

SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT BOARD AGENDA
STUDY SESSION
April 13, 2005
District Board Room
3401 CSM Drive, San Mateo

NOTICE ABOUT PUBLIC PARTICIPATION AT BOARD MEETINGS

The public's comments on agenda items will be taken at the time the item is discussed by the Board. The Board welcomes public discussion.

To comment on items not on the agenda, a member of the public may address the Board under "Statements from the Public on Non-Agenda Items"; at this time, there can be discussion on any matter related to the Colleges or the District, except for personnel items. No more than 20 minutes will be allocated for this section of the agenda. No Board response will be made nor is Board action permitted on matters presented under this agenda topic.

If a member of the public wishes to present a proposal to be included on a future Board agenda, arrangements need to be made through the Chancellor's Office at least seven days in advance of the meeting. These matters will be heard under the agenda item "Presentations to the Board by Persons or Delegations". A member of the public may also write to the Board regarding District business; letters can be addressed to 3401 CSM Drive, San Mateo CA 94402.

Persons with disabilities who require auxiliary aids or services will be provided such aids with a three-day notice. For further information, contact the Executive Assistant to the Board at (650) 574-6550.

Regular Board meetings are taped; tapes are kept for one month.

6:00 p.m. ROLL CALL

Pledge of Allegiance

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

STUDY SESSION

JOINT MEETING WITH REPRESENTATIVES FROM THE SAN MATEO, SEQUOIA, JEFFERSON AND CABRILLO SCHOOL DISTRICTS

INFORMATION REPORT

05-4-1C Discussion of concurrent enrollment and other partnerships with the high school districts

NEW BUSINESS

- 05-4-1A Approval of personnel actions: changes in assignment, compensation, placement, leaves, staff allocations and classification of academic and classified personnel
- 05-4-2A Re-employment of contract and regular faculty for the 2005-06 academic year
- 05-4-3A Recommendation for compensation increases for 2004-05 for contract and non-contract administrators

- 05-4-4A Recommendation for compensation increases for 2004-05 for nonrepresented classified professional/supervisory/confidential employees
- 05-4-100B Contract award for the construction of the Walter H. Moore Regional Public Safety Center, Building 35 at College of San Mateo
- 05-4-101B Augmentation to Design/Build contract for Science Building 36, College of San Mateo
- 05-4-102B Augmentation to Design/Build contract for the Student Support & Community Services Center Building 6 and Science Annex Building 7A, Skyline College
- 05-4-103B Augmentation to energy conservation contract for energy efficiency upgrades, Districtwide
- 05-4-104B Augmentation to Design/Build contract for athletic facilities upgrades, Districtwide

RECESS TO CLOSED SESSION

1. Closed Session Personnel Items
 - A. Public Employment
Employment: **District Office** – Custodian, Facilities Planning and Operations; **Cañada College** – Student Activities Coordinator; **Skyline College** – Interim Vice President, Office of the Vice President, Student Services; Program Services Coordinator, Matriculation and Assessment Division
 - B. Public Employee Performance Evaluation – Vice Chancellor
 - C. Public Employee Discipline, Dismissal, Release
2. Conference with labor negotiator
Agency negotiator: Harry Joel
Employee organizations: AFSCME, AFT, CSEA

CLOSED SESSION ACTIONS TAKEN

ADJOURNMENT

BOARD REPORT NO. 05-4-1C

**Discussion of concurrent enrollment and other partnerships
with high school districts**

There is no printed material for this agenda item.

