

# Oakland Unified School District

Board of Education  
Paul Robeson Building  
1025 2nd Avenue, Suite 320  
Oakland, CA 94606-2212  
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## **Minutes (Long)**

**Tuesday, January 04, 2011**

**4:30 PM**

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

## **Facilities Committee**

**Noel Gallo, Chairperson**  
**Jody London, Vice Chairperson**  
**Alice Spearman, Member**

## A. Call to Order

*Chairperson Noel Gallo called the meeting to order at 4:30 P.M.*

## B. Roll Call

**Roll Call:** Present: Noel Gallo, Jody London and Alice Spearman

## C. Modification(s) To Agenda

*None.*

## D. Adoption of Committee Minutes



### 11-0025 Minutes - Facilities Committee - December 7, 2010

Approval by Facilities Committee of Its Meeting Minutes of December 7, 2010.

**Attachments:** [11-0025 - Minutes - Facilities Committee - December 7, 2010](#)

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

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 3 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

## E. Adoption of the Committee General Consent Report



### [10-2907](#) Resolution - Authorizing and Approving Budget Reductions for Completed Measure B Projects

Approval by the Board of Education of Resolution No. 1011-0064 - Authorizing and Approving Budget Reductions for completed Measure B Capital Projects.

**Funding Source: GO Bond-Measure B**

**Attachments:** [Document\(s\)](#)  
[10-2907 - Resolution Authorizing and Approving Budget Reductions for Completed Measure B Projects.pdf](#)

**This Matter was Recommended Favorably on the Consent Agenda.**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 3 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



**10-3000**

**Project Budget, Key Code and Project Number - Claremont Middle School  
Gymnasium Fire Repair Project**

Approval by the Board of Education of Resolution 1011-0083 - Authorizing and Approving the New Project Budget, Key Code and Project Number for Claremont Middle School Gymnasium Fire Repair Project in the amount of \$100,000.00.

**Funding Source: Risk Management**

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

*Secretary Rakestraw said according to Facilities staff, the funding source for Legislative File ID 10-3000 should be changed to Risk Management from General Obligation Bond.*

**This Matter was Recommended Favorably on the Consent Agenda.**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 3 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



**10-3001**

**Amendment No. 2, Professional Services Facilities Contract - AE3 Partners -  
Glenview Lower Yard Paving & Accessible Ramp Project**

Approval by the Board of Education of Amendment No. 2 Professional Services Agreement between District and AE3 Partners, Oakland, CA, for the latter to provide additional design and engineering services to modify upper fence footing from a continuous footing to a pier system, including meeting with Division of State Architect (DSA), development of engineering draft details, development of final set edits, and issuing supplemental instructions to the General Contractor, in conjunction with the Glenview Lower Yard Paving and Accessible Ramp Project, in an additional amount not to exceed \$3,030.00, increasing the Agreement from a not to exceed amount of \$59,652.00 to \$62,682.00, for the period October 15, 2009 through December 31, 2010. All other terms and conditions of the Agreement remain in full force and effect.

**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 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



### **10-3002**

#### **Amendment No. 9, Professional Services Facilities Contract - Gelfand/RNP - Cox New Classroom Building Project**

Approval by the Board of Education of Amendment No. 9, Professional Services Facilities Contract between District and Gelfand/RNP, San Francisco, CA, for the latter to provide additional Architectural and MEP Design Services, and related services, described in the Scope of Work, incorporated herein by reference as though fully set forth, to accommodate reinstalling the portable restroom that was removed during the site work phase of the project, in an additional amount not to exceed \$10,000.00, increasing the Contract not to exceed amount from \$1,336,409.00 to \$1,346,409.00, in conjunction with the Cox New Classroom Building Project, for the period commencing December 31, 2009 and concluding no later than December 31, 2011. All other terms and conditions of the Contract remain in full force and effect.

