

Oakland Unified School District

Board of Education
Paul Robeson Building
1025 2nd Avenue, Suite 320
Oakland, CA 94606-2212
(510) 879-8199 Voice
(510) 879-8000 Fax



ACCESSIBILITY OF AGENDA AND AGENDA MATERIALS

Agenda and agenda materials, if any, associated with this meeting are accessible on the Board of Education's World Wide Web Site at <http://webportal.ousd.k12.ca.us> or from any computer terminal in the Office of the Board of Education at the above-stated address.

AMERICANS WITH DISABILITIES ACT COMPLIANCE

Individuals requiring a reasonable accommodation to participate in meetings other than handicapped access, should notify the Office of the Board of Education seventy-two (72) hours prior to the meeting at either (510) 879-8678 (VM); or boe@ousd.k12.ca.us (E-Mail); or (510) 879-8739 (TTY/TDD); or (510) 879-8000 (Fax).

Minutes (Long)

Tuesday, December 08, 2009

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 Christopher Dobbins called the meeting to order at 5:25 P. M.

Chairperson Dobbins apologized for starting the meeting 25 minutes late. He said the last committee was doing some great work and they ran slightly over.

Chairperson Dobbins stated for the record that there would be a Special Facilities Committee Meeting immediately following this meeting concerning the naming of the Bret Harte Gymnasium.

B. Roll Call

Roll Call: Present: Christopher Dobbins and Jody London

Absent: Noel Gallo

C. Modification(s) To Agenda

None.

D. Adoption of Committee Minutes



[09-3334](#) Minutes - Facilities Committee - November 10, 2009

Approval by Facilities Committee of its Minutes of November 10, 2009.

Attachments: [09-3334 - Minutes - Facilities Committee - November 10, 2009](#)

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

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

E. Adoption of the Committee General Consent Report

[09-2822](#)**Professional Services Agreement - Simplex Grinnell - District-wide Fire Alarm Repair Project**

Approval by the Board of Education of Professional Services Agreement between District and Simplex Grinnell, Livermore, CA, for the latter to provide Fire Alarm repairs and supplementing of District's fire alarm maintenance technicians in maintaining the District's fire alarm system and various other items described herein in conjunction with the District-wide Fire Alarm Repair Project, for the period commencing January 1, 2010 and concluding no later than January 1, 2011, in an amount not to exceed \$750,000.00.

Resource Code - 2525-918

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

[09-2874](#)**Amendment No. 1 - AGS, Inc. - Urban Promise Academy Multi-Purpose Building Project**

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and AGS, Inc., San Francisco, CA, for the latter to provide additional services, which include project consultation; pre-grading meeting for mass grading; periodic observation during mass grading; observation of utility trench backfill and various other items described herein in conjunction with the Urban Promise Academy Multi-Purpose Building Project, in an additional amount not to exceed \$14,955.00, increasing the Agreement from \$12,973.73 to a not-to-exceed amount of \$27,928.73. All other terms and conditions of the Agreement remain in full force and effect.

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: 2 - Christopher Dobbins and Jody London
Nay: 0

Recused: 0
Absent: 1 - Noel Gallo
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**09-2903****Amendment No. 3 - VBN - Carter Middle School Modernization Project**

Approval by the Board of Education of Amendment No. 3 to Professional Services Agreement between District and VBN, Oakland, CA, for District to provide the latter reimbursement of Division of State Architect (DSA) document retrieval fees and Ford Graphics reproduction fees in conjunction with the Carter Middle School Modernization Project, in an additional amount not to exceed \$569.43, increasing the Agreement from \$263,295.00 to a not-to-exceed amount of \$263,864.43, and extending the end date from December 31, 2008 to December 31, 2009. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-214

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

**09-2908****Amendment No. 3 - Inspection Services, Inc. - Chabot Elementary School Portable Classroom Replacement Project**

Approval by the Board of Education of Amendment No. 3 to Professional Services Agreement between District and Inspection Services, Inc., Berkeley, CA, for the latter to provide additional special inspection and material testing services as required for new structures in conjunction with the Chabot Elementary School Portable Classroom Replacement Project, in an additional amount not to exceed \$30,176.93, increasing the Agreement from \$76,500.00 to a not-to-exceed amount of \$106,676.93, and extending the end date from December 31, 2009 to June 30, 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: 2 - Christopher Dobbins and Jody London
Nay: 0
Recused: 0
Absent: 1 - Noel Gallo
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3104

Grant Agreement Between Oakland Unified School District and the City of Oakland - McClymonds Youth and Family Center

Approval by the Board of Education of Resolution No. 0910-0097 - Approving Grant Agreement between the District and the City of Oakland, for the Development and Construction of the McClymonds Youth and Family Center.