BOARD REPORT NO. 05-04-1A

TO: Members of the Board of Trustees

FROM: Ron Galatolo, Chancellor-Superintendent

PREPARED BY: Harry W. Joel, Vice-Chancellor,
Human Resources and Employee Relations, (650) 358-6767

APPROVAL OF PERSONNEL ACTIONS

Changes in assignment, compensation, placement, leaves, staff allocations and classification of academic and classified personnel

A. REASSIGNMENT

District Office

| | | |
|-----------------------|--------------------|------------------------------------|
| 1. Diego Zarco | Lead Groundskeeper | Facilities Planning and Operations |
|-----------------------|--------------------|------------------------------------|

Reassignment from Groundskeeper, effective March 9, 2005.

| | | |
|-------------------------|----------------|------------------------------------|
| 2. Luisa Azevedo | Lead Custodian | Facilities Planning and Operations |
|-------------------------|----------------|------------------------------------|

Reassignment from Custodian, effective April 1, 2005.

| | | |
|------------------------|----------------|------------------------------------|
| 3. Bryant Evans | Lead Custodian | Facilities Planning and Operations |
|------------------------|----------------|------------------------------------|

Reassignment from Custodian, effective March 9, 2005.

B. LATERAL TRANSFER

College of San Mateo

| | | |
|---------------------------|--|------------------------------------|
| 1. Manuel Granillo | Supervisor Custodial and Grounds Operations | Facilities Planning and Operations |
|---------------------------|--|------------------------------------|

Lateral transfer from Skyline College to College of San Mateo, effective March 9, 2005.

Cañada College

| | | |
|----------------------------|----------------|------------------------------------|
| 2. Francisco Carlos | Lead Custodian | Facilities Planning and Operations |
|----------------------------|----------------|------------------------------------|

Lateral transfer from College of San Mateo to Cañada College, effective March 14, 2005.

C. LEAVE OF ABSENCE

College of San Mateo

1. **Lorena Del Mundo** Program Services Coordinator Counseling Division

Recommend approval of pregnancy disability leave of absence, effective March 28, 2005, pursuant to provisions of the Family and Medical Leave Act of California Rights Act. Pursuant to the District policy, employee is entitled to a maximum of twelve (12) calendar months of leave.

Skyline College

2. **Shann Chu** Instructor Business Division
 Recommend approval of family medical leave of absence effective February 28, 2005 through March 28, 2005, pursuant to provisions of the Family and Medical Leave Act of California Rights Act.

D. CHANGES IN STAFF ALLOCATION

District Office

1. Recommend approval of a change in staff allocation to add one full-time, 12 month Staff Assistant in the Information Technology Division (ITS), effective April 14, 2005.

E. SHORT-TERM, NON-CONTINUING ASSIGNMENTS

The following is a list of requested classified short-term, non-continuing services that require Board approval prior to the employment of temporary individuals to perform these services, pursuant to Assembly Bill 500 and its revisions to Education Code 88003:

| Location | Division/ Department | No. of Pos. | Date | | Services to be performed |
|----------|--|----------------|----------|---------|---|
| | | | Start | End | |
| CSM | Extended Opportunity Program Services (EOPS) | 2 | 04/14/05 | 6/30/05 | Counselor Aide: Provide office support and assistance with Spring 2005 outreach activities including EOPS Preview Day, 17 th Annual Student Recognition Celebration and the 2005 summer College Readiness Program. Provide intensive support to recruitment activities prior to the start of fall semester. |
| Cañada | VP of Instruction | 1 | 3/17/05 | 6/09/05 | Instructional Aide II: Provide instructional assistance in Mathematics to students in the Gateway Program at OICW. Grant funded position. |
| Skyline | Student Services/Admissions & Records | 3 | 2/05/05 | 6/30/05 | Admission and Records Assistant II: Extension of a previously Board approved Classified Short-Term Assignment. To complete the imaging project for transcripts and other permanent records. |
| Cañada | President's Office | 1 | 04/14/05 | 9/30/05 | Sr. Accounting Technician: To assist in the maintenance of accounts and records, preparation of financial reports and monitoring analysis of accounting procedures. Assist with budget issues, accounting records, transactions and other categorical funding, account balancing, general ledger, accounts payable, receivables and other areas of central financial services. |

BOARD REPORT NO. 05-04-2A

TO: Members of the Board of Trustees
FROM: Ron Galatolo, Chancellor-Superintendent
PREPARED BY: Harry W. Joel, Vice-Chancellor,
Human Resources and Employee Relations, (650) 358-6767

**RE-EMPLOYMENT OF CONTRACT AND REGULAR FACULTY
FOR THE 2005-2006 ACADEMIC YEAR**

The academic employees listed below were evaluated during the 2004-2005 academic year in accordance with District policy and collective bargaining agreement, and are recommended for re-employment pursuant to Board of Trustee's authority granted by the California Education Code.

RECOMMENDATIONS

- A. It is recommended that the following Contract I employees, be re-employed in Contract II status for the 2005-2006 academic year:

| | |
|-----------------|--------------------|
| Brian Daniel | Nathan Staples |
| David Patterson | Elizabeth Terzakis |
| Anthony Perez | |

- B. It is recommended that the following Contract II employees, be re-employed in the first year of Contract III/IV status for the 2005-2006 academic year:

Linda Haley
Lezlee Ware

- C. It is recommended that the following Contract II employees, be re-employed in the second year of Contract III/IV status for the 2005-2006 academic year:

| | | |
|------------------------|-----------------|----------------|
| Kenneth Brown | Susan Gangel | Faye Mueller |
| David Clay | Valerie Goines | Martin Partlan |
| C. Lynne Douglas | Judith Heldberg | Nancy Wolford |
| Heather (Heidi) Eggert | Daniel Keller | Randy Wright |
| Alice Erskine | Jeanette Medina | |

D. It is recommended that the following employee remained in the second year of Contract III/IV status for 2005-2006 academic year. The employee has been retraining under long term professional development During the 2004-2005 academic year.

Mike Sinkewitsch

E. It is recommended that the following second year Contract III/IV employees, be advanced to Regular (Tenure) status beginning in the 2005-2006 academic year:

Jeremy Ball
Diana Bennett
Christine Bobrowski
Daniela Castillo
Dennis Clare
Dennis Eadus
Kathleen Feinbum

Stacey Grasso
Melissa Green
Imelda Hermosillo
Linda Hoy
Fermin Irigoyen
Judith LaRiviere
David Locke

Monica Malamud
Judith Pittman
Robert Ratto
Katie Schertle
Darryl Stanford
Yolanda Valenzuela

BOARD REPORT NO. 05-4-3A

TO: Members of the Board of Trustees

FROM: Ron Galatolo, Chancellor

PREPARED BY: Paula Anderson, Dean Employee and Labor Relations, 358-6779

RECOMMENDATION FOR COMPENSATION INCREASES FOR 2004-2005 FOR CONTRACT AND NON-CONTRACT ADMINISTRATORS AND ACADEMIC SUPERVISORS

Consistent with collective bargaining agreements reached, a total compensation package of 3.5% for 2004-2005 is proposed, distributed as follows:

1. 2.5% on the appropriate Salary Schedule effective July 1, 2004.
2. Increase the amount of employer paid premium support for PERS medical coverage for single coverage to \$604 per month, two party coverage to \$670 per month and family coverage to \$883 per month, effective January 1, 2005.

Negotiations for total compensation for 2005-2006 will reopen in July 2005.

RECOMMENDATION

It is recommended that the 2004-2005 compensation increases for contract and non-contract administrators and academic supervisors be adopted as detailed in this report.

BOARD REPORT NO. 05-4-4A

TO: Members of the Board of Trustees

FROM: Ron Galatolo, Chancellor

PREPARED BY: Paula Anderson, Dean Employee and Labor Relations, 358-6779

**RECOMMENDATION FOR COMPENSATION INCREASES FOR 2004-2005 FOR NON
REPRESENTED CLASSIFIED PROFESSIONAL/SUPERVISORY/CONFIDENTIAL
EMPLOYEES**

Consistent with collective bargaining agreements reached, a total compensation package of 3.5% for 2004-2005 is proposed, distributed as follows:

3. 2.5% on the appropriate Salary Schedule effective July 1, 2004.
4. Increase the amount of employer paid premium support for PERS medical coverage for single coverage to \$604 per month, two party coverage to \$670 per month and family coverage to \$883 per month, effective January 1, 2005.

Negotiations for total compensation for 2005-2006 will reopen in July 2005.

RECOMMENDATION

It is recommended that the 2004-2005 compensation increases for non-represented classified professional/supervisory/confidential employees be adopted as detailed in this report.

BOARD REPORT NO. 05-4-100B

TO: Members of the Board of Trustees

FROM: Ron Galatolo, Chancellor-Superintendent

PREPARED BY: José D. Nunez, Executive Director of Facilities Planning & Operations, 358-6836

CONTRACT AWARD FOR THE CONSTRUCTION OF THE WALTER H. MOORE REGIONAL PUBLIC SAFETY CENTER, BUILDING 35 AT COLLEGE OF SAN MATEO

The Walter H. Moore Regional Public Safety Center will provide a brand new facility to house College of San Mateo's Administration of Justice (AJ) program and a training facility for the County Sheriff's Office and 17 local law enforcement agencies. The CSM AJ program has been housed in a small area in Building 23 at CSM since 1998. The current facility is too small to accommodate classes needed for the program and lacks locker room space. Construction of the new facility will allow the CSM law enforcement program to thrive as part of the College curriculum and provide a self-sufficient facility for the training of current police officers that is required by the San Mateo County law enforcement agencies. A large fund raising effort was conducted by various groups in order to generate funds for this project. The District, along with the San Mateo County Sheriff's Department, 17 local police departments, and several private businesses and donors, have contributed funds for this new facility.

The scope of work under this contract includes ground up construction of a new 11,400 gross square foot concrete tilt-up structure, which will include two classrooms, a self defense training mat room, locker, restroom and shower facilities, a central office area, break room, and an asphalt parking lot and parade / training grounds. The center is the first of its kind in the County, in that it is a joint use facility to be shared by the College of San Mateo and South Bay Regional Public Safety Training Consortium for providing a full law enforcement training program to both cadets and officers.

On January 7 and 13, 2005, the District published a legal Notice inviting pre-qualified General Contractors to bid on this project. Eight pre-qualified firms attended the mandatory pre-bid conference on January 20, 2005. On February 3, 2005, six firms submitted bids as follows:

| General Contractor | Bid |
|-------------------------------|-------------|
| Big-D Pacific Builders L.C. | \$3,346,217 |
| Robert A. Bothman, Inc. | \$3,414,560 |
| Marchetti Construction, Inc. | \$3,469,960 |
| John Plane Construction, Inc. | \$3,627,608 |
| Rudolph & Sletton | \$3,741,517 |
| Gonsalves & Stronck | \$3,901,080 |

District administration, along with Swinerton Management and Consulting, has conducted a due diligence investigation of the bids to ascertain the lowest responsive, responsible bid that meets all the requirements of the project. Big-D Pacific's bid is the lowest responsive, responsible bid.

This project will be funded by Measure C general obligation bond funds and local funding from various contributors.

RECOMMENDATION

It is recommended that the Board of Trustees award the contract for construction of the Walter H. Moore Regional Public Safety Center, College of San Mateo, to Big-D Pacific Builders L.C. in an amount not to exceed \$3,346,217.

BOARD REPORT NO. 05-4-101B

TO: Members of the Board of Trustees
FROM: Ron Galatolo, Chancellor-Superintendent
PREPARED BY: José D. Nuñez, Executive Director, Facilities Planning & Operations, 358-6836

**AUGMENTATION TO DESIGN/BUILD CONTRACT FOR SCIENCE BUILDING 36,
COLLEGE OF SAN MATEO**

On February 11, 2004 (Board report 04-2-103B), the Board authorized award of a design/build contract for construction of a new Science Building and Planetarium to McCarthy Building Companies, Inc. under the auspices of California Education Code §81700. District Staff and McCarthy executed said contract on May 5, 2004.

During the course of completing the design development and construction document phases of the work, McCarthy and the District continue to work together in the collaborative process the design/build delivery method is intended to foster. As the design development phase has concluded and construction documents progress toward completion, concepts articulated in the Request for Proposal (RFP) have been fully developed, and in some instances the design process has realigned assumptions and design concepts to better meet the needs of the District. The program requirements included in the RFP were developed over a year ago. Since that time, several program requirements have been revised, changed or clarified, all to the benefit of the project and the District. The team collaboration fostered by the design-build process has enabled the designer, builder and owner to work together to ensure that the building is responsive to the needs of the District.

In light of the differing nature of the design/build delivery method in comparison with the traditional design-bid-build delivery method, the legislature enacted legislation specifying a proposal and award process that differs markedly from those governing the traditional delivery method. This legislation was incorporated into the Ed Code §81700. Section "c" of the referenced code summarizes the intent of the legislation as follows:

- c) **It is the intent of the Legislature to provide an optional, alternative procedure for bidding and building community college construction projects.**

Although the legislation authorized a total of three community college districts to pilot the design/build delivery method, of the three authorized Districts only San Mateo has moved forward to award design/build contracts. Therefore, the San Mateo County Community College District is in the position of implementing and interpreting the legislation for the first time.

After conferring with County Counsel on the nature of the design/build process and the intent of the code, District staff recommends the Board authorize the following changes to the design/build contract. Each change order category has been reviewed by District staff for program inclusiveness, and for cost and time impacts. Staff has validated that the cost for each item is fair and reasonable, and each of these changes is

clearly consistent with the intent of the original scope awarded. Were these items to be packaged and competitively bid, the District risks the following impacts: additional design fees associated with creation of the bid packages(s), cost escalation due to the passage of time, and costs and impacts to coordinate multiple contractors working in the same area.

- Site Development / Gateway Feature, NTE \$500,000 – As part of the proposal process, the McCarthy Team included site development and gateway features in their design proposal. Due to budget constraints and the relatively early phase of the College's CIP program, it was prudent not to award these optional features of the proposal in the base contract. At this time both the design of the Science Building and the progress of the CIP program have advanced to the point that District staff are comfortable allocating additional CIP funds to complete the site development scope in the area immediately adjacent to the new building.
- Planetarium Star Projector and associated audio-visual and lighting equipment and controls, NTE \$1,200,000 - One of the most significant changes in the assumptions utilized in the Request for Proposal is the inclusion of the Star Projector for the planetarium. At the time of the issuance of the RFP in Fall of 2003, the Star Projector was listed on the State's Capital Outlay Plan for funding in FY 05-06. As a potentially State funded project, the Star Projector could not be awarded with the base design-build contract until the year of the budget appropriation. Since that time, the Star Projector has been deleted from the list of projects eligible for State funding and will now be funded locally.

Representatives of the facility users and District staff have completed a comprehensive evaluation of the most current technology available. After conferring with several sister districts in Northern California and Hawaii who have recently completed similar installations, final specifications are ready to be issued to McCarthy for incorporation into the construction documents. Experiences of other institutions consulted indicate that the integration of these systems to both the planetarium and to base building systems is of such complexity that assigning this work to an entity other than McCarthy represents significant risk to the project schedule, budget, and the functionality of the facility.

The proposed augmentation will be funded by Measure C bond funds. The project budget can support these additional scope items.

RECOMMENDATION

It is recommended that the Board authorize augmentation of the existing design/build contract with McCarthy Building Companies, Inc. in an amount not to exceed \$1,700,000.

BOARD REPORT NO. 05-4-102B

TO: Members of the Board of Trustees
FROM: Ron Galatolo, Chancellor-Superintendent
PREPARED BY: José D. Nuñez, Executive Director, Facilities Planning & Operations, 358-6836

AUGMENTATION TO DESIGN/BUILD CONTRACT FOR THE STUDENT SUPPORT & COMMUNITY SERVICES CENTER BUILDING 6 AND SCIENCE ANNEX BUILDING 7A, SKYLINE COLLEGE

On July 28, 2004 the Board approved award of a design/build contract for the construction of the Student Support and Community Services Center Building 6 and Science Annex Building 7A to Hensel Phelps Construction (Board Report No. 04-7-101B), under the auspices of California Education Code §81700. District Staff and Hensel Phelps Construction executed a contract on October 13, 2004.

During the course of completing the design development and construction document phases of the work, Hensel Phelps and the District continue to work together in the collaborative process the design/build delivery method is intended to foster. As the design development phase has concluded and construction documents progress toward completion, concepts articulated in the Request for Proposal (RFP) have been fully developed, and in some instances the design process has realigned assumptions and design concepts to better meet the needs of the District. The program requirements included in the RFP were developed over a year ago. Since that time, several program requirements have been revised, changed or clarified, all to the benefit of the project and the District. The team collaboration fostered by the design-build process has enabled the designer, builder and owner to work together to ensure that the building is responsive to the needs of the District.

In light of the differing nature of the design/build delivery method in comparison with the traditional design-bid-build delivery method, the legislature enacted legislation specifying a proposal and award process that differs markedly from those governing the traditional delivery method. This legislation was incorporated into the Ed Code §81700. Section "c" of the referenced code summarizes the intent of the legislation as follows:

- c) **It is the intent of the Legislature to provide an optional, alternative procedure for bidding and building community college construction projects.**

Although the legislation authorized a total of three community college districts to pilot the design/build delivery method, of the three authorized Districts only San Mateo has moved forward to award design/build contracts. Therefore, the San Mateo County Community College District is in the position of implementing and interpreting the legislation for the first time.

After conferring with County Counsel on the nature of the design/build process and the intent of the code, District staff recommends the Board authorize the following changes to the design/build contract. Each change order category has been reviewed by District staff for program inclusiveness, and for cost and time impacts. Staff has validated that the cost for each item is fair and reasonable, and each of these changes is clearly consistent with the intent of the original scope awarded. Were these items to be packaged and competitively bid, the District risks the following impacts: additional design fees associated with creation of

the bid packages(s), cost escalation due to the passage of time, and costs and impacts to coordinate multiple contractors working in the same area.

- Increase Site Development Allowance, NTE \$600,000 - the base contract included an "allowance" for addressing site development needs, as this scope was impossible to define without design documents for the building project. Development of the campus gateway site is one of the primary goals articulated in the campus master plan and the RFP. Cost estimates provided by Hensel Phelps, and validated by Swinerton Management & Consulting, indicate that this additional NTE \$600,000 is required to develop the gateway feature desired for Skyline College.
- Incorporate Anchor Tenant Improvements, NTE \$1,550,000 – at the time the RFP was published the District had yet to identify the overall strategy for bookstore and food service retail operations, and the RFP called for a "shell," in the absence of articulated design criteria. At this time the decision to continue to operate retail services under the existing models has been approved. The design/build team is prepared to move forward, incorporating the design criteria for these operations into the overall design concept they have developed for the building.
- Furnish & Install Transformer required to provide expanded electrical service to new buildings, NTE \$300,000 – as the design has progressed, it has been determined that the most reliable and energy efficient building systems and utilities will be achieved through the addition of an electrical transformer to service the new buildings.

The funding source for these scope additions is Measure C general obligation bond funds. The project budget can support these additional scope items.

RECOMMENDATION

It is recommended that the Board authorize augmentation of the existing design/build contract with Hensel Phelps Construction in an amount not to exceed \$2,450,000.

BOARD REPORT NO. 05-4-103B

TO: Members of the Board of Trustees
FROM: Ron Galatolo, Chancellor-Superintendent
PREPARED BY: José D. Nunez, Executive Director of Facilities Planning & Operations, 358-6836

**AUGMENTATION TO ENERGY CONSERVATION CONTRACT
FOR ENERGY EFFICIENCY UPGRADES, DISTRICTWIDE**

In March 2001 (Board Report No. 01-3-106B), the Board authorized execution of an agreement with CMS Energy/Viron Energy Services, now Chevron Energy Solutions (CES), to develop a Comprehensive Energy Analysis (CEA) of the District's facilities as part of an energy management planning process. The analysis was conducted and on September 25, 2001, (Board Report No. 01-9-1C), the District Facilities staff and Chevron representatives briefed the Board on interim findings, which included a wide range of potential Energy Conservation Measures (ECMs).

The District evaluated each proposed ECM in detail, and on May 29, 2002, (Board Report No. 02-5-109B), the Board authorized execution of a contract with Chevron Energy Services, in an amount not to exceed \$16,794,308, under the authority of Government Code §4217. §4217.18 states "The provisions of this chapter shall be construed to provide the greatest possible flexibility to public agencies in structuring agreements entered into hereunder so that economic benefits may be maximized and financing and other costs associated with the design and construction of alternate energy projects may be minimized."

The original contract included specific ECMs selected for immediate implementation in light of their cost/benefit ratio and integration into the overall CIP project plan. On April 21, 2004, (Board Report No. 04-103B), the Board authorized an augmentation to the original CES contract in an amount not to exceed \$5,857,000 to implement additional work associated with their base scope and certain ECMs initially proposed but not implemented in the first phase of CES's work. Additional work authorized by the Board on April 21, 2004, included energy management system direct digital zone controls, replacement of a CSM motor control center, upgrade of the CSM Bld 9 HVAC system, and expansion of the Cañada College chiller plant.

During the course of CES's extensive energy efficiency evaluation, design and implementation processes, they have become familiar with existing campus facilities, systems, and equipment. Over the past three years, CES has provided valuable insights and data which have facilitated CIP project work, both within their own contract scope and relative to the work of other firms. The additional work awarded via the April 2004 augmentation to their contract has been successfully implemented, and at this time CES and District staff have identified additional opportunities to increase the benefit of work in place by adding additional scope. CES's experience and familiarity with our facilities systems operation and performance characteristics brings both economy and efficiency to certain additional projects the District now wishes to implement.

The District has solicited comparison pricing for the purpose insuring of best value; CES's pricing has consistently compared favorably to that of others. Additionally, CES's familiarity with existing systems and conditions allows for firm, reliable pricing, based upon knowledge rather than conjecture.

This proposed Contract Augmentation includes the following:

- **Skyline College Buildings 2 & 5 Rooftop Equipment Replacement and Restoration, NTE \$800,000** – the mechanical equipment servicing Building 5 is situated on the building rooftop, and is exposed to the elements. Adverse climatic conditions at Skyline College have resulted in significant deterioration of both structural supports and mechanical elements of the equipment. The deterioration has progressed to the extent that the equipment is no longer reliable, requiring replacement in order to provide efficient heating, ventilation and air conditioning to the building occupants. CES priced both equipment repair and replacement options; replacement represents the best value to the District.

Similar rooftop equipment located at Building 2 has been subject to the same inclement weather and has similarly deteriorated, although CES and District Staff have determined in this instance refurbishment of the existing equipment will improve energy efficiency, and represents the best value to the District.

- **Cañada College Chilled Water Piping, NTE \$800,000** - As part of the April 2004 contract augmentation, the District elected to leverage the value of CES's base scope chiller work at the Cañada campus by increasing the chiller capacity. Additional chiller capacity to serve these buildings was added to the base project, yielding a 200% increase in plant capacity at less than 58% increase in cost. The chiller is the primary component of the campus air conditioning system, and is the most costly and logistically challenging element of the system to alter. At this time District Staff proposes to further leverage the value of this work by extending piping from the chiller plant to Buildings 13, 16 & 18. The piping will be installed economically and with little disruption to the College community if installed now, in conjunction with CES's base scope. This installation will allow efficient cooling of these buildings on the campus.

The funding source for these scope additions is Measure C general obligation bond funds. The project budget can support the cost of these additional scope items.

RECOMMENDATION

It is recommended that the Board augment the Chevron Energy Services contract in an amount not to exceed \$1,600,000.

BOARD REPORT NO. 05-4-104B

TO: Members of the Board of Trustees
FROM: Ron Galatolo, Chancellor-Superintendent
PREPARED BY: José D. Nuñez, Executive Director, Facilities Planning & Operations, 358-6836

**AUGMENTATION TO DESIGN/BUILD CONTRACT
FOR ATHLETIC FACILITIES UPGRADES, DISTRICTWIDE**

On February 11, 2004 the Board approved award of a design/build contract for Districtwide Athletic Facilities Upgrades (Board Report No. 04-2-104B), under the auspices of California Education Code §81700. District Staff and Robert A. Bothman, Inc. executed a contract on February 24, 2004.

The design/build process has since proceeded smoothly, as expected. During the course of completing the design development and construction document phases of the work, Bothman and the District continue to work together in the collaborative process that the design/build delivery method is intended to foster. As work has progressed and installations near completion at the College of San Mateo and Skyline College, several opportunities to meet programmatic needs more effectively have been identified by users and the design team.

In light of the differing nature of the design/build delivery method in comparison with the traditional design-bid-build delivery method, the legislature enacted legislation specifying a proposal and award process that differs markedly from those governing the traditional delivery method. This legislation was incorporated into the Ed Code §81700. Section "c" of the referenced code summarizes the intent of the legislation as follows:

- c) **It is the intent of the Legislature to provide an optional, alternative procedure for bidding and building community college construction projects.**

Although the legislation authorized a total of three community college districts to pilot the design/build delivery method, of the three authorized districts, only San Mateo has moved forward to award design/build contracts. Therefore, the San Mateo County Community College District is in the position of implementing and interpreting the legislation for the first time.

After conferring with County Counsel on the nature of the design/build process and the intent of the code, District staff recommends the Board authorize the following changes to the design/build contract. Each change order category has been reviewed by District staff for program inclusiveness, and for cost and time impacts. Staff has validated that the cost for each item is fair and reasonable, and each of these changes is clearly consistent with the intent of the original scope awarded. Were these items to be packaged and competitively bid, the District risks the following impacts: additional design fees associated with creation of the bid packages(s), cost escalation due to the passage of time, and costs and impacts to coordinate multiple contractors working in the same area.

- Upgrade Cañada College Baseball Field amended natural turf to synthetic turf – NTE \$1,000,000. After experiencing the benefits of synthetic turf as installed at CSM and Skyline College, end users, the design team and District staff agree it is in the best interest of the District to upgrade the amended natural turf to synthetic turf at the Cañada College Baseball Field.
- Upgrade accessibility and parking facilities at College of San Mateo and Skyline College athletic facilities, NTE \$500,000. As the first phases of field installation have been turned over for use, it has become apparent that use of the facilities has increased substantially. As a result, the need for additional parking to accommodate user needs, improvements to site accessibility for the disabled and increased lighting for safety has become apparent.
- Miscellaneous materials upgrades and extensions of existing scope – NTE \$500,000. At each of the Colleges, end users, the design team and District staff have identified miscellaneous upgrades including extension of fencing included in the base contract, extending access ramps, installation of scoreboards donated by others, improving drainage adjacent to new fields, upgrading power and data to provide service to the CSM Press Box and relocating IT switches and equipment to better accommodate maintenance and provide flexibility.

The funding source for these scope additions is available in the District's capital outlay budget (not bond funds).

RECOMMENDATION

It is recommended that the Board authorize augmentation of the existing design/build contract with Robert A. Bothman, Inc. in an amount not to exceed \$2,000,000.