**Resource Code - 2122-110**

**Funding Source: General Obligation Bond-Measure B**

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

*Director Spearman requested additional information regarding Legislative File ID 10-3002 - Cox New Classroom Building Project in terms of what work was being done at the site.*

*Timothy White, Assistant Superintendent for Facilities Planning and Management, said in checking the reference material for the file, Gelfand is the architect of record on the project. He said there was a Scope of Work increase on the project that required additional*

*architectural services and this Amendment is compensation for the additional work.*

*Director Spearman asked when was the work completed?*

*Mr. White said the work has been completed. The Amendment costs are for the additional work that required additional design services.*

*Director Spearman wanted to know when were the design services performed?*

*Mr. White said the work is scheduled to start in December 2010 to December 2011 which is a standard one year period for the work to be completed.*

*Director Spearman said she would like to know when the work was completed and if the restroom is there. She said she did not believe there was a portable restroom there.*

*Mr. White said he could get the information for Director Spearman.*

*Director Spearman requested Mr. White check to make sure the District is not installing a restroom for use by the charter school located on the same campus.*

*Mr. White said the work is not for a restroom, the work is to accommodate the canopy work on the site.*

*Director Spearman said the Amendment language states the District is paying Gelfand to accommodate reinstalling the portable restroom that was removed during site work phase of the project.*

*Mr. White said he thinks that is incorrect.*

*Director Spearman requested the item be pulled from the Consent Report.*

*Mr. White said he would resubmit the item for approval at future committee meeting.*

**Tabled to a Date Certain**



**10-3004**

**Amendment No. 3, Professional Services Facilities Contract - Michael Willis & Associates - Calvin Simmons Middle School Health Center Project**

Approval by the Board of Education of Amendment No. 3, Professional Services Facilities Contract between District and Michael Willis & Associates, Oakland, CA, for the latter to add structural issues caused by the design and the General Contractor and add changes to Mechanical design because of unforeseen conditions and electrical, in conjunction with the Calvin Simmons Middle School Health Center Project, in an additional amount not to exceed \$4,970.00, increasing the Contract not to exceed amount from \$96,027.00 to \$100,997.00, for the contract period of April 30, 2008 through December 1, 2010. All other terms and conditions of the Contract remain in full force and effect.

**Resource Code - 2122-205**

**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 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



**10-3005**

**Amendment No. 3, Professional Services Facilities Contract - MVE Institutional - Downtown Educational Complex Project**

Approval by the Board of Education of Amendment No. 3, Professional Services Facilities Contract between District and MVE Institutional, Oakland, CA, for the latter to provide additional Scope of Work to include furniture, fixtures, and equipment services for the Downtown Educational Complex, including programming, schematic design, furniture specifications, and contract administration for the entire complex and additional consulting designed to generate a separate composite for AT&T trench work along 10th St. (project frontage), in an additional amount not to exceed \$59,525.00, increasing the Contract not to exceed amount from \$4,057,767.50 to \$4,117,292.50, for the period February 2, 2009 through December 31, 2013. All other terms and conditions of the Contract remain in full force and effect.

**Resource Code - 2122-121**

**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 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



**10-3010**

**Facilities Purchase and Delivery Contract - Gary Doupnik Manufacturing - Cole New Portable Installation Project**

Approval by the Board of Education of Contract for Purchase and Delivery of Materials and Supplies Between District and Gary Douppnik Manufacturing, Loomis, CA, for the latter to provide one used portable classroom building to include wood foundation, skirting, mini blinds, window guards and zero clearance ramp in conjunction with the Cole New Portable Installation Project, for the period commencing January 13, 2011 and concluding no later than December 31, 2011, in an amount not to exceed \$23,932.00.

**Resource Code - 0000-109**

**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: 3 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



### **10-3018**

#### **Purchase Order - A&E Emaar - Fremont Small School Modernization Project**

Approval by the Board of Education of Purchase Order between District and A&E Emaar, Albany, CA, for the latter to provide and install Plastic Corrugated Roof Panels at two existing Wood Trellises adjacent to the school cafeteria, pursuant to A&E Emaar Proposal dated November 24, 2010, in conjunction with the Fremont Small School Modernization Project, for the period commencing December 13, 2010 and concluding no later than January 31, 2011, in an amount not to exceed \$4,500.00.

