

**WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT**

BOARD OF TRUSTEES



MISSION STATEMENT

We provide the highest quality education to enable all students to make positive life choices, strengthen our community, and successfully participate in a diverse and global society.

We provide excellent learning and teaching experiences; safe, student-centered learning environments; and support for all students and employees. We develop and maintain productive community partnerships and individual and collective accountability.

MEETING OF
September 11, 2013

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
SEPTEMBER 11, 2013**

BOARD AGENDA PACKETS AND INFORMATION:

Complete Board meeting packets are available for review at the Administration Building, the District's six high schools, and at public libraries throughout West County.

Complete Board agendas and packets are available online at: www.wccusd.net.

Any writings or documents that are public records and are provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection in the District office located at 1108 Bissell Avenue, Richmond, CA 94801 during normal business hours. In addition, such writings and documents may be posted on the District's website as noted above.

VIEWING THE BOARD MEETINGS:

Television:

Live television broadcast of regularly scheduled Board meetings is available by the City of Pinole on PCTV Channel 26/28, the City of Richmond KCRT Channel 28 and the City of Hercules Cable Channel 28. Please check the city websites for local listings of broadcast schedules.

You may also find the complete meeting available on a tape-delay basis through the Richmond City Web Page at: <http://www.kcrt.com> within a few days of the recording date.

Audio tapes of Board meetings are kept on file at the Administration Building, 1108 Bissell Avenue, Richmond, CA 94801 (510-231-1101).

The Board of Education would like to acknowledge Comcast, the cities of Pinole and Richmond, and WCCUSD staff for their generosity and efforts in helping to televise WCCUSD Board of Education meetings.

ATTENDING BOARD MEETINGS:

The public is warmly invited to attend and participate in all WCCUSD Board of Education meetings.

Location: **LOVONYA DEJEAN MIDDLE SCHOOL
3400 MACDONALD AVENUE
RICHMOND, CA 94805**

Time: The **Board of Education's Open Session meeting will begin at 6:30 PM.** The Board will convene at **5:30 PM** in the Multi-Purpose Room to receive comments from anyone wishing to address the Board regarding closed session items (Exhibit A). The Board will then adjourn to closed session and reconvene in open session to address the regular agenda (Exhibits B-G) at 6:30 PM.

Order of Business: **ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE**

Special Accommodations: Upon written request to the District, disability-related modifications or accommodations, including auxiliary aids or services, will be provided. Please contact the Superintendent's Office at 510-231-1101 at least 48 hours in advance of meetings.

"of children be more careful than anything."
e.e. cummings

B. OPENING PROCEDURES

- B.1 Pledge of Allegiance**
- B.2 Welcome and Meeting Procedures**
- B.3 Roll Call**
- B.4 Presentation of Student Board Representative from Middle College High School**
- B.5 Report/Ratification of Closed Session**
- * **B.6 Agenda Review and Adoption** (Public Comment)
- B.7 Minutes:** August 5, 2013, August 7, 2013, August 12, 2013
- * **B.8 WCCUSD Public Comment**

Members of the public are invited to speak to the Board about any matter that is not otherwise on the agenda and is related to issues affecting public education in the WCCUSD. **Approximately 30 minutes will be allocated for this item.** If there are more requests to speak than can be heard within this time limit, “WCCUSD Public Comment” will continue after Item G. Individuals wishing to speak must submit a “WCCUSD Public Comment” form prior to the beginning of this item on the agenda.

Depending on the number of persons who wish to speak, from one to three minutes will be allocated to each speaker at the discretion of the President of the Board in order to accommodate as many speakers as possible. The Board cannot dialogue on any issues brought before it by the public that have not been previously agendized, but may refer these to staff for response and/or placement on future agendas.

C. BUSINESS ITEMS

CONSENT ITEMS (Routine Matters)

Consent Calendar Items designated by “CI” are considered routine and will be enacted, approved and adopted by one motion, unless a request for removal, discussion or explanation is received from any Board member or member of the public in attendance. Items the Board pulls for discussion or explanation will be addressed following Section E.

