the Amount of \$457,628.27 to Purchase and Install Wireless Solar-Powered Blue Light Towers at College of Alameda, Merritt College, Laney College and the College of Alameda Aviation Facility for Phase II of the Emergency Blue Phone Project. Presenter: Interim Vice Chancellor Atheria Smith</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	Yes
Dollar Amount	\$457,628.27
Budgeted	Yes
Budget Source	Fund 43 Measure G (1-43-391-6120-1-710000-2429-00)
Recommended Action	Approve CMAS Purchase Agreement under CMAS contract pricing and provisions with CASE Emergency Systems in the amount of \$457,628.27 to purchase and install wireless solar-powered blue light towers at College of Alameda, Merritt College, Laney College and the College of Alameda Aviation facility for Phase II of the Emergency Blue Phone project.

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: Swinerton CM**

### BACKGROUND/ANALYSIS:

The Board is asked to approve a CMAS Purchase Agreement under CMAS contract pricing and provisions with CASE Emergency Systems (“CASE”) which will authorize the District to purchase and install wireless solar-powered blue light towers at College of Alameda, Merritt College, Laney College and the College of Alameda Aviation facility (“Agreement”). The scope of work set forth in this Agreement is identified as Phase II of the Emergency Blue Phone project (“Project”).

Phase I of the District Wide Blue Phone Project was completed September 2020, but due to funding issues, only partial Blue Phone work occurred at Laney and Merritt Colleges. The District decided to explore installation of the wireless solar-powered blue phone emergency system for Phase II due to the challenges experienced during Phase I. Phase I impacted campuses due to trenching operations, detours during installation, demolition, and noise. The new wireless system will have no trenching and minimal impacts. A System Cost Analysis was performed comparing the fiber-optics system installed in Phase I to a wireless system proposed for Phase II. CASE was used in the analysis for the wireless system. A Leveling Sheet which is point based, was used for the analysis. The categories evaluated were total design and construction costs, service, system performance and reliability, schedule to design and procure, and expandability.

The upcoming Phase II is intended to complete the District’s project. At this time the District wishes to procure the required equipment and associated services related to install the wireless blue light towers for the Project from CASE via the Agreement.

Pursuant to Public Contract Code 20653, the District can produce goods and services via State of California Department of General Services’ competitively bid CMAS contracts. By doing so, the District avoids a repetitive, resource intensive, costly, and time-consuming bid process. Under this Agreement, CASE will install twenty-eight (28) Wireless Blue Light Towers at the locations indicated below.

Since 2008 CASE Emergency Systems has been the leader in providing years of experience designing, manufacturing, installing, and servicing emergency phones that help improve public safety. CASE engineers turnkey, fully integrated, solar-powered cellular phones with modular features offer the latest in wireless technology on the Verizon Wireless 4G network. This is their first venture working at Peralta Community College District, but they have installed their product locally at Rancho Santiago Community College District (45) solar wireless blue light towers, San Joaquin Delta Community College (13) solar wireless blue light towers and University of California San Diego (46) solar wireless blue light towers.

This is CASE's first contract with the District in Fiscal Year 2021-2022.

**Contact Information:**

CASE Emergency Systems  
Chrisann Lawson  
5 Goddard, Irvine, CA 92618  
(949)378-3124

**DELIVERABLES/SCOPE OF WORK:**

Under this Agreement, CASE will furnish and install twenty-eight (28) wireless solar-powered blue light towers at College of Alameda, Laney College, Merritt College, and College of Alameda Aviation facility. CASE is also responsible for testing all installed equipment.

The wireless solar-powered emergency blue phone towers will be installed at the following campus locations:

- College of Alameda (12)
- Merritt College (7)
- Laney College (7)
- College of Alameda Aviation Facility (2)

Total installed (28)

**ANTICIPATED COMPLETION DATE:**

The Project is anticipated to be completed by December 31, 2021

**EVALUATION AND RECOMMENDED ACTION:**

The Interim Vice Chancellor and Interim Chancellor recommend approval.