**Resource Code - 2122-302**

**Funding Source: GO Bond-Measure B**

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

*Chairperson Gallo noted there are contracts on the agenda for the Fremont Small School Campus Modernization Project and wanted to know about the progress of the project.*

*Mr. White said the progress has been satisfactorily. He said it has been a broad effort led by the Superintendent's Office with David Montes de Oca engaging the leadership at Fremont on envisioning what the site will look like. He said the programming will accommodate some discussions about Green Academies and different innovative programs the District would like to prepare Fremont for.*

**This Matter was Recommended Favorably on the Consent Agenda.**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 3 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0

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

**10-3019****Purchase Order - Bohm Environmental Services - Claremont Gym Fire Repair Project**

Approval by the Board of Education of Purchase Order between District and Bohm Environmental Services, Oakland, CA, for the latter to provide asbestos abatement services to include removal of gym flooring and mastic, in conjunction with the Claremont Gym Fire Repair Project, for the period commencing December 15, 2010 and concluding no later than January 15, 2011, in an amount not to exceed \$14,941.00.

**Resource Code - 0000-201**

**Funding Source: Risk Management**

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

**This Matter was Recommended Favorably on the Consent Agenda.**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 3 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**10-3020****Purchase Order - Comfort by Design - Fremont Small School Modernization Project**

Approval by the Board of Education of Purchase Order between District and Comfort By Design, Pinole, CA, for the latter to provide and install a split system air conditioning unit at the existing MDF room at the school, per proposal dated October 26, 2010, in conjunction with the Fremont Small School Modernization Project, for the period commencing January 1, 2011 and concluding no later than September 30, 2011, in an amount not to exceed \$9,800.00.

**Resource Code - 2122-302**

**Funding Source: GO Bond-Measure B**

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

*Chairperson Gallo noted there are contracts on the agenda for the Fremont Small School Campus Modernization Project and wanted to know about the progress of the project.*

*Mr. White said the progress has been satisfactorily. He said it has been a broad effort led by the Superintendent's Office with David Montes de Oca engaging the leadership at Fremont on envisioning what the site will look like. He said the programming will accommodate some discussions about Green Academies and different innovative programs*



*the District would like to prepare Fremont for.*

**This Matter was Recommended Favorably on the Consent Agenda.**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 3 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



**10-3021**

**Purchase Order - Diversified Flooring Services, Inc. - Montera Middle School Modernization Project**

Approval by the Board of Education of Purchase Order between District and Diversified Flooring Services, Inc., Foster City, CA, for the latter, as a contractor, to seal exposed concrete floors in all classrooms, corridors and multi-purpose room, in conjunction with the Montera Middle School Modernization Project, for the period commencing December 1, 2010 and concluding no later than January 31, 2011, in an amount not to exceed \$50,000.00.

**Resource Code - 2122-211**

**Funding Source: GO 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 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



**10-3023**

**Purchase Order - Hur Flooring Co. - Claremont Gym Fire Repair Project**

Approval by the Board of Education of Purchase Order between District and Hur Flooring Co., Canoga Park, CA, for the latter to install new maple flooring over two (2) layers of plywood and cushions, paint new game lines and build one ramp at double doors, in conjunction with the Claremont Gym Fire Repair Project, for the period commencing December 10, 2010 and concluding no later than January 10, 2011, in an amount not to exceed \$49,999.00.

**Resource Code - 0000-201**

**Funding Source: Risk Management**

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

**This Matter was Recommended Favorably on the Consent Agenda.**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 3 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



**10-3024**

**Professional Services Facilities Contract - Kam Yan and Associates -  
Castlemont High School Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Kam Yan and Associates, Oakland, CA, for the latter to provide engineering services with the Scope of Work including study/investigation report and construction documents for four (4) existing stadium light poles, in conjunction with the Castlemont High School Project, for the period commencing December 1, 2010 and concluding no later than December 31, 2011, in an amount not to exceed \$7,500.00.

**Resource Code - 0000-301**

**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 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



**10-3025**

**Professional Services Facilities Contract - Kam Yan and Associates -  
McClymonds High School Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Kam Yan and Associates, Oakland, CA, for the latter to provide engineering services with the Scope of Work including study/investigation report and construction documents for four (4) existing stadium light poles, in conjunction with the McClymonds High School Project, for the period commencing December 1, 2010 and concluding no later than December 31, 2011, in an amount not to exceed \$7,500.00.

**Resource Code - 0000-303**

**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 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**10-3026****Professional Services Facilities Contract - Kam Yan and Associates - Oakland Technical High School Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Kam Yan and Associates, Oakland, CA, for the latter to provide engineering services with the Scope of Work including study/investigation report and construction documents for four (4) existing stadium light poles in conjunction with the Oakland Technical High School Project, for the period commencing December 1, 2010 and concluding no later than December 31, 2011, in an amount not to exceed \$7,500.00.

**Resource Code - 0000-305****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 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**10-3027****Professional Services Facilities Contract - Kam Yan and Associates - Skyline High School Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Kam Yan and Associates, Oakland, CA, for the latter to provide engineering services with the Scope of Work including study/investigation report and construction documents for four (4) existing stadium light poles, in conjunction with the Skyline High School Project, for the period commencing December 1, 2010 and concluding no later than December 31, 2011, in an amount not to exceed \$7,500.00.

**Resource Code - 0000-306****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 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**10-3029****Purchase Order - Lee Signs - Downtown Educational Complex Project**

Approval by the Board of Education of Purchase Order between District and Lee Signs, Oakland, CA, for the latter to provide 148 car hangers for authorized parkers, the renaming or replacing of existing parking signs, providing new parking signs and labor, as specified in proposal, attached hereto and incorporated herein by reference as though fully set forth, in conjunction with the Downtown Educational Complex Project, for the period commencing December 2, 2010 and concluding no later than January 31, 2011, in an amount not to exceed \$3,089.04.

**Resource Code - 0000-121****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: 3 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**10-3030****Purchase Order - Macy Movers, Inc. - Lowell Middle School Modernization Project**

Approval by the Board of Education of Purchase Order between District and Macy Movers, Inc., Oakland, CA, for the latter to relocate furniture from a 2-story classroom building to a portable classroom, in conjunction with the Lowell Middle School Modernization Project, for the period commencing November 1, 2010 and concluding March 30, 2012, in an amount not to exceed \$5,260.00.

**Resource Code - 2122-204****Funding Source: GO 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 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**10-3031****Small Construction Contract - Masterpiece Painting - Claremont Gym Fire Repair Project**

Approval by the Board of Education of Small Construction Contract between District and Masterpiece Painting, Oakland, CA, for the latter to paint and eliminate smoke odors in gymnasium; treat mold area; prime all walls, ceilings, doors and trusses and paint all substrates, in conjunction with the Claremont Gym Fire Repair Project, for the period commencing December 15, 2010 and concluding no later than January 15, 2011, in an amount not to exceed \$24,500.00.

**Resource Code - 0000-201****Funding Source: Risk Management****Attachments:** [Document\(s\)](#)**This Matter was Recommended Favorably on the Consent Agenda.**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 3 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**10-3032****Purchase Order - Playgrounds Unlimited - Various Play Structure Repair Project**

Approval by the Board of Education of Purchase Order between District and Playgrounds Unlimited, Sunnyvale, CA, for the latter to provide recapping of the rubber tile matting with new PIP Matting and various other items described in the proposal, incorporated herein as though fully set forth, in conjunction with the Play Structure Repair Project, for the period commencing December 1, 2010 and concluding no later than January 15, 2011, in an amount not to exceed \$37,473.25.

**Resource Code - 2122-918**

**Funding Source: GO 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 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



**10-3033**

**Purchase Order - Professional Cleaning Service - Montera Middle School Modernization Project**

Approval by the Board of Education of Purchase Order between District and Professional Cleaning Service, San Francisco, CA, for the latter to provide a power wash of surfaces, as specified in proposal, attached hereto and incorporated by reference as though fully set forth, on school grounds, in conjunction with the Montera Middle School Modernization Project, for the period commencing January 12, 2011 and concluding no later than December 31, 2011, in an amount not to exceed \$4,440.00.

**Resource Code - 2122-211**

**Funding Source: GO 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 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



**10-3034**

**Professional Services Facilities Contract - SCA Environmental, Inc. - Chabot**

**Caldecott Tunnel Air Quality Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and SCA Environmental, Inc., Oakland, CA, for the latter to provide Air Quality Consulting Services including documenting maximum thresholds and best practices (if any) for carbon monoxide, nitrogen oxides, and particulates in schools; obtain most recent and complete set up plans to base testing and standards; conduct detailed work through to determine the test locations for air sampling and document any historical maintenance issues; conduct ten (10) samples at various locations within buildings to determine carbon monoxide, nitrogen oxide, and particulate levels, conduct two (2) outdoor control samples and send samples for lab analysis, in conjunction with the Chabot Caldecott Tunnel Air Quality Project, for the period commencing January 13, 2011 and concluding no later than December 31, 2011, in an amount not to exceed \$2,895.00.

**Resource Code - 0000-106**

**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 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**10-3036****Change Order No. 3 - Riverview Construction - Prescott Elementary School Modernization Project**

Approval by the Board of Education of Change Order No. 3 to Construction Contract between District and Riverview Construction, Sacramento, CA, for the latter, based on school site request, to re-stripe Kindergarten and Main playground for up-to-date developmentally appropriate activities, in conjunction with the Prescott Elementary School Modernization Project, in an additional amount of \$23,070.14, increasing the Agreement from \$2,480,000.00 to \$2,503,070.14, and extending the contract period of July 24, 2010 to August 20, 2010 to August 25, 2010. All other terms and conditions of the Agreement remain in full force and effect.

**Resource Code - 2122-147**

**Funding Source: GO 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 - Noel Gallo, Jody London and Alice Spearman

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

**10-3037****Change Order No. 4 - Riverview Construction - Prescott Elementary School Modernization Project**

Approval by the Board of Education of Change Order No. 4 to Construction Contract between District and Riverview Construction, Sacramento, CA, for the latter to supply and install complete drainage system per civil design provided by REI Engineers dated 8-12-2010, in response to RFI #17 and RFI #18, in conjunction with the Prescott Elementary School Modernization Project, in the additional amount of \$190,675.88, increasing the Agreement from \$2,503,070.14 to \$2,693,746.02. All other terms and conditions of the Agreement remain in full force and effect.

**Resource Code - 2122-147**

**Funding Source: GO 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 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**10-3061****Grant of Easement - East Bay Municipal Utility District - Downtown Educational Complex Project**

Approval by the Board of Education of Grant of Easement Between District ("Grantor") and the East Bay Municipal Utility District and to its successors and assigns ("Grantee"), granting and assigning to the latter a perpetual easement and right-of-way for the purpose of laying down, constructing, reconstructing, removing, replacing, repairing, maintaining, operating and using, as Grantee may see fit, for the transmission and distribution of water, a pipe or pipelines and all necessary braces, connections, fastenings, and other appliances and fixtures including underground telemetry and electrical cables for use in connection there with or appurtenant thereto, in, under, along and across that certain real property described in Exhibit "A" and shown in Exhibit "B", attached hereto and made a part hereof, for specified utility services to the Downtown Educational Complex Project.

**Funding Source: East Bay Municipal Utility 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 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

## Passed The Committee General Consent Report

**A motion was made by Jody London, seconded by Alice Spearman, 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 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

## F. Unfinished Business



[10-2906](#)

### **Interim Progress Report No. 6 - District - California High Performance School Program**

Approval by the Board of Education of the Sixth Interim Progress Report on District's California High Performance School (CHPS) Program/Sustainability Initiatives and Energy and Water Plan Board Resolution.

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

*Carol Sung, Manager of the District's California High Performance School Program (CHPS), presented of the report covering the last six months of 2010.*

*Ms. Sung said all major bond projects are on target to meet the (CHPS) Rating System minimums either in CHPS verified or as CHPS design which is a self-certification by the design team. She said the qualified projects for Prop 1-D Modernization Funding through State allocation funding through the OPSC Program should qualify for some high performance incentive grant funding. She said Chabot Elementary and Cox Elementary should reap between \$60,000-\$80,000 total with Cox Elementary earning the bulk of the total because of its eligibility.*

*Ms. Sung said the District established its Office of Public School Construction (OPSC) Funding eligibility in two categories, New Construction and Modernization. She said Bond projects are the projects that qualify for State Modernization Program funding. She said the CHPS Program gives the District a better building and a better energy performing building. She said so far, all District projects have averaged about 41 points, which is above the 20 point minimum to meet the CHPS State Funding Program minimums. She said toward the end of last Fall OPSC, DSA and SAB approved new regulations to the CHPS Program and the Incentive Grant Funding Program. She said the Coalition for Adequate School Housing (CASH) and the CHPS Board worked together to advocate for more dispensation of funding to the Modernization High Performance School Projects. She said District projects are garnering 40 points and above will receive Incentive Grant Funding on top of the \$250,000 per project. She said the projects already DSA approved do not qualify. She said future projects such as the Fremont High School Modernization Project will qualify for the \$250,000 grant plus however many dollars in points each project earns once the projects goes to DSA should there be money left in the Modernization Funding Program and the CHPS Incentive Grant.*

#### *Highlights of the Chabot Elementary School Modernization Project*

- *Chabot's energy performance is calculated to be 18% better than the Title 24 minimum standards.*
- *Natural daylighting was the focus of the project. She said most of the classrooms in the new two-story building should be able to operate during the daytime hours with very little electric lighting turned on.*
- *Seventy five percent of the construction waste was diverted from landfills.*
- *The project combined the new building with the old building by refinishing the old stage wood flooring and installing the wood flooring in the hallways of the new classroom building.*

*Ms. Sung reported that in October the District held its first Custodian Symposium to focus on recycling and composting at school sites. The symposium highlighted sustainability initiatives the District hopes to work on the rest of this year that include: Green cleaning, indoor air quality, food waste reduction, composting and Green Schools.*

#### *Grant Funding*

1. *Ms. Sung said there is one on-going grant with the Department of Education for the Solar Master Plan.*
2. *The Alameda County Office of Education received a PG & E Innovator Pilot Grant supporting two countywide energy managers who will help support energy management at all 15 school districts that are part of the agreement in Alameda County.*
3. *Ms. Sung said the District is still waiting to hear back from two other grants, Sustainable OUSD and Indoor Air Quality.*

#### *Committee Member Comments*

*Vice President London asked Mr. White to talk about the work he is doing with PG & E on the Energy Efficiency Master Plan and how that impacts the District's ability to try and use some of the Bond Funds available to the District.*

*Mr. White said this is the next step in a lot of the work the District looked at over the last*

several years with respect to finding ways to reduce energy costs with a combined reduction of energy costs using energy efficiency and energy renewal strategies. He said the District was able to secure eligibility for \$38 million in Clean Renewal Energy Bonds and \$28 million in Qualified School Construction Bonds. He said this information was provided to the committee and the Board about a year ago. The District had to make sure it did not install energy renewal systems without taking the diligence to reduce energy before looking at ways to produce the energy to cover the usage. He said PG & E working with KG Engineering has performed an initial audit of the school sites. He said the last piece for the District is to put together a Financial Performance that will make Deputy Superintendent Vernon Hal comfortable in terms of the draw-down of the dollars making sure there is no abnormal burden placed on the District that doesn't already exist. He said the current strategy is leveraging dollars from the grants with available bond dollars. He said the District anticipates being able to support about \$40-\$50 million in energy efficiency/energy renewal projects and subsidize that with about \$10-\$15 million in General Obligation Bonds.

**A motion was made by Jody London, seconded by Alice Spearman, that this matter be Recommended Favorably. The motion carried by the following vote:**

**Votes:** Adv Aye: 0  
 Adv Nay: 0  
 Adv Abstain: 0  
 Aye: 3 - Noel Gallo, Jody London and Alice Spearman  
 Nay: 0  
 Recused: 0  
 Preferential Aye: 0  
 Preferential Abstention: 0  
 Preferential Nay: 0



### **10-2538**

#### **Life Academy School Site Location and Related Issues**

A report by the Assistant Superintendent of Facilities Planning and Management regarding the status of the renovations for Life Academy School Site located at 2111 International Boulevard.

**Attachments:** [10-2538 - 1011-0112 Regarding the Life Academy School Site Location and Related Issues.pdf](#)

*Mr. White said currently there is a sentiment among the Life Academy principal, staff and community representatives (including OCO) in looking at the benefits of remaining on the Calvin Simmons Middle School campus. He said he has continued the investigative work based on the direction given by the Board a couple of years ago to look at what requirements were necessary to make 2111 International Boulevard a conforming building which included plans, testing, plan review and approval. He said over the winter some invasive testing was done which involved going in and taking out some of the structure and looking at what was behind the walls. He said the work has been going on simultaneously while the District has been having the discussion with the Life Academy community about its desire to remain at Calvin Simmons or return to 2111 International Boulevard. He said the desire to get the decision to remain at Calvin Simmons sooner so the District could stop the work at 2111 International Boulevard was not possible. He said he did believe the community was close to making a formal determination to stay at Calvin Simmons based on the District continuing to honor the conversion or expansion of the Life Academy Program*

to accommodate a Bio-Science Program. He said to make that possible, it means transferring their Capital Funding from 2111 International Boulevard to Calvin Simmons Middle School.

Director Spearman asked Mr. White when he thought a decision would be made? She said the process has been drawn out too long and she does not understand why it is taking so long for a decision. She wanted to know who would make the decision.

Mr. White said it's a Board decision. He said the process going on right now is community engagement. He said the process is being led by the Quality School Community Development Group and David Montes de Oca. He said he did not want to speak how long it will take for a decision. He said he can report back to the committee or ask Mr. Montes de Oca to report back to the committee.

Director Spearman asked if the District can place a hold on the work until a decision is made?

Mr. White said the District is at a point where a cut off can be made and a good place for that to happen.

Director Spearman wanted to know if a motion was needed to stop the work at 2111 International Boulevard?

Secretary Rakestraw noted the item was not noticed as an action item on the agenda. He said the options available to the Board are:

1. Authorize the suspension of construction activities at the 2111 International Boulevard site.
2. Impose a deadline for the Quality School Community Development Group to make a recommendation in order for the Board to make a decision about the location.

Director Spearman said she would leave imposing a deadline up to Chairperson Gallo. She said she does encourage Chairperson Gallo to place this item on the next committee meeting agenda so there will be no more work done until the Board decides what it wants to do.

Chairperson Gallo said the District is over \$520 million in long term debt. He said there are some realities facing the District that the District has failed to make decisions on. He said the Board is looking for Mr. White's professional opinion regarding the 2111 International Boulevard site. He said the longer the Board puts off making a decision, the District gets deeper in the hole.

Vice President London suggested the committee ask Mr. White to relay to the group doing the community outreach that the committee would like to make a determination about the future of the school's location. She requested Mr. White bring cost estimates and what the differential will be. She said she hopes it will be less expensive to rehabilitate the Calvin Simmons site.

Director Spearman said Life Academy is a viable program. She said it can become a

*nationwide star program. She said the school needs the room and they can't grow at 2111 International Boulevard. She said at Calvin Simmons the enrollment and course offerings can grow. She said the discussions have to come to an end.*

*Chairperson Gallo said he is in agreement with Director Spearman. He directed Mr. White to communicate to the Superintendent there is a timeline and decisions have to be made and the Board is willing to make those decisions. Chairperson Gallo said he will place this item on the next Facilities Committee Agenda for Mr. White's professional recommendation in terms of the facility end.*

*Mr. White said Calvin Simmons Middle School has the infrastructure to be a school and has a lot of resources available that Life Academy could never approximate located at 2111 International Boulevard even given another \$15 million. He said he will contact the Superintendent immediately regarding the committee's wishes.*

*Director Spearman wanted to know how much money will be lost because the funds are not transferrable from one site to another site?*

*Mr. White said about \$3 million.*

*Director Spearman wanted to know if some of the money can be saved in the Bond Funds?*

*Mr. White said he talked with the architect about transferring that type of program to Calvin Simmons and the facilities necessary to accommodate that. He said what the actual cost may be has not been fully investigated.*

*Vice President London said the way the eligibility grants work depends upon how many students are in the attendance area, how the funds have been drawn down previously, etc. She said what she heard from Alice Sung today was if the District goes in with a new plan and the plan is within the District's CHPS theme, the District will receive \$250,000 if the plan is submitted in time and the project has the modernization element.*

**Discussed**

## G. New Business



### 10-3040 Report - Measure B (Fund 2122) Budget to Actual Expenditures, and Cash Projections

Report - Measure B (Fund 2122) Budget to Actual Expenditures, and Chase Projections, as of 12/15/2010.

**Funding Source: GO Bond -Measure B**

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

*Charles Love, Facilities Staff, presented the updated Measure "B" Expenditure Report as of December 13, 2010. Changes since the last report:*

*· The approved working budget remains at \$405.9 million.*

- The actual expenditures year to date for projects increased by \$5 million from the last report to \$28.4 million.
- The projected savings from the working budget remains at \$6.2 million. The year to date Bond balance as of December 13, 2010 is \$26.1 million (a \$900,000 decrease). The projected savings from the working budget remains at \$6.2 million.
- Spending increases by category year to date total was \$31.4 million (an increase of \$5.9 million which includes staff salaries and consultant salaries). Increases by category since the last report: Pre-design - \$3,000; Design - \$1.4 million; Construction - \$3.5 million; Closeout - \$1,700; Completed Projects - no change; Staff salary increase - \$319,000; Consultant Salary increase - \$634,000.

#### *Committee Member Comments*

*Director Spearman wanted to know if the construction category increase was due to Amendments to existing Contracts because the District did not do what it should have done when the original construction was done.*

*Mr. Love said the increase could be due to that. He said his figures are actual spending from paid invoices and some could be due to changes in the budgets.*

*Director Spearman asked Chairperson Gallo for an analysis of Change Orders and the impact the Change Orders has on the increase in construction costs.*

*Mr. White said he could provide that information. He said the numbers being tracked in terms of expenditures are against Board approved project budgets which are shown against the project budget expenditures over a period of time. He said some of the things would be associated with work done over the Winter Recess and the actual construction is considered standard work associated with completion of projects if the project is in the construction category.*

*Director Spearman said the report should reflect any increase in labor costs, materials, etc.*

*Chairperson Gallo requested Mr. White report back to the committee on the Facility Department staffing levels for FY 2011-2012. He noted with last year's budget six individuals were brought back to maintain District facilities. He said to continue making improvements, what will it cost for the District to keep those six individuals employed? He noted the level of consultant work in the Measure "B" Bond Fund is significant. He said he wants to be prepared for what it will take to maintain the current Facility staffing level and what the additional costs will be so that the committee can begin to look at different ways to maintain the current Facility staffing level.*

#### **Discussed and Closed**



#### **11-0037**

#### **Facilities Committee 2011 Work Plan**

Adoption by the Facilities Committee Work Plan for Calendar Year 2011, as specified herein, and incorporated herein by reference as though fully set forth.

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

*Chairperson Gallo said he will work with Mr. White to develop the 2011 Facility Work*

*Plan bringing the Work Plan back to the committee for approval at the next committee meeting.*

*Vice President London said she would like to see the committee be intentional around when items come to the committee and when the committee wants the items to be presented to the Full Board.*

**Discussed**

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

*There were no Public Speaker Card submitted.*

## **I. Superintendent of Schools or Designee's Committee Liaison Report**

*None.*

## **J. Introduction of New Legislative Matter**

*Director Spearman said she received information today that the U. S. Supreme Court threw out all the Minnesota Project Labor Agreements (PLA). She said the Court found the PLAs not to be legal. Director Spearman wanted to know how that decision will affect the District.*

*Cate Boskoff, Facilities Counsel, said all of San Diego County which includes the City, County and the School District has thrown out their PLAs. She said there is more precedence in our own state for eliminating PLAs if that's the committee's desire.*

*Director Spearman said she would like to see the committee have a work session within the next month with Legal Counsel regarding the District's PLA.*

### **11-0056 Report - Change Order Process**

A report by the Assistant Superintendent for Facilities Planning and Management providing and analysis of the Change Order Process for Facilities Contracts.

### **11-0061 Report - Facilities Department Staffing for FY 2011/2012**

A report by the Assistant Superintendent for Facilities Planning and Management regarding the cost to maintain the current staffing levels in the Facilities Department for FY 2011-12.

## **K. Adjournment**

*Chairperson Gallo adjourned the meeting at 5:23 P.M.*

Prepared By: \_\_\_\_\_

Approved By: \_\_\_\_\_