*CI **C.1 Grants/Awards/Agreements**

Comment:

Formal action is requested from the Board of Education to accept the grants/awards/agreements as detailed, dated September 11, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per grants summary

*CI **C.2 Acceptance of Donations**

Comment:

The District has received donations as summarized, dated September 11, 2013. Staff recommends acceptance of these donations.

Recommendation:
Recommend approval

Fiscal Impact:
As noted per donations summary

***CI C.3 Approval of Fund-Raising Activities**

Comment:
The planned fund-raising events for the 2013-2014 school year are summarized, dated September 11, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

***CI C.4 Summary of Payroll and Vendor Warrant Reports**

Comment:
The summaries of Payroll and Vendor Warrants issued during the month of August 2013 are provided.

Total of payroll warrants (August 2013): \$ 9,391,714
Total of vendor warrants (August 2013): \$ 15,954,291

Recommendation:
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:
As noted above

***CI C.5 Contracted Services**

Comment:
Permission is requested of the Board of Education to approve contracts for services as detailed, dated September 11, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

***CI C.6 Adoption of Resolution No. 34-1314: Replacement of Outdated Warrant**

Comment:

Government Code Section 298029(c) allows the governing board, by resolution, to order a replacement check be issued for a warrant that is stale dated. This resolution authorizes the issuance of a check to replace the outdated warrant for Joy Guinto. Staff recommends replacement of the stale dated warrant.

Recommendation:

Recommend approval to replace the outdated warrant

Fiscal Impact:

None

***CI C.7 Notice of Completions: Bid 1621223-12 Verde Elementary School Restroom Renovations, Bid 1301223-17 Kensington Elementary School Restroom Renovations, Bid 1251612-14 Grant Elementary School & 1341612-08 Lake Elementary School Restroom Renovations, and Bid 1161223-02 Downer Elementary School Restroom Renovations**

Comment:

Substantial completion notices have been received for: Bid 1621223-12, Bid 1301223-17, Bid 1251612-14 & 1341612-08, and Bid 1161223-02.

Major construction projects are subject to acceptance by the governing board before a Notice of Completion can be processed, and final payment of the contract made. (BP 7470)

Staff recommends acceptance of the work completed by the following contractors:

Streamline Builders, Bid 1621223-12 Verde Elementary School Restroom Renovations.

AM Woo Construction, Bid 1301223-17 Kensington Elementary School Restroom Renovations.

AM Woo Construction, Bid 1251612-14 Grant Elementary School & 1341612-08 Lake Elementary School Restroom Renovations.

Streamline Builders, Bid 1161223-02 Downer Elementary School Restroom Renovations.

Recommendation:

Recommend approval of these notices of completion

Fiscal Impact:

None

***CI C.8 Response to Grand Jury Report No. 1311 “Assessing Fiscal Risk”**

Comment:

The 2012-13 Grand Jury issued a report on June 4, 2013 titled “Assessing Fiscal Risk”. The report was sent to all Contra Costa County Special Districts, School Districts, County Agencies, Cities and the Local Agency Formation Commission (LAFCO). The report focuses on the review of audits for all agencies and the fiscal responsibility of responding to findings and corrective action. It acknowledges the extent of oversight for school districts, which is different than those of the other agencies. The

report requires that each agency or district respond in writing to the findings and recommendations within the report.

A copy of the Grand Jury Report along with the prepared response on behalf of the District is provided.

Recommendation:

Accept submission of report

Fiscal Impact:

None

***CI C.9 Acceptance of Contracts for Placement of Student Teachers**

Comment:

Teachers in this District provide supervision and evaluation for student teachers seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher education and the individual classroom teacher.

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed, dated September 11, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.10 Approve the following Revised/New Job Descriptions: Chief Technology Officer; Director, Systems Integration**

Comment:

The Chief Technology Officer job description is updated to conform to District requirements and Americans with Disabilities Act (ADA) compliance. Director, Systems Integration is a new position to increase the efficiency and effectiveness in the Technology department. This new position will provide needed support, guidance, oversight and maintenance of the District's data and information systems, which includes oversight of technology support to all users, working with vendors for smooth and effective integration and providing needs analysis and intervention for effective use of technology for curriculum.

Recommendation:

Recommend Approval

Fiscal Impact:

No cost for Chief Technology Officer. General Fund cost of \$150,000 for Director, Systems Integration.

***CI C.11 Board Policy Update: BP 3580 District Records**

Comment:

BP 3580 for District Records has not been updated since February 8, 2008. We are updating this to keep up with the current procedures and codes.

Recommendation:

Recommend review and adoption

Fiscal Impact:

None

***CI C.12 Ratification and Approval of Engineering Services Contracts**

Comment:

Contracts have been initiated by staff using previously qualified consulting, engineering, architectural, or landscape architectural firms to assist in completion of the referenced projects. Many of the firms are already under contract and the staff-initiated work may be an extension of the firm's existing contract with the District. Public contracting laws have been followed in initially qualifying and selecting these professionals.

Recommendation:

Ratify and approve contracts

Fiscal Impact:

Total for this action: \$728,902. Funding sources Measure J Bond, Measure D-2010 and Measure E-2012 Bond.

***CI C.13 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Grant ES Restroom Renovations; Lake ES Restroom Renovations; Grant ES Fire Alarm Modernization; Portola MS Demolition of Existing Campus; New Gompers & LPS. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

In addition to normal ratification, approval of the noted Change Order for the Grant ES Fire Alarm Modernization project is required by the Board, with special findings as noted below, because this project is in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by ratifying these Change Orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served by having this work completed by the contractor on the project.

Recommendation:

Ratify negotiated Change Orders as noted

Fiscal Impact:

Total ratification and approval by this action: \$120,498.61

***CI C.14 Ratification of Staff Awarded Contracts (CUPCCAA)**

Comment:

The District prepared the drawings and specifications for various projects. Staff solicited bids per the California Uniform Public Construction Cost Accounting Act (CUPCCAA) Resolution #90-0809 (2009); Educ. Code § 22034. The Superintendent’s designee has approved and executed contracts for the following projects.

• FOC –Marina Way	Door Hardware	Reed Brothers	\$13,964.81
• FOC-Marina Way	Misc. Work	California Constructores	\$7,352.07
• Vista AHS	Data Drops Installations	Bethel Electric	\$574.64
• De Anza HS	Furnish and Install Fencing	AM Woo Construction	\$17,850.00
• Richmond HS	Portable Removal & Demo	ERA Construction	\$43,000.00
• Richmond HS	Ramp Removal & Paving	Mark Raine Paving	\$2, 500.00
• De Anza	Misc. Work	California Constructores	\$2,710.00
• Hercules MHS	Ground Rods Testing	McPeak Electric	\$900.00
• Kennedy HS	Electrical Work	ERA Construction	\$8,500.00
• Kennedy HS	Painting	Perfection Painting	\$12,450.00
• De Anza	Installation of Soap Dispensers	AM Woo Construction	\$6,209.81
• Kennedy HS	Equipment Removal/Installation	ERA Construction	\$4,600.00
• Kennedy HS	Kitchen Flooring Prep Work	ERA Construction	\$24,980.00
• Kennedy HS	Floor Removal & Abatement	Sandstone Construction	\$21,450.00
• Lincoln ES	Electrical Repair	Streamline Builders	\$5, 875.00
• Kennedy HS	Cat 6 Drop	Bethel Electrical	\$4,992.30

All contracts approved by District staff must be ratified by the District’s Board.

Recommendation:

Ratify staff awarded contracts as noted above.

Fiscal Impact:

Total ratification by this action: \$169,533.63

***CI C.15 Mira Vista Elementary School Covered Accessible Ramp Addition Rejection of Bids and Authorization for Staff to Rebid the Project**

Comment:

This project would provide construction of two covered accessible ramps with skylights and removal of existing inclined chair lifts. The project would also include removal of naturally occurring asbestos in the soil related to foundation work.

DLM Architects completed plans and specifications for the project. The District conducted a public bid of the project. Bids were opened on July 30, 2013. Four Contractors submitted bids. They were as follows: Angotti & Reilly \$1,256,547; Cal Pacific Construction, Inc. \$1,331,000; KCK Builders, Inc. \$1,421,000; West Bay Builders \$1,876,000.

The preliminary estimate for the project was \$700,000 so the language for the PLA was not included in the bid documents. The lowest bid was more than one million dollars, which would require the project be covered by the PLA. Considering this information, it is appropriate that the District re-estimate the project and rebid. Therefore it is recommended that the Board take action at this time to reject all bids and authorize staff to rebid the project.

Recommendation:

Reject all bids and authorize staff to rebid project.

Fiscal Impact:

Not known at this time. Funded from the Measure D-2010 Bond.

***CI C.16 Agreement for Program, Project and Construction Management Services between West Contra Costa Unified School District and SGI Construction Management (“Agreement”)**

Comment:

On July 24, 2013 the contract for Program and Construction Management Services with SGI, Construction Management was brought to the Board of Education for consent approval, Item C-13. In the process of adopting the consent agenda, Director Ramsey requested that the Board approve a change to the contract that would remove the Termination for Convenience clause and add a clause affirming that the agreement shall be only terminated for cause.

Director Ramsey cited as rational for the removal of the clause a need to keep “the continuity of the bond program flowing” and preserve the District’s relationship with SGI, “so that if there is a change of board, change of administration . . . we don’t take something that [was] created over the last 15 years and just dismantle it on the whims of individuals”. The Board unanimously voted to delete the termination for convenience clause and add a clause that allows for termination only for cause.

At staff’s direction, legal counsel prepared the requested revisions. Pursuant to the Brown Act, the item is herein re-noticed, as the removal of the termination for convenience provision could be interpreted as a material change.

The changes to the Agreement (included in the provided redlin) are in accordance with changes to the July 24, 2013 meeting minutes at the August 12, 2013 BOE meeting and recited as follows: (*the new language is underlined and the removed language appears as ~~strike-through~~ text*)

Recommendation:

Memorialize revisions for the Agreement for Program, Project and Construction Management Services as changed between West Contra Costa Unified School District and SGI Construction Management.

Fiscal Impact:

To Be Determined

***CI C.17 Denial of Charter Petition from Summit Schools**

Comment:

On Friday, June 14, 2013 a team member from Summit Public Schools submitted a Charter Petition for a school that intended to serve 6 grade levels from 7th through 12th, in the West Contra Costa Unified School District.

On July 10, 2013 the Board convened to hold a hearing to determine the level of community support for the Summit Charter School.

On August 12, 2013 the Board convened to consider staff recommendations, and discuss the merits of the petition as submitted. The Board determined that the petition did not contain a reasonably comprehensive description of two required elements, as stated in the “Findings of Fact” and “Exhibit A”.

Recommendation:

Recommend ratification of Resolution 32-1314 Denying the Charter Petition for the Establishment of the Summit Charter School.

Fiscal Impact:

None at this time

***CI C.18 Approval of Board Members Travel**

Comment:

Board Bylaw 9250 stipulates members of the board shall be reimbursed for allowable expenses incurred in attending any meetings or in making any trips on official business of the school district when so authorized in advance by the Board of Education. (Education Code 35044). Board members have expressed interest in attending the following:

- Congressional Black Caucus Foundation, Annual Legislative Conference, Washington, D.C., September 18-21, 2013
- CSBA Masters In Governance Workshops, San Jose, CA, September 20, 2013
- California Public Finance Conference, Los Angeles, September 25-27, 2013
- CUBE Conference, San Antonio, October 3 – 5, 2013
- Second Annual Silicon Valley STEM Summit, Mountain View, CA, October 15, 2013

Expenses including registration, travel and food are budgeted and there is sufficient funding within that budget.

Recommendation:

Recommend Approval

Fiscal Impact:

General Fund

***CI C.19 Resolution No. 33-1314: Resolution in Support of the Human Rights and Human Relations commission of the City of Richmond, California, Regarding the City of Richmond Human Rights Award 2012-2013**

Comment:

The City of Richmond was declared a Human Rights City in 2009, becoming one of the first Human Rights Cities in the United States. The Richmond City Council unanimously passed a resolution adopting the United Nations' Universal Declaration of Human Rights as guiding principles. The City embraces the principles of equality, social pluralism and the recognition of human dignity for all.

The West Contra Costa Unified School District Board of Education supports working collaboratively with local government and community groups for the prevention of violence and the promotion of peace.

Recommendation:

Recommend Approval of Resolution No. 33-1314

Fiscal Impact:

None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 2013 Academic Performance Index (API)/California Standards Tests (CSTs) – Report on and Recognition of Schools**

Comment:

API - The California Department of Education (CDE) sets API growth targets for all public schools annually and has computed Academic Performance Indices (APIs) for all public schools since 1999. California draws achievement information from state assessments to calculate one number called the API. The state's target is 800+.

In order for a school to make its API, it must achieve its schoolwide target, as well as targets for all numerically significant subgroups. Any subgroup for which there are 100 valid scores or 50 valid scores comprising at least 15% of the valid scores for a school is identified by CDE as a numerically significant subgroup. Possible numerically significant subgroups include: African American, American Indian, Asian, Filipino, Hispanic, Pacific Islander, White, Socioeconomically Disadvantaged, English Learners, and Students with Disabilities. Meeting the comparable improvement target means that each student subgroup in the school met its individual achievement goals.

The California Standards Tests (CSTs) assess the 1997 California Content Standards in ELA, Mathematics, Science and History-Social Science in grades 2 – 11. The five performance levels designated for reporting results are advanced, proficient, basic, below basic, and far below basic. The state target is for all students to score at the proficient or advanced level.

Staff will summarize districtwide data, discuss key learnings/actions for the 2013-14 school year, and then recognize WCCUSD schools for making 2013 API targets.

Recommendation:

WCCUSD Board recognition of schools meeting 2013 API criteria

Fiscal Impact:

None

E. COMMITTEE COMMUNICATIONS

(Education Code 35145.5; Government Code 54950 et seq.)

*** E.1 Standing Reports**

Representatives of the following committees and employee unions are invited to provide a brief update to the Board. Representatives from these groups need to sign up to speak prior to the beginning of this item on the agenda by submitting a “Request to Address the Board” form. Five minutes may be allowed for each subcommittee or group listed below:

Academic Subcommittee	Public Employees Local 1
Bayside Parent Teacher Association	Safety Committee
Citizens’ Bond Oversight Committee	School Supervisors Association
College and Career Readiness Academies	Technology Committee
Community Budget Advisory Committee	United Teachers of Richmond
Facilities Subcommittee	Youth Commission
Ivy League Connection	

*** E.2 Superintendent’s Report**

F. ACTION ITEMS

*** F.1 Approval of the 2012-2013 Unaudited Actuals Financial Report**

Comment:

By September 15 of each year, the District must file the Unaudited Actuals Financial Report for the prior year with the Contra Costa County Office of Education and the California Department of Education. This report reflects the financial activities of the District by major object of revenue and expense for each fund operated in the district.

Staff will present an overview of the financial activity and its impact on the ending balance.

Included in the Unaudited Actuals is a Summary of the General Fund and all Funds. The complete Unaudited Actuals Financial Report will be delivered under separate cover.

Recommendation:

Staff requests approval to file this report with the County Superintendent.

Fiscal Impact:

Year-end closing

G. DISCUSSION ITEMS

* **G.1 Project Status Report**

Comment:

The following are provided for review of Facilities Planning and Construction in the District's Bond Program and for information regarding individual projects:

- Engineering Officer's Report
- Construction Status Reports

Recommendation:

For Information Only

Fiscal Impact:

None

* **G.2 Bond Finance – Bond Sale Planning and Review of Outstanding Bonds and Refunding Analysis**

Comment:

Dave Olsen of KNN Public Finance will review the plan for an October bond sale which will consist of issuance under both Measure D 2010 and Measure E 2012. Mr. Olson will also present the Board with information on the current outstanding bonds with an analysis of potential refunding opportunities. Refunding opportunities identified to be within the Board's parameters will be highlighted.

Recommendation:

For Discussion

Fiscal Impact:

None

H. UNFINISHED REQUESTS TO ADDRESS THE BOARD (continued from Item E)

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School –September 25, 2013

K. ADJOURNMENT

At 10:00 PM, any items remaining on the agenda that require immediate attention will be moved to this time. All other items will be tabled to another or the following Board meeting in order to make fair and attentive decisions. The meeting will adjourn at 10:30 PM. The meeting may be extended by a majority vote of the Board of Education.

The public may address items which are marked with an asterisk (*).

A. CLOSED SESSION

A.1 CALL TO ORDER

A.2 DISCLOSURE OF ITEMS TO BE DISCUSSED IN CLOSED SESSION
(Government Code 54957.7)

A.3 RECESS TO CLOSED SESSION AS SCHEDULED

See Exhibit A

(Government Code Section 54954.5)

The **Open Session** will resume at the end of the **Closed Session** in the Multi-Purpose Room at approximately **6:30 PM**.

EXHIBIT A

(Government Code Section 54954.5)

CLOSED SESSION AGENDA

September 11, 2013

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
[Government Code Section 54956.9(a)]

- a. WCCUSD v. Orrick
- b. Palmer and Pollack v. WCCUSD
- c. American Standards Properties v. WCCUSD

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION
[Government Code Section 54956.9(b)]

Four cases

4. LIABILITY CLAIMS (Government Code Section 54956.95)

5. CONFERENCE WITH LABOR NEGOTIATORS

- a. Superintendent/Dr. Bruce Harter
- b. Employee Organizations
 - UTR
 - Local One
 - School Supervisors Association
 - WCCAA
- c. Unrepresented Employees

- Confidential and Management

6. **PUBLIC EMPLOYEE APPOINTMENT**
7. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** (Government Code Section 54957)
8. **STUDENT DISCIPLINE** (Education Code Section 35146)

Expulsions
9. **PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/COMPLAINT**
(Government Code Section 54957)

Certificated / Classified Employee Dismissal
10. **REPORT OF CLOSED SESSION ACTIONS**

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 11, 2013

From: Wendell C. Greer
Associate Superintendent, K – Adult Operations

Agenda Item: B.4

Subject: Presentation of Student Board Representative from Middle College High School

Background Information:

A Student Board Representative from Middle College High School will attend the Board of Education on September 11, 2013. We would like to recognize and commend their participation.

Recommendation:

For Information Only

Fiscal Impact:

None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

**West Contra Costa Unified School District
Minutes of the Special Board of Education Workshop
DeJean Middle School
Multipurpose Room
3400 Macdonald Ave.
Richmond, CA 94805**

August 5, 2013

I. OPENING PROCEDURES

President Madeline Kronenberg called the meeting to order at 6:34 PM

Board Members Present: Randy Enos, Todd Groves, Madeline Kronenberg, Elaine Merriweather, Charles Ramsey

Staff Present: Magdalena Browne, Interpreter; Carol Butcher, Executive Director K-12; Steve Collins, SELPA Director; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent for Secondary Schools; Superintendent Bruce Harter; Debbie Haynie, Executive Secretary; Ken McDaniel, Maintenance Supervisor; Mary Phillips, Chief Technology Officer; Nia Rashidchi, Assistant Superintendent Education Services; Adam Taylor, Executive Director K-12; Ken Whittemore, Assistant Superintendent Human Resources

II. MEETING OVERVIEW

President Kronenberg offered welcome and instructions to the public regarding the meeting.

Superintendent Harter gave an overview of the strategic planning process, including the draft plan and a series of additional town hall meetings in order to bring a final product to Board for approval in October. He introduced Mr. Jay Schenirer from Capitol Impact.

III. OPPORTUNITY FOR PUBLIC COMMENT ON AGENDA ITEM

Betty Buginas, Ben Steinberg

IV. PUBLIC PRESENTATION OF THE DRAFT 2013 – 2018 STRATEGIC PLAN

Mr. Schenirer introