

Oakland Unified School District

Board of Education
Paul Robeson Building
1025 2nd Avenue, Suite 320
Oakland, CA 94606-2212
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ACCESSIBILITY OF AGENDA AND AGENDA MATERIALS

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Minutes (Long)

Tuesday, January 05, 2010

5:00 PM

**Board Room, Paul Robeson Building, 1025 2nd Avenue, Oakland, CA
94606-2212**

Facilities Committee

***Christopher Dobbins, Chairperson
Noel Gallo, Member
Jody London, Member***

A. Call to Order

Chairperson Dobbins called the meeting to order at 5:14 P.M.

B. Roll Call

Roll Call: Present: Christopher Dobbins, Noel Gallo and Jody London

C. Modification(s) To Agenda

Director London she would like to pull Legislative File ID 09-3452 because she said she has a conflict with the item and needs to recuse herself and prefers to take it directly so she can leave the room.

Director Gallo asked Director London what was the conflict for her.

Director London said her husband is a Principal with Dowling Associates. She said the company was asked without her husband's knowledge to do this work. She said other people in the firm were approached to do the work. Director London said they have worked diligently with the General Counsel to make sure they have cleared any conflicts and they are comfortable if she steps out of the room and recuse herself from any action this would be ok.

D. Adoption of Committee Minutes



[09-3501](#) Minutes - Facilities Committee - December 8, 2009

Approval by the Facilities Committee of Its Meeting Minutes of December 8, 2009.

Attachments: [09-3501 - Minutes - Facilities Committee - December 8, 2009](#)

Director London noted David Montes de Oca's name was misspelled and requested the minutes reflect the correct spelling of David Montes de Oca's name.

A motion was made by Noel Gallo, seconded by Jody London, that this matter be Adopted. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0

Preferential Nay: 0



09-3502 Minutes - Facilities Committee Special Meeting - December 8, 2009

Approval by the Facilities Committee of Its Special Meeting Minutes of December 8, 2009.

Attachments: [09-3502 - Minutes - Facilities Committee Special Meeting - December 8, 2009](#)

A motion was made by Noel Gallo, seconded by Jody London, that this matter be Adopted. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

E. Adoption of the Committee General Consent Report



09-3398 Professional Services Contract - ACC Environmental - Urban Promise Academy Multi-Purpose Building Project

Approval by the Board of Education of Professional Services Contract between District and ACC Environmental, Oakland, CA, for the latter to conduct a Limited Soil Sampling Investigation to characterize soils, as follows: collect two (2) composite soil samples from an area of stock piled soil at the site to be analyzed for Cam 17 Metals and Total Extractable Petroleum Hydrocarbons in conjunction with the Urban Promise Academy Multi-Purpose Building Project, for the period commencing November 19, 2009 and concluding no later than November 19, 2009, in an amount not to exceed \$1,315.00.

Resource Code - 2122-236

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**09-3399****Professional Services Contract - Byrens Associates - Edward Shands Adult Education Modernization/ADA/FA and Intrusion Project**

Approval by the Board of Education of Professional Services Contract between District and Byrens Associates, Oakland, CA, for the latter to provide professional architectural and engineering services: for the new freestanding elevator and shaft to serve all floors; new campus wide fully automatic fire alarm system; accessible parthway to ground floor classrooms and public spaces and realted site lighting improvements; renovation of existing restrooms; accessible parking improvements; accessible signage improvements; door hardware upgrade and other services as described in Scope of Services in conjunction with the Edward Shands Adult Education Modernization/ADA/FA and Intrusion Project, for the period commencing January 14, 2010 and concluding upon completion of the desired services described herein, but no later than December 31, 2011, in an amount not to exceed \$184,000.00.

Resource Code - 2122-404

Funding Source: General Obligation Bond

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**09-3400****Professional Services Contract - KCP - Edward Shands Adult Education Modernization - Topographic Survey Project**

Approval by the Board of Education of Professional Services Contract between District and KCP, Oakland, CA, for the latter to provide engineering services for a detailed Boundary and Topographic Survey per KCP proposal dated November 3, 2009, per the attached proposal which is incorporated into the contract to the extent that it is subordinate to and not inconsistent with the contract term in conjunction with the Edward Shands Adult Education Modernization/ADA/FA and Intrusion Project for the period commencing January 19, 2010 and concluding no later than June 30, 2010, in an amount not to exceed \$20,400.00.

Resource Code - 2122-404

Funding Source: General Obligation Bond

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0

Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**09-3401****Professional Services Contract - Professional Service Industries, Inc. - Edward Shands Adult Education Modernization - Geotechnical Services**

Approval by the Board of Education of Professional Services Contract between District and Professional Service Industries, Inc., Oakland, CA, for the latter to provide geotechnical soils investigation and testing including private utility locator for the existing site for the installation of a new elevator pursuant to PSI proposal for a new elevator, per the attached proposal which is incorporated into the contract to the extent that it is subordinate and not inconsistent with the contract terms in conjunction with the Edward Shands Adult Education Modernization/ADA/FA and Intrusion Project, for the period commencing January 19, 2010 and concluding no later than June 30, 2010, in an amount not to exceed \$8,181.00.

Resource Code - 2122-404

Funding Source: General Obligation Bond

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**09-3402****Professional Services Contract - SCA Environmental, Inc. - Madison Middle School Health Center Project**

Approval by the Board of Education of Professional Services Contract between District and SCA Environmental, Inc., Oakland, CA, for the latter to provide survey location of the proposed Health Center for asbestos, lead based paint and hazardous materials and prepare abatement specifications in conjunction with the Madison Middle School Health Center Project, for the period commencing January 14, 2010 and concluding no later than June 30, 2011, in an amount not to exceed \$1,870.00.

Resource Code - 2122-215

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)
[Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3406

Amendment No. 1, Professional Services Agreement - ACC Environmental - Castlemont High School Auditorium Renovation Project

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and ACC Environmental, Oakland, CA, for the latter to provide additional inspections and air sampling, due to an unforeseen condition, whereas the contractor disturbed the Acoustical Ceiling that contained asbestos in conjunction with the Castlemont High School Auditorium Renovation Project, in an additional amount not to exceed \$1,435.00, increasing the Agreement from \$9,720.00 to a not-to-exceed amount of \$11,155.00, and extending the end date from August 28, 2009 to January 31, 2010. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-301

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3407

Amendment No. 1, Professional Services Agreement - Gary Douppnik Manufacturing, Inc. - Cox Elementary School Interim Housing Project

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and Gary Douppnik Manufacturing, Inc., Loomis, CA, providing an extension of the leasing contract for six (6) used 24' x 40' portable classrooms for six months, from January 1, 2010 to June 30, 2010, at the monthly rate of \$500.00 per portable classroom, in conjunction with the Cox Elementary School Interim Housing Project, in an additional amount not to exceed \$18,000.00, increasing the Agreement from \$109,800.00 to a not-to-exceed amount of \$127,800.00, and extending the end date from December 30, 2009 to June 30, 2010. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-110

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3408

Amendment No. 1, Professional Services Agreement - Gary Douppnik Manufacturing, Inc. - Cox Elementary School New Classroom Building Project

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and Gary Douppnik Manufacturing, Inc., Loomis, CA, providing an extension of the leasing contract for two (2) used 24' x 40' portable classrooms for six months, from January 1, 2010 to June 30, 2010, at the monthly rate of \$500.00 per portable classroom, in conjunction with the Cox Elementary School New Classroom Building Project, in an additional amount not to exceed \$6,000.00, increasing the Agreement from \$33,600.00 to a not-to-exceed amount of \$39,600.00, and extending the end date from December 30, 2009 to June 30, 2010. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-110

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0

Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**09-3410****Amendment No. 4, Professional Services Agreement - Greenbank Associates - High Performance Schools (CHPS) Project**

Approval by the Board of Education of Amendment No. 4 to Professional Services Agreement between District and Greenbank Associates, Oakland, CA, for the latter to provide additional design support to incorporate maximum feasible high performance schools scope in current facilities projects, due to District request for continued and additional services, per the attached proposal which is incorporated into the contract to the extent that it is subordinate to and not inconsistent with the contract terms, in conjunction with the District's High Performance Schools (CHPS) Project, in an additional amount not to exceed \$35,000.00, increasing the Agreement from \$248,000.00 to a not-to-exceed amount of \$283,000.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-918

Funding Source: General Obligation Bond

Attachments: [Document\(s\)](#)
[Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**09-3411****Amendment No. 1. Professional Services Agreement - Loving and Campos Architects, Inc. (LCA) - Lowell Elementary School Modernization Project**

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and Loving and Campos Architects, Inc. (LCA), Walnut Creek, CA, for the latter to provide a topography and utility survey for the site, due to an unforeseen condition, whereas the most recent topography report was in 1962 and needs to be updated, in conjunction with the Lowell Elementary School Modernization Project, in an additional amount not to exceed \$12,580.00, increasing the Agreement from \$842,500.00 to a not-to-exceed amount of \$854,830.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-204

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3412

**Amendment No. 1, Professional Services Agreement - Ninyo & Moore -
Downtown Educational Complex Project**

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and Ninyo & Moore, Oakland, CA, for the latter to perform indoor air sampling at Centro Infantil Annex/Auto Shop Building as well as additional soil sampling, due to an Agency requested change, whereas the Department of Toxic and Substance Control required additional sampling to complete the Preliminary Environment Assessment, in conjunction with the Downtown Educational Complex Project, in an additional amount not to exceed \$63,000.00, increasing the Agreement from \$121,000.00 to a not-to-exceed amount of \$184,000.00, and extending the end date from January 31, 2010 to March 30, 2010. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-121

Funding Source: General Obligation Bond-Measure A

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3413

**Amendment No. 4, Professional Services Agreement - SCA Environmental -
Elmhurst Middle School Modernization - Auditorium Project**

Approval by the Board of Education of Amendment No. 4 to Professional Services Agreement between District and SCA Environmental, Oakland, CA, for the latter to provide comprehensive surveys for asbestos, lead-based paints and hazardous materials and prepare abatement specifications based on the surveys and various other items described herein in conjunction with the Elmhurst Middle School Modernization - Auditorium Project, in an additional amount not to exceed \$4,275.00, increasing the Agreement from \$9,786.98 to a not-to-exceed amount of \$14,061.98. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-202

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
 Nay: 0
 Recused: 0
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0

Roll Call (Secretary's Observation)

Jody London recused/absent at 5:19 P.M.

Roll Call: Present: Christopher Dobbins and Noel Gallo
 Absent: Jody London



09-3452

Professional Services Contract - Dowling Associates - Downtown Education Project

Ratification by the Board of Education of Professional Services Contract between District and Dowling Associates, Oakland, CA, for the latter to provide traffic analysis for the Downtown Project site from 7:00 a.m. to 9:00 a.m. and from 2:00 p.m. to 4:00 p.m., per the attached proposal which is incorporated into the contract to the extent that it is subordinate to and not inconsistent with the contract terms in conjunction with the Downtown Education Project for the period commencing December 9, 2009 and concluding no later than February 28, 2010 in an amount not to exceed \$8,545.00.

Resource Code - 2525-121

Funding Source: Developer Fees

Attachments: [Document\(s\)](#)

A motion was made by Noel Gallo, seconded by Christopher Dobbins, that this matter be Recommended Favorably. The motion carried by the following vote:

Votes: Adv Aye: 0

Adv Nay: 0
Adv Abstain: 0
Aye: 2 - Christopher Dobbins and Noel Gallo
Nay: 0
Recused: 0
Absent: 1 - Jody London
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Roll Call (Secretary's Observation)

Jody London present at 5:20 P.M.

Roll Call: Present: Christopher Dobbins, Noel Gallo and Jody London



09-3453

Amendment No. 4, Professional Services Agreement - ACC Environmental - Chabot Elementary School Portable Replacement Project

Approval by the Board of Education of Amendment No. 4 to Professional Services Agreement between District and ACC Environmental, Oakland, CA, for the latter to conduct an inspection in the basement mechanical room in Building B, collect two (2) microbial swab samples prior to clean-up, and collect one (1) clearance microbial swab sample post clean up, due to an unforeseen condition, whereas the inclement weather caused the sanitary sewer system to back up and flood the basement mechanical room in Building B in conjunction with the Chabot Elementary School Portable Replacement Project, in an amount not to exceed \$1,965.00, increasing the Agreement from \$40,258.00 to a not-to-exceed amount of \$42,223.00, and extending the end date from December 31, 2009 to February 1, 2010. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-106

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3454

Amendment No. 9, Professional Services Agreement - Loving & Campos Architects, Inc. (LCA) - Oakland High School Modernization Project

Approval by the Board of Education of Amendment No. 9 to Professional Services Agreement between District and Loving & Campos Architects, Inc. (LCA), Walnut Creek, CA, for the latter to incorporate District required changes into the Design of the New Classroom Building G, before Advertisement and the Public Bidding Process, and to submit same to the Division of State Architect (DSA), after Initial Package; additional Architectural Services will include Mechanical Engineering Changes for Additional Plumbing for New Building G Science Rooms and Modifications to Ducting as recommended by Acoustical Engineer, per the attached quote from Loving & Campos Architect, Inc., dated August 11, 2009, in conjunction with the Oakland High School Modernization Project, in an additional amount not to exceed \$12,940.00, increasing the Agreement from \$1,814,337.00 to a not-to-exceed amount of \$1,827,277.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-304

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3466

Memorandum of Understanding - Education for Change - Oakland Adult and Career Education - Lease Agreement

Approval by the Board of Education of Memorandum of Understanding between Education for Change, Oakland, CA, and District for the provision of Oakland Adult and Career Education classes on the former's owned premises at 1700 28th Street, Oakland, CA, pursuant to the terms and conditions stated in said MOU, for the period of January 13, 2010 through January 12, 2013, at no cost to the District.

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

[09-3467](#)**Memorandum of Understanding - Spanish Speaking Citizens Foundation - Oakland Adult and Career Education - Lease Agreement**

Approval by the Board of Education of Memorandum of Understanding between Spanish Speaking Citizens Foundation, Oakland, CA, and District for the provision of Oakland Adult and Career Education classes on the former's owned premises at 1470 Fruitvale Ave., Oakland, CA, pursuant to the terms and conditions stated in said MOU, for the period of January 13, 2010 through January 12, 2013, at no cost to the District.

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

[09-3483](#)**Award of Bid and Construction Contract - Alten Construction - Jefferson Elementary School Portable Replacement Project**

Approval by the Board of Education of Resolution No. 0910-0107 - Award of Bid and Construction Contract between District and Alten Construction, Richmond, CA, for the latter, as the lowest responsive, responsible bidder and rejecting all other bids, if any, to provide the building of a new two-story, twelve classroom building and assemble room, including renovations to the existing building and site work throughout the campus with Alternates 1, 2 and 3 included per the attached bid tally interoffice memo, in conjunction with the Jefferson Elementary School Portable Replacement Project, for the period commencing January 14, 2010 and ending August 23, 2011, in the amount of \$10,448,475.00.

Resource Code - 2122-128

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

[09-3484](#)**Amendment No. 1, Professional Services Agreement - Schirmer Engineering - Havenscourt Middle School Modernization Project**

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and Schirmer Engineering, Concord, CA, providing the latter additional time to develop and prepare drawings from client supplied as-built drawings, black-line prints, and site surveys and various other items as described herein, in conjunction with the Havenscourt Middle School Modernization Project, at no additional cost to the District and extending the contract end date from April 3, 2009 to May 1, 2010. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-207

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

[09-3485](#)**Professional Services Contract - Professional Service Industries, Inc. - Glenview Elementary School Lower Yard and Paving Accessible Ramp Project**

Approval by the Board of Education of Professional Services Agreement between District and Professional Service Industries, Inc., Oakland, CA, for the latter to provide geotechnical services as follows: Drill three (3) test boring between 15 and 30 feet at the proposed location of the retaining walls and ramp and various other items as described herein in conjunction with the Glenview Elementary School Lower Yard and Paving Accessible Ramp Project, for the period commencing January 14, 2010 and concluding no later than December 31, 2010, in an amount not to exceed \$7,660.00.

Resource Code - 1414-119

Funding Source: Deferred Maintenance

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



[09-3486](#)

Change Order No. 7, Professional Services Agreement - Cal Pacific Construction - Lincoln Elementary School Classroom Replacement Project

Approval by the Board of Education of Change Order No. 7 to Professional Services Agreement between District and Cal Pacific Construction, Pacifica, CA, for the latter to change glass type at exterior windows; repair roofs on existing building; additional exterior painting time ASI #16; fabricate and install additional window head flashing and various other items described herein in conjunction with the Lincoln Elementary School Classroom Replacement Project, in an amount not to exceed \$170,794.43, increasing the Agreement from \$6,503,006.99 to a not-to-exceed amount of \$6,673,801.42. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-133

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



[09-3487](#)

Change Order No. 4, Professional Services Agreement - Albay Construction Co. - Madison Middle School Modernization Project

Approval by the Board of Education of Change Order No. 4 to Professional Services Agreement between District and Albay Construction Co., Martinez, CA, removing from the Scope of Services (Work) floor demolition, flooring installation and base (carpet turned over to District), and adding to the Scope of Service (Work) interior painting, supply and install a floor grill in Room 14, remove and replace fascia, framing and membrane at courtyard windows at Classrooms 14 and 15, and at east and west windows at Building D and various other items described herein in conjunction with the Madison Middle School Modernization Project, in an additional amount not to exceed \$46,444.50, increasing the Agreement from \$6,277,145.13 to a not-to-exceed amount of \$6,323,589.63. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-215

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3488

Change Order No. 6, Professional Services Agreement - Arntz Builders - Oakland High School Modernization Project

Approval by the Board of Education of Change Order No. 6 to Professional Services Agreement between District and Arntz Builders, Novato, CA, for the latter to provide mechanical revisions, piping, revisions, added light soffit in upper D corridor, added compression, wire to classroom handsets and various other items described herein in conjunction with the Oakland High School Modernization Project, in an amount not to exceed \$303,613.21, increasing the Agreement from \$14,338,131.88 to a not-to-exceed amount of \$14,641,745.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-304

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3490

Professional Services Contract - Verde Design - McClymonds High School Football Field Replacement Project

Approval by the Board of Education of Professional Services Agreement between District and Verde Design, Santa Clara, CA, for the latter to provide professional architectural and engineering services pertaining to Football Field Replacement, as follows: architectural and design services for the reconstruction and replacement of the football field; removal of the natural grass playing field and replacement of the grass with the next generation synthetic turf and a perimeter quick coupler watering system, as well as all new subsurface drainage for the field, in conjunction with the McClymonds High School Football Field Replacement Project, for the period commencing January 14, 2010 and concluding upon completion of the desired services described herein, but no later than January 14, 2011, in an amount not to exceed \$144,400.00.

Resource Code - 2525-303

Funding Source: Developer Fees

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3491

Amendment No. 1, Professional Services Agreement - MVE Institutional - Downtown Education Complex Project

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and MVE Institutional, Oakland, CA, for the latter to provide additional architectural and engineering services including programming and design for KDOL TV Studio and the IT Data Center, due to a Design Error or Omission, whereas the original scope did not include KDOL TV and the IT Data Center, in conjunction with the Downtown Education Complex Project, in an additional amount not to exceed \$237,500.00, increasing the Agreement from \$3,685,500.00 to a not-to-exceed amount of \$3,923,000.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 3535-121

Funding Source: Country School Facilities Fund

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0

Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3494

Award of Bid and Construction Contract - Petersen Dean Commercial - Life Academy (Red Cross Bldg.) Roof Project

Approval by the Board of Education of Resolution No. 0910-0128 - Award of Bid and Construction Contract between District and Petersen Dean Commercial, Newark, CA, for the latter, as the lowest responsive, responsible bidder and rejecting all other bids, if any, to provide demolition of roof and installation of a new single ply roof, provide new roof ladders and new sheet metal flashing in conjunction with the Life Academy (Red Cross Bldg.) Roof Project, for the period commencing January 20, 2010 and ending June 1, 2010, in the amount of \$218,800.00.

Resource Code - 1414-335

Funding Source: Deferred Maintenance

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Passed The Committee General Consent Report

A motion was made by Noel Gallo, seconded by Jody London, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Christopher Dobbins, Noel Gallo and Jody London
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

F. Unfinished Business

[09-2949](#)**Board Policy - Business Services and Non-Instructional Operations - BP (NTBD) - Vegetation Policy**

Approval by the Board of Education of Board Policy - Business Services and Non-Instructional Operations - BP (NTBD) - Vegetation Policy.

Funding Source: Deferred Maintenance

Attachments: [Document\(s\)](#)
[09-2949 - Board Policy - Business Services and Non-Instructional Operations - BP \(NTBD\) - Vegetation Policy.pdf](#)

Mr. White said the Vegetation Policy should be scheduled for a meeting in February and requested that it be pulled from the agenda today.

Director Gallo requested the updated Policy be scheduled for the second meeting in February.

Tabled to a Date Certain

G. New Business

None.

H. Report of the Assistant Superintendent, Facilities Planning and Management

Mr. White said today he did not have a report. An updated Measure "B" Expenditure Report was distributed to Committee Members for review and comments.

Charles Love, Facilities Department, said the Measure "B" Expenditure Report did not have any new addition to the project listings. He reported the Year to Date we have \$23.8 Million in expenditures and this represents a \$2.7 Million increase since the last report.

Mr. White asked Mr. Love to clarify for Director London the December 18, 2009 date listed on the report. Mr. Love said he has to submit the report in time to be placed on the agenda and cannot change the date on the report.

Mr. White said an informational report associated with the building of the Downtown Educational Complex will be made to the Board on January 13th regarding some of the preliminary findings of the 30 day report associated with the environmental conditions associated with the site.

Committee Comments

Director Gallo said for him the Asset Management Study recently conducted is the most important instrument we have as a district in terms of the budget, financials and the future of the District. He said the question he has is with all our growth and development the report shows the District is only at 50% capacity in terms of usage. He said the future enrollment projections are not that positive for the District. He wanted to know how are

facilities interpreting, dealing and implementing those recommendations being made. Director Gallo said if he has a clear pattern or clear direction of a certain neighborhood or school, the numbers are down but we have enough facility space to accommodate the current numbers. At the same time I am expanding a site there that perhaps we will allow someone else to use it or have a different use. How are Facilities monitoring or controlling that expenditure.

Mr. White said the listings on the Measure "B" Expenditure Report are those projects that have been approved over a three or four year period of time. Some were approved before the District's steep decline in enrollment. He said at this point with the Asset Management analysis showing we have an excess of 900 empty classrooms based on a specific loading factor. He said there are discretionary decisions by the Board based on recommendations from the Superintendent. The Asset Management analysis still has work to do. He said there are two scenarios laid out in terms of the possibilities we can take to address the condition we have right now. (1) The Schools as a Center of Community Model - This model acknowledges the fact that each school site we have open right now the majority have excess capacity that is not being filled up by enrollment. (2) An Efficiency Model - This model says out of the 95 school campuses we can fit everybody into 45 or 46 of those campuses and have the balance available for some alternative use.

Director Gallo said this is one of the things this District doesn't understand the is implications of such a study or doesn't value the contribution. He said we send different political messages. He said you have a Kaiser Elementary where only 18 students in the school live in the neighborhood. The rest of the students come from outside of the school area. Director Gallo noted several elementary schools located in the Oakland Hills and said if he looks at their enrollment, a good half of the students are coming from outside of that school district; they are coming from down below. He said the reason is because they are great schools. Do we continue to support that and if I am going to continue to grow and develop and expand those schools, something has to give. He said there are the neighborhood issues, behavior, and the quality of teaching is not there so you have those schools greatly under enrolled. It becomes an issue of equity and investment impacting Facility Funds and General Funds; it impacts the big picture.

Director London said she agrees with Director Gallo. She said she thinks we have to make some hard decisions around our budget and she said she doesn't want to make those decisions without the benefit of more work on the Asset Management Plan. She suggested this committee establish a work plan with specific days where we talk about the Asset Management Plan and specific items.

Mr. White said we have Neighborhood Schools and we have Options. People will vote with their feet if they can to get out of a situation where their child gets an inferior education. He said if we now want to look at where students are coming from, another policy option would be to invest in those neighborhoods where those children are coming from where the enrollment capacity exists to make those schools better. He said the Superintendent has a comprehensive plan to make those Neighborhood Schools more appealing to prevent students from fleeing those neighborhoods. He said he would like to have some working sessions with this Committee and MK Think to share what our thinking is with them and staff as information is given to the Board. He said there are some next steps with the Asset Management analysis.

Director London asked Mr. White if he was close enough to present at the next meeting.

Mr. White said, "No", maybe a month from now. Mr. White later said most of the work has been done and he would make every effort to schedule this item for the next meeting.

Director Gallo noted there are about six charter schools in the downtown area. He said the city is very concerned because during the lunch hour they are creating some difficulty for some for the local businesses.

I. Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the Committee

There were no public speaker cards submitted.

J. Introduction of New Legislative Matter

None.

K. Adjournment

Chairperson Dobbins adjourned the meeting at 5:38 P.M.

Prepared By: _____

Approved By: _____