**File Attachments**

[CMAS Purchase Agreement\\_ Case Emergency System\\_DW Blue Phones PhaseII \(1\).pdf \(12,491 KB\)](#)

**Motion & Voting**

Approve CMAS Purchase Agreement under CMAS contract pricing and provisions with CASE Emergency Systems in the amount of \$457,628.27 to purchase and install wireless solar-powered blue light towers at College of Alameda, Merritt College, Laney College and the College of Alameda Aviation facility for Phase II of the Emergency Blue Phone project.

Motion by Nicky Gonzalez Yuen, second by Bill Withrow.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

## 5. ACTION ITEMS

<b>Subject</b>	<b>5.17 Consider Approval of an Independent Consultant Agreement for Special Services with Johnson Controls Fire Protection LP in an Amount of \$224,374.00 for the Districtwide Fire Alarm Five Year Inspection in Accordance with California Code of Regulation Title 19, Public Safety. Presenter: Interim Vice Chancellor Atheria Smith.</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	Yes
Dollar Amount	\$224,374.00
Budgeted	Yes
Budget Source	1-61-163-5881-1-651000-1950-50 Redevelopment Agency Funds
Recommended Action	Approve an Independent Consultant Agreement for Special Services with Johnson Controls Fire Protection LP in an amount of \$224,374.00 for the Districtwide fire alarm five year inspection in accordance with California Code of Regulation Title 19, Public Safety.

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: DWK/ Department of General Services**

### BACKGROUND/ANALYSIS:

Johnson Controls Fire Protection LP (“Johnson Controls”) provides and supports fire alarm systems for the Peralta Community College District (“District”), including the four college campuses and the District Office. Fire alarm system inspection and testing services must be conducted on an annual basis. In addition, California Code of Regulation Title 19, Public Safety also requires a detailed and comprehensive inspection of fire alarm systems once every five years. The five year inspection is more thorough than the annual inspections that are intended to identify and address routine system deficiencies. The five year inspection is past due for the four college campuses and the District Office. Under this Independent Consultant Agreement for Special Services (“Agreement”), Johnson Controls Fire Protection LP (“Johnson Controls”) will perform the required one-time five year inspection in accordance with California Code of Regulations Title 19, Public Safety. It is understood that the necessary testing and inspection services that will be performed under this one-time five year inspection is more comprehensive than the annual inspections and will also help the District identify and address larger system deficiencies with the goal of keeping the District off fire watch with the Oakland Fire Department.

The District has not awarded any contracts or contract amendments to Johnson Controls in Fiscal Year 2021-2022. At this time, there are two contracts with Johnson Controls that District staff seeks approval from at this time. A summary of the contracts follows:

Contract	Amount	Board Approval	Complete/Ongoing
Independent Consultant Agreement – Annual Testing and Inspection Services	\$632,652.00	Pending 7/27/2021	
Independent Consultant Agreement – 5 Year Inspection Services ( <b>This item.</b> )	\$224,374.00	Pending 7/27/2021	

<b>TOTAL</b>	<b>\$857,026.00</b>		
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**DELIVERABLES/SCOPE OF WORK:**

Johnson Controls will perform the required one-time five year fire alarm inspection services throughout the District in accordance with California Code of Regulations Title 19, Public Safety. The specific scope of work, including a detailed list of the inspections that will be performed on each District site is further described in Exhibit A to the Agreement.

**ANTICIPATED COMPLETION DATE:**

It is anticipated that Johnson Controls will complete the scope of work under this Agreement by June 30, 2022.

**EVALUATION AND RECOMMENDED ACTION:**

The Interim Vice Chancellor of General Services and Interim Chancellor recommend the approval.

**File Attachments**

JCI 5YR Testing and Inspection Signed (1).PDF (2,199 KB)

**Motion & Voting**

Approve an Independent Consultant Agreement for Special Services with Johnson Controls Fire Protection LP in an amount of \$224,374.00 for the Districtwide fire alarm five year inspection in accordance with California Code of Regulation Title 19, Public Safety.

Motion by Nicky Gonzalez Yuen, second by Bill Withrow.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

## 5. ACTION ITEMS

<b>Subject</b>	<b>5.18 Consider Approval of an Independent Consultant Agreement for Special Services with Johnson Controls Fire Protection LP in an Amount of \$632,652.00 for Annual Districtwide Fire Alarm Testing and Inspection Services for 3 Years. Presenter: Interim Vice Chancellor Atheria Smith.</b>
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Jul 27, 2021
Absolute Date	Jul 27, 2021
Fiscal Impact	Yes
Dollar Amount	\$632,652.00
Budgeted	Yes
Budget Source	1-61-163-5881-1-651000-1950-50 Redevelopment Agency Funds
Recommended Action	Approve an Independent Consultant Agreement for Special Services with Johnson Controls Fire Protection LP in an amount of \$632,652.00 for annual districtwide fire alarm testing and inspection services for 3 years

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: DWK/ Department of General Services**

### BACKGROUND/ANALYSIS:

Johnson Controls Fire Protection LP (“Johnson Controls”) provides and supports fire alarm systems for the Peralta Community College District (“District”), including the four college campuses and the District Office. Fire alarm system inspection and testing services must be conducted on an annual basis. Under this Independent Consultant Agreement for Special Services (“Agreement”), Johnson Controls Fire Protection LP (“Johnson Controls”) will perform the required annual inspections districtwide for a three year period. It is understood that these necessary testing and inspection services will help the District identify and address system deficiencies in advance with the goal of keeping the District off fire watch with the Oakland Fire Department.

The District has not awarded any contracts or contract amendments to Johnson Controls in Fiscal Year 2021-2022. At this time, there are two contracts with Johnson Controls that District staff seeks approval from at this time. A summary of the contracts follows:

Contract	Amount	Board Approval	Complete/Ongoing
Independent Consultant Agreement – Annual Testing and Inspection Services <b>(This item.)</b>	\$632,652.00	Pending 7/27/2021	
Independent Consultant Agreement – 5 Year Inspection Services	\$224,374.00	Pending 7/27/2021	
<b>TOTAL</b>	<b>\$857,026.00</b>		

### DELIVERABLES/SCOPE OF WORK:



Johnson Controls will perform the required annual fire alarm testing and inspection services at seven distinct locations throughout the District on an annual basis for three years. The annual inspections include inspections that are performed on a quarterly and semi-annual basis as well. The specific scope of work, including a detailed list of the inspections that will be performed on each site and the associated timing thereof is further described in Exhibit A to the Agreement.

**ANTICIPATED COMPLETION DATE:**

Johnson Controls will perform the testing and inspection services annually for a three-year term ending on June 30, 2024.

**EVALUATION AND RECOMMENDED ACTION:**

The Interim Vice Chancellor of General Services and Interim Chancellor recommend the approval.

**File Attachments**

JCI Districtwide Fire Alarm Inspection signed.pdf (2,196 KB)

**Motion & Voting**

Approve an Independent Consultant Agreement for Special Services with Johnson Controls Fire Protection LP in an amount of \$632,652.00 for annual districtwide fire alarm testing and inspection services for 3 years

Motion by Nicky Gonzalez Yuen, second by Bill Withrow.

Final Resolution: Motion Carries

Yea: Julina Bonilla, Nicky Gonzalez Yuen, Linda Handy, Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin Polk, Leesa Hogan, Micah Cooper

6. REPORTS

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Subject	6.1 Board of Trustees' Reports
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

7. ADJOURNMENT

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Subject	7.1 Meeting Adjournment
Meeting	Jul 27, 2021 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Procedural