Resource Code - NA

Funding Source: Grant

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

This Matter was Recommended Favorably on the Consent Agenda.

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



09-3143

Amendment No. 1 - Testing Engineers - Stonehurst Small Schools Conversion Project

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and Testing Engineers, San Leandro, CA, for the latter to provide additional soil and concrete inspections that were required by Division of State Architect (DSA), but not included in the original scope of work in conjunction with the Stonehurst Small Schools Conversion Project, in an additional amount not to exceed \$2,272.00, increasing the Agreement from \$4,822.00 to a not-to-exceed amount of \$7,094.00, and extending the end date from July 1, 2009 to December 31, 2009. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-155

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



09-3191

Project Budget Increase - Various District Wide Play Structure Repairs Project

Approval by the Board of Education of Resolution No. 0910-0102 - Authorizing and approving the Project Budget Increase for the Various District Wide Play Structure Repairs Project, in the amount of \$1,500,000.00, increasing the project budget from \$100,000.00 to \$1,600,000.00.

Resource Code - 2122-918

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



09-3197

Professional Services Agreement - First Alarm Security and Patrol - Chabot Elementary School Portable Classroom Replacement Project

Approval by the Board of Education of Professional Services Agreement between District and First Alarm Security and Patrol, Aptos, CA, for the latter to provide security at Chabot Elementary School to protect the school from vandalism and intrusion alarm malfunctions in conjunction with the Chabot Elementary School Portable Classroom Replacement Project, for the period commencing September 4, 2009 and concluding no later than September 10, 2009, in an amount not to exceed \$3,052.00.

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



09-3198

Professional Services Agreement - HY Architects, Inc. - Stonehurst Child Development Center (CDC) Project

Approval by the Board of Education of Professional Services Agreement between District and HY Architects, Inc., Oakland, CA, for the latter to provide design services for the Stonehurst CDC Replacement project; building design is to include a complete renovation to the existing new CDC building of approximately 6,700 square feet with 3-4 classrooms spaces, restrooms, custodial space, and office/administration space; scope will include site improvements necessary to support the new building; project is to be designed to achieve CHPS certification and this contract includes \$33,000.00 for CHPS processing and documentation. Scope also includes 3rd party estimates during the design phase; project also includes interim housing portables during the construction of the new building; includes \$10,000.00 for reimbursable expenses in conjunction with the Stonehurst Child Development Center (CDC) Project, for the period commencing December 17, 2009 and concluding upon completion of the desired services described herein, but no later than December 31, 2011, in an amount not to exceed \$442,000.00.

Resource Code - 2122-155

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



09-3199

Professional Services Agreement - Loving and Campos Architects, Inc. (LCA -

Laurel Child Development Center (CDC) Project

Approval by the Board of Education of Professional Services Agreement between District and Loving and Campos Architects, Inc. (LCA), Oakland, CA, for the latter to provide design services for the Laurel CDC Replacement project; building design is to include a complete renovation to the existing new CDC building; building will be approximately 6,500 square feet with 3-4 classrooms spaces, restrooms, custodial space, and office/administration space; scope will include site improvements necessary to support the new building. Project is to be designed to achieve CHPS certification and this contract includes \$15,000.00 for CHPS processing and documentation; scope also includes 3rd party estimates during the design phase. Project also includes interim housing portables during the construction of the new building; contract includes \$30,000.00 for reimbursable expenses, in conjunction with the Laurel Child Development Center (CDC) Project, for the period commencing December 17, 2009 and concluding upon completion of the desired services described herein, but no later than December 31, 2011, in an amount not to exceed \$333,000.00.

Resource Code - 2122-820

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



09-3200

Professional Services Agreement - Michael Willis Architects, Inc. - Thurgood Marshall Elementary School Roof Replacement Project

Approval by the Board of Education of Professional Services Agreement between District and Michael Willis Architects, Inc., Oakland, CA, for the latter to provide written specifications and drawings sufficient to solicit bids for roof replacement and various other items described herein, in conjunction with the Thurgood Marshall Elementary School Project, for the period commencing November 19, 2009 and concluding no later than June 30, 2010, in an amount not to exceed \$34,200.00.

Resource Code - 1414-174

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

**09-3201****Professional Services Agreement - Oakley and Oakley Architects - Hintil KUU Child Development Center (CDC) Project**

Approval by the Board of Education of Professional Services Agreement between District and Oakley and Oakley Architects, Oakland, CA, for the latter to provide design services for the Hintil KUU CDC Replacement project: building design is to include a complete renovation to the existing new CDC building; building will be approximately 6,000 square feet with 3-4 classrooms spaces, restrooms, custodial space, and office/administration space; scope will include site improvements necessary to support the new building; project is to be designed to achieve CHPS certification and this contract includes CHPS processing and documentation; scope also includes 3rd party estimates during the design phase. Project also includes interim housing portables during the construction of the new building; contract includes \$10,000.00 for reimbursable expenses, in conjunction with the Hintil KUU Child Development Center (CDC) Project, for the period commencing December 17, 2009 and concluding upon completion of the desired services described herein, but no later than December 31, 2011, in an amount not to exceed \$336,500.00.

Resource Code - 2122-840

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

**09-3202****Memorandum of Understanding - Elder Care Alliance - Oakland Adult and Career Education**

Approval by the Board of Education of Memorandum of Understanding between District and Elder Care Alliance, Oakland CA, for the provision of Adult and Career Education classes on the latter's owned premises at 3134 Foothill Blvd., Oaskland, CA, and 2361 E. 29th Street., Oakland, CA, respectively, pursuant to the terms and conditions stated in said MOU, for the period of December 16th 2009 through June 30, 2012, 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: 2 - Christopher Dobbins and Jody London
Nay: 0
Recused: 0
Absent: 1 - Noel Gallo
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3258

Project Budget, Key Code and Project Number - Claremont Landscaping Project

Approval by the Board of Education of Resolution No. 0910-0104 - Authorizing and approving the New Project Budget, Key Code and Project Number for Claremont Landscaping Project in the amount of \$800,000.00.

Resource Code - 3535-201

Funding Source: County 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: 2 - Christopher Dobbins and Jody London
Nay: 0
Recused: 0
Absent: 1 - Noel Gallo
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3260

Change Order No. 4 - Albay Construction Co. - Madison Middle School Modernization Project

Approval by the Board of Education of Change Order No. 4 to Construction Contract between District and Albay Construction Co., Martinez, CA, for the latter to repair vandalized conduits at the gym roof, supply and install thresholds, repair two bent covered walkway posts, make modifications to allow the installation of J-1 light fixtures, add eleven (11) thresholds to correct existing conditions and various other items described herein, in conjunction with the Madison Middle School Modernization Project, in the additional amount of \$90,526.32, increasing the Agreement from \$6,186,618.81 to \$6,277,145.13. 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: 2 - Christopher Dobbins and Jody London
 Nay: 0
 Recused: 0
 Absent: 1 - Noel Gallo
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



09-3261

Change Order No. 4 - Albay Construction Co. - Havenscourt Middle School Modernization Project

Approval by the Board of Education of Change Order No. 4 to Construction Contract between District and Albay Construction Co., Martinez, CA, for the latter to delete one row from gym bleachers, substitute ceramic tile over existing concrete slab, convert rooms in the Family Resource Center and various other items described herein in conjunction with the Havenscourt Middle School Modernization Project, in the additional amount of \$67,209.00, increasing the Agreement from \$1,922,072.91 to \$1,989,281.91. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-232

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

Preferential Abstention: 0

Preferential Nay: 0



[09-3262](#)

Change Order No. 1 - Brayer Electric Company - Highland Elementary School Fire Alarm Upgrade Project

Approval by the Board of Education of Change Order No. 1 to Construction Contract between District and Brayer Electric Company, San Leandro, CA, for the latter to refund unused allowance balancing contract, in conjunction with the Highland Elementary School Fire Alarm Upgrade Project, in the amount of (\$2,162.00), decreasing the Agreement from \$199,700.00 to \$197,538.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-126

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



[09-3263](#)

Change Order No. 5 - Cal Pacific Construction - Lincoln Elementary School Classroom Replacement Project

Approval by the Board of Education of Change Order No. 5 to Construction Contract between District and Cal Pacific Construction, Pacifica, CA, for the latter's returned hardware submittal, HVAC headout, deletion and addition of light fixtures, HVAC curbs, transition point at entry doors and various other items described herein, in conjunction with the Lincoln Elementary School Classroom Replacement Project, in the additional amount of \$13,818.67, increasing the Agreement from \$6,495,921.74 to \$6,509,740.41. 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: 2 - Christopher Dobbins and Jody London

Nay: 0
Recused: 0
Absent: 1 - Noel Gallo
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3264

Change Order No. 6 - Cal Pacific Construction - Lincoln Elementary School Classroom Replacement Project

Approval by the Board of Education of Change Order No. 6 to Construction Contract between District and Cal Pacific Construction, Pacifica, CA, for the latter to change vinyl coated fencing to galvanized fencing, correct elevator deficiencies, in conjunction with the Lincoln Elementary School Classroom Replacement Project in the amount of (\$6,733.42), decreasing the Agreement from \$6,509,740.41 to \$6,503,006.99. 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: 2 - Christopher Dobbins and Jody London
Nay: 0
Recused: 0
Absent: 1 - Noel Gallo
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3266

Change Order No. 2 - Duran & Venables, Inc. - Thornhill Elementary School Paving Project Replacement Project

Approval by the Board of Education of Change Order No. 2 to Construction Contract between District and Duran & Venables, Inc., Milipitas, CA, for the latter credits and extras for additional work required (concrete cap existing gas line, new concrete driveway, rebar, etc.) and credits for (herbicide, topography survey, prime coating) and various other items described herein, in conjunction with the Thornhill Elementary School Paving Project, in the amount of (\$3,256.00), decreasing the Agreement from \$474,711.00 to \$471,455.00. All other terms and conditions of the Agreement remain in full force and effect

Resource Code - 1414-157

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

[09-3267](#)

Change Order No. 4 - J. W. & Sons, Inc. - Castlemont High School Auditorium Renovations Project

Approval by the Board of Education of Change Order No. 4 to Construction Contract between District and J. W. & Sons, Inc., Petaluma, CA, for the latter per ASI #05 - to remove and re-install conduit and wire for the Fire Alarm and Security devices in the lobby area above the new ceiling, per ASI #51, change lobby buildings signage from stainless steel lettering to bronze lettering, add eight 4" bronze letters and various other items described herein, in conjunction with the Castlemont High School Auditorium Renovations Project, in the additional amount of \$118,895.00, increasing the Agreement from \$3,033,028.00 to \$3,151,923.00. 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: 2 - Christopher Dobbins and Jody London
Nay: 0
Recused: 0
Absent: 1 - Noel Gallo
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

[09-3273](#)

Professional Services Agreement - ACC Environmental - Oakland High School Modernization Project

Approval by the Board of Education of Professional Services Agreement between District and ACC Environmental, Oakland, CA, for the latter to provide Soil Sampling, for off-site disposal, as required by the waste receiver and for Indoor Air-Quality Sampling; as per the request and subsequent directive by Assistant Superintendent for Facilities, as indicated in the attached proposal incorporated into the contract to the extent that it is subordinate to and not inconsistent with the contract terms, in conjunction with the Oakland High School Modernization Project, for the period commencing December 17, 2009 and concluding no later than June 30, 2011, in an amount not to exceed \$26,305.25.

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



09-3274

**Professional Services Agreement - AGS, Inc. - Urban Promise Academy
Multi-Purpose Building Project**

Approval by the Board of Education of Professional Services Agreement between District and AGS, Inc., San Francisco, CA, for the latter to resolve Division of State Architect (DSA) comments on the Final Report - Geotechnical and Geologic/Seismic Hazardous Study and resolve comments/concerns from the California Department of Conservation and an unpaid amount on a Purchase Order not paid previously in the amount of \$713.73, in conjunction with the Urban Promise Academy Multi-Purpose Building Project, for the period commencing December 17, 2009 and concluding no later than February 28, 2010, in an amount not to exceed \$12,973.73.

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: 2 - Christopher Dobbins and Jody London
Nay: 0
Recused: 0
Absent: 1 - Noel Gallo

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



[09-3275](#)

Professional Services Agreement - Golden Associates Landscape - Claremont Middle School Landscaping Project

Approval by the Board of Education of Professional Services Agreement between District and Golden Associates Landscape, Oakland, CA, for the latter to provide new irrigation throughout, new parking lot, new multi-use grass area with track, new grass area with basketball court, upgrade existing community garden, upgrade existing interior and exterior courtyard, new greenhouse and miscellaneous planting throughout the site, in conjunction with the Claremont Middle School Landscaping Project, for the period commencing December 17, 2009 and concluding no later than December 17, 2010, in an amount not to exceed \$41,019.00.

Resource Code - 3535-201

Funding Source: County 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: 2 - Christopher Dobbins and Jody London
Nay: 0
Recused: 0
Absent: 1 - Noel Gallo
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



[09-3276](#)

Purchase and Delivery Contract - Modular Space - Joaquin Miller Elementary School Portable Replacement Project

Approval by the Board of Education of Purchase and Delivery Contract between District and Modular Space, Hayward, CA, for the latter to purchase two (2) portables as described in agreement located on site, in conjunction with the Joaquin Miller Elementary School Portable Replacement Project for the period commencing November 19, 2009 and terminating December 31, 2009, in an amount not to exceed \$28,476.00.

Resource Code - 2122-142

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

**09-3278****Professional Services Agreement - Roland Lakes - District-wide Cost Estimating and Related Services Project**

Approval by the Board of Education of a Professional Services Agreement between District and Roland Lakes, Oakland, CA, for the latter to provide professional cost estimating and related services, including but not limited to providing cost estimates for new, and modernization projects, proposed change orders and related services as needed, in conjunction with the District-wide Cost Estimating and Related Services Project, for the period commencing January 1, 2010 and concluding no later than December 31, 2010, in an amount not to exceed \$120,000.00.

Resource Code - 2122-918

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

**09-3279****Professional Services Agreement - S. Meek Architecture - Havenscourt Middle School New Classroom and Cafeteria Building Project**

Approval by the Board of Education of Professional Services Agreement between District and S. Meek Architecture, San Francisco, CA, for the latter to provide design and construction administration services which include schematic design, design development, preparation of construction documents, bidding and agency approval, construction administration and close out for both phases of the project, in conjunction with the Havenscourt Middle School New Classroom and Cafeteria Building Project, for the period commencing December 17, 2009 and concluding upon completion of the desired services described herein, but no later than June 30, 2013, in an amount not to exceed \$969,000.00.

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



09-3281

Amendment No. 2 - Consolidated Engineering Laboratories - Lincoln Elementary School New Classroom Building Project

Approval by the Board of Education of Amendment No. 2 to Professional Services Agreement between District and Consolidated Engineering Laboratories, San Ramon, CA, for the latter to provide additional inspection for unanticipated field welding that occurred for the new Classroom Building, due to an unforeseen condition, whereas Division of State Architect (DSA) requires independent testing and inspection with in-house review and CBC requirements in conjunction with the Lincoln Elementary School New Classroom Building Project, in an amount not to exceed \$1,457.41, increasing the Agreement from \$61,816.04 to a not-to-exceed amount of \$63,273.45. 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: 2 - Christopher Dobbins and Jody London
 Nay: 0
 Recused: 0
 Absent: 1 - Noel Gallo
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



09-3282

Amendment No. 4 - Ninyo and Moore - Downtown Education Complex Project

Approval by the Board of Education of Amendment No. 4 to Professional Services Agreement between District and Ninyo and Moore, Oakland, CA, for the latter to provide additional abatement monitoring and demolition oversight for Portables 3, 13, 14, 15, 16 and 18, due to a District requested change, per the attached agreement which is subordinate to and not inconsistent with the terms and conditions of the agreement in conjunction with the Downtown Education Complex Project in an additional amount not to exceed \$24,300.00, increasing the Agreement from \$16,600.00 to a not-to-exceed amount of \$40,900.00, and extending the end date from December 31, 2009 to May 1, 2010. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2525-121

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



09-3283

Amendment No. 1 - Waste Management of Alameda County - Oakland High School Modernization Project

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and Waste Management of Alameda County, Oakland, CA, for the latter to provide additional roll-bin service to school site for clearance by teachers, staff for moving/Modernization needs, in conjunction with the Oakland High School Modernization Project, in an amount not to exceed \$2,051.52, increasing the Agreement from \$9,000.00 to a not-to-exceed amount of \$11,051.52. 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: 2 - Christopher Dobbins and Jody London
Nay: 0
Recused: 0
Absent: 1 - Noel Gallo

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

**09-3298****Professional Services - Dougherty and Dougherty Architects LLP - Arroyo Viejo CDC Replacement Project**

Approval by the Board of Education of Professional Services between District and Dougherty and Dougherty Architects LLP, Oakland, CA, for the latter to provide design and construction administration, schematic design, design development, preparation of construction documents and bidding and agency approval, in conjunction with the Arroyo Viejo CDC Replacement Project, for the period commencing December 17, 2009 and concluding upon completion of the desired services described herein, but no later than December 17, 2011, in an amount not to exceed \$342,000.00.

Resource Code - 2122-802

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

**09-3305****Grant Acceptance - Air Resources Board - Caldecott Tunnel Project Impact - Chabot Elementary School and the Claremont Middle School**

Approval by the Board of Education of Grant Agreement between District and Air Resources Board, accepting funding from the latter for the Caldecott Tunnel Project, as specified in the Statement of Work, incorporated herein by reference as though fully set forth, at the Chabot Elementary School and the Claremont Middle School, in the amount of \$2,000,000.00, for the period July 1, 2009 through June 30, 2012, pursuant to terms and conditions there of, if any.

Funding Source: Air Resources Board

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

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 2 - Christopher Dobbins and Jody London

Nay: 0
Recused: 0
Absent: 1 - Noel Gallo
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**09-3308****Professional Services Contract - Vista Environmental Consulting, LLC**

Approval by the Board of Education of a Professional Services Contract between the District and Vista Environmental Consulting, LLC., Oakland, CA, for the latter to clean-up/container, characterize, transport and properly dispose of Hazardous Waste, at the Corporate Facilities Yard, for the period of November 23, 2009 through June 30, 2010, at a cost not to exceed \$25,734.00.

Funding Source: Fund 01 Safety-Hazardous

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

This Matter was Recommended Favorably on the Consent Agenda.

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

**09-3311****Amendment No. 1 - Dougherty & Dougherty Architects - Montclair Elementary School Interim Housing Project**

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and Dougherty & Dougherty Architects, Oakland, CA, for the latter to provide additional services to complete the contracted services, which include, added survey for portables, a City required fire hydrant pressure verification and the alarm system change from a stand-alone system to an integrated system to meet revised District standards, due to a District request, in conjunction with the Montclair Elementary School Interim Housing Project, in an additional amount not to exceed \$12,211.19, increasing the Agreement from 46,500.00 to a not-to-exceed amount of \$58,711.19, and extending the end date from December 31, 2009 to March 31, 2010. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-143

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



09-3325

Facility Use Agreement Between Oakland Unified School District and the Oakland Military Institute College Prep Academy

Approval by the Board of Education of the Resolution No. 0910-0106 Facility Use Agreement between District and Oakland Military Institute College Preparatory Academy (OMI), giving consent to OMI to submit an application to the Office of Public School construction for a preliminary apportionment for rehabilitation funds for use at the Longfellow Elementary School campus.

Funding Source: Office of Public School Construction

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

This Matter was Recommended Favorably on the Consent Agenda.

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

Passed The Committee General Consent Report

A motion was made by Jody London, seconded by Christopher Dobbins, 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: 2 - Christopher Dobbins and Jody London
Nay: 0
Recused: 0
Absent: 1 - Noel Gallo
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 we do have a Vegetation Policy that we submitted and reviewed by this committee. The committee directed staff to go back and work with the Garden Council. He said staff has done that and the Garden Council's input has been incorporated into the Vegetation Policy. We have not brought the amended report back to the committee because we received the revisions today from the Garden Council. Mr. white said he will submit the revisions to Mr. Rakestraw so they will appear on the next agenda.

Chairperson Dobbins said Director London has a number of questions. He asked Mr. Rakestraw would the committee table the matter today?

Mr. Rakestraw said he recommends the Vegetation Policy be brought back to the committee one more time because the Policy has not been disclosed to the public in its current form.

Chairperson Dobbins said we are not tabling the item but will bring the item back at the next meeting.

Director London said that would work for her. She said it seems like there needs to be more discussion. She said she doesn't know if you can just incorporate the input. Director London said she pushed for this and said she would be happy to come to a meeting to help facilitate a conversation and help re-write the Policy so that it has language that's up front that is more welcoming to gardens. She said the way it is written it is still like you can, you can't; yes, no. Director London said the Policy is not welcoming and she thinks the Gardening Policy and the gardens should be welcoming.

Chairperson Dobbins asked would there be a meeting of the Garden Council before the next Facilities Committee Meeting?

Mr. White said the items for the next Committee Meeting are always due the day after this committee meets so that would push it.

Director London said she would much rather get this right than push it. She said there is no time urgency for this. She said the upside for us to have a robust Garden Policy that is

supported by the public. It would be very powerful if it becomes a document both the Buildings & Grounds Department and the Garden Council would have ownership in. She said they present the Policy jointly and develop a better working relationship because there is a lot of tension in that relationship. Director London said she wants to see the Buildings & Grounds Department and the Garden Council work more collaboratively.

Mr. White said he would send a copy of the updated Garden Policy to Committee Members.

Director London said it would be good if we could target this for the last meeting in January or the first meeting in February. Chairperson Dobbins, Director London and Mr. White all agreed upon the timeline for bringing the item back to committee with the revisions.

Chairperson Dobbins said for the record Mr. White would send Committee Members a copy of the updated version after which Director London will join the Garden Council Meeting and have a discussion. The Vegetation Policy will be placed on the agenda for the second meeting in January or the first meeting in February.

There was no public speaker cards submitted.

Discussed

G. New Business



[09-3342](#)

Facilities Use Agreement - Leadership Public Schools College Park Charter School - Dedicated and Shared Space - Castlemont Community of Schools

Approval by the Board of Education of a Proposition 39 Charter Facilities Use Agreement between District and Leadership Public Schools, a non-profit public benefit corporation operating College Park Charter School, for the latter's use of dedicated space and shared space, within District's facility known as the Castlemont Community of Schools ("Castlemont"), located at 8601 MacArthur Boulevard, Oakland, CA 94605, as more specifically described in Exhibit C of Agreement, commencing December 16, 2009 and ending July 31, 2010, for the 2009-2010 School Year, at a pro rata shared cost not to exceed \$144,983.28.

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

David Montes de Oca, Charter School Office, was present to answer questions Committee Members may have regarding the next three items.

Director London said she had received the answers to her questions. Director London asked Mr. Montes de Oca if we approved these agreements at the end of March and the documentation in the agreements said a response was due by May 1st and it is now December 8th, Director London asked, "What's happening?"

Mr. Montes de Oca said the timeline was on the Office of Charter School in terms of bringing it to the Board. He said the process is once the school responds in May, over the summer we develop the Facilities Use Agreement and prepare it for the Board. He said the

Charter School Office decided rather than bring forward the same agreements used in prior years to revise and revisit those agreements. The process was delayed or extended due to a staff shortage his office August through November. As the office recouped staffing they had more opportunities to put more emphasis on this and we were able to complete the process bringing it to the Facilities Committee.

Director London wanted to know what happens with the rent since they did not have an agreement?

Mr. Montes de Oca said they modified the fee schedule with payments to be made in installments; January 50%, April 25% and June 25%.

Director London said, "Great."

Chairperson Dobbins asked if the fees were set by state statute?

Mr. Montes de Oca said these agreements are pursuant to Proposition 39 with respect to Charter School Facilities and District facility use.

Director London asked if the square footage rate we charge them is based on an assessment of the market and not dictated by the state?

Mr. Montes de Oca said this is dictated by state statute in terms of the amount. It is called a Pro Rata Share Rate. He said the laws for Proposition 39 defines the criteria and the expenses under which the District can recoup costs by charging the Charter School for a use rate. We use a general standard based on the square footage that's allocated to the school against the sum total divided. We divide the sum total amount of money we can allocate on a Pro Rata Share Rate against the square footage. The rate is \$3.72 a square foot. He said these are rates charged pursuant to agreements to Proposition 39 which are one year Facility Use Agreements. We currently have multi-year Facility Use Agreement that causes them to fall outside of Proposition 39 and become more of a negotiation between the school and the District over those terms. In the future if we step beyond the time frame of Proposition 39 and consider a multi-year contract, we can also consider revisiting what those facility use rates might be.

Chairperson Dobbins asked if the Charter Schools are paying utility bills?

Mr. Montes de Oca said we take the bill for the entire campus and pro rate it by the square footage the Charter School is occupying. They are then charged that rate and they pay that into the facility use fee.

Director London asked for clarity on how the utility payment works. She asked if they are sub-metered paying their own electric and gas bill?

Mr. Montes de Oca said they are not sub metered. He said the Office of Charter Schools has a Financial Accountant and one of his responsibilities is billing for the Office of Charter Schools for various reasons. The bill is received from Accounts Payable and it is divided by the amount of the campus that is occupied by the Charter School and they are charged for that.

Director London wanted to know what can we do to create incentives for everyone in our buildings to use less electricity including the Charter School tenants? She asked Mr. White were the buildings sub metered or is there a plan to sub meter the buildings so that a tenant can accurately evaluate their usage?

Mr. White said we have metering work done during a modernization project at a site. We do submit applications to PG & E for re-metering. He said there is new electronic technology for metering that is a part of some of the projects we are working on in conjunction with the City of Berkeley and West Contra Costa County. We think PG & E is helping us to look at ways to extend the metering across the District to make it more comprehensive and consistent.

Director London said what she is hearing is the Facilities Department does not get involved in reviewing the utility bills before they are paid.

Mr. White said they have not gotten involved in reviewing those bills as a function of being paid because of the way the Results Based Budgeting Funds are distributed. The utility bills are paid out of Fiscal. He said originally when the Energy Policy was passed one of the provisions was the school sites ultimately would be able to take advantage of the savings, recoup the savings and use those saving as they saw fit. He said although we don't have a centralized control over the bills, we do track the utility bills.

Director London said to Mr. White with the budget for next year looking at trying to cut \$500,000 from utility costs, you might want to think about how Facilities can have a much better and quicker handle on usage.

There were no speaker cards submitted.

A motion was made by Jody London, 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 Jody London
 Nay: 0
 Recused: 0
 Absent: 1 - Noel Gallo
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0

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



09-3343

Facilities Use Agreement - Bay Area Technology School - Portion of Carter School Site

Approval by the Board of Education of a Proposition 39 Charter Facilities Use Agreement between District and Bay Area Technology School, a Charter School, for the latter's use of a portion of the public site within District known as the Verdese Carter Middle School site ("Carter"), located at 4521 Webster Street, Oakland, CA 94608, sharing the site with Oakland International High School, as more specifically described in Exhibit C of Agreement, commencing December 16, 2009 and ending July 31, 2010, for the 2009-2010 School Year, at a pro rata shared cost not to exceed \$54,207.84.

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

There were no speaker cards submitted.

A motion was made by Jody London, 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 Jody London
Nay: 0
Recused: 0
Absent: 1 - Noel Gallo
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-3344

Facilities Use Agreement - Bay Area Technology School - Portable on Carter School Site

Approval by the Board of Education of Proposition a 39 Charter Facilities Use Agreement By and Between District and Bay Area Technology School, a Charter School, for the latter's use of a portable on the public site within District known as the Verdese Carter Middle School site ("Carter"), located at 4521 Webster Street, Oakland, CA 94608, a shared site with Oakland International High School, as more specifically described in Exhibit A of Agreement, commencing December 16, 2009 and ending July 31, 2010, for the 2009-2010 School Year, at an annual Contract Fee, for ten months, not to exceed \$10,000.00 and for other costs specified within said Agreement.

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

There were no speaker cards submitted.

A motion was made by Jody London, 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 Jody London
Nay: 0
Recused: 0
Absent: 1 - Noel Gallo
Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

09-3359 District's Continuing Unmet Facilities Needs

District's Continuing Unmet Facilities Needs

Discussion of the District's continuing long term unmet facilities renovation, rehabilitation, new construction needs and the prospect of acquisition of additional resources - federal, state, local - to address same.

Mr. White said at the next Facilities Committee Meeting he staff will present an analysis of where we are in conjunction with our existing program. He said we would like to bring our list of growing needs that have been identified for the future Bonds.

Director London said in her opinion we cannot go out for another General Obligation Bond until we revise our Facilities Master Plan, she said it is very dated. The Asset Management Plan gives us a good framework to develop a new Facilities Master Plan.

Mr. White said he will bring something fairly comprehensive, although it will be preliminary the need continues to grow. He said included in the report will be an evaluation of what our seismic needs are across the District. In certain communities there is an awareness about the need to seismically brace our schools in an updated fashion along with other schools who haven't have hands touch them since Measure "A" or Measure "B" would be on that list.

There were no speaker cards submitted.

Discussed

H. Report of the Assistant Superintendent, Facilities Planning and Management, Buildings and Grounds and Custodial Services

Mr. White distributed an updated Measure "B" Expenditure Report. Mr. White asked Charles Love to give an update of the changes from the last report. Mr. Love's made his report however the comments were not audible.

Mr. Rakestraw suggested the next time an Expenditure Report is distributed that the Report be placed on the agenda. He said he has Brown Act concerns.

Chairperson Dobbins said in the future the Measure "B" Expenditure Report will be placed on the agenda and Mr. Love will have his time on the agenda.

Mr. White reported on an opportunity the District has with the City of Oakland to file a joint application for ARRA Funding under the new Energy Efficiency Block Grant. Mr. White thanked Director London for helping to open up this opportunity for the District. The grant will appear on the City Council agenda tonight for approval. The grant amount is between \$7 million to \$8 million. The District is applying for approximately \$3 million to \$4 million to weatherize school and perform energy efficiency upgrades on several school sites across the District. Mr. White also reported the District was approved for Clean Renewal Energy Bonds. These are Federally Funded low interest Bonds allowing us to put renewal power on 17 to 18 school sites dedicated to solar.

Mr. White reported on the Williams Act Emergency Repair Program. He said there were ten applications questioned by the State. The District's understanding was the applications were filed and submitted to the State. He said for over a year we never saw the applications after we submitted them to the State. We continued to contact the Office of Public School Construction (OPSC) and we would be told they had a backlog and the State had furlough days. We asked for Legislative help from State Senator Loni Hancock's office and Assemblyman Sandre Sawnsen's office. The State reported to us that some of the applications had a status that was unknown to the District. The District's position was the applications were submitted on time and the information was timely. The OPSC said in most cases the additional inquiry sent out was either late or not received. We are now engaged in a process where we are trying to give them proof of delivery of the projects. He said about five of the ten applications will be put on the list based on us providing the proof. We are still working on the other five applications.

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

Jeff Tanner said the Measure "B" Annual Report was recently distributed and said one thing that caught his eye was the Change Order Review Process. He said given his personal experience in dealing with Change Orders, he suggested we consider using the Peer Review Process during the design phase of a project. He said the Peer Review Process involves an Engineer or Architect or a combination of both who would report directly to Mr. White. The Peer Review Process is a review of the design for efficiency and

constructability. He said it is a technical and detailed review. It is being used by the UC System, the Cal State System, Stanford University and private builders. The State Office of Public Instruction recognizes the Peer Review Process as an effective quality assurance measure and a way to control costs. Mr. Tanner said he is available to help the District in any way he can.

Mr. White said he and Mr. Tanner have arranged to exchange contact information and a meeting will take place in the near future. Regarding the Change Order Process, he said it is a sticky situation. He said we have looked at their suggestions. We have talked to the Auditors on how to set up a process whereby we have a pre-negotiated line item by discipline cost for any type of work associated with a particular project. Mr. White noted we do conduct some constructability reviews on our projects.

J. Introduction of New Legislative Matter

None.

K. Adjournment

Chairperson Dobbins adjourned the meeting at 6:00 P.M.

Prepared By: _____

Approved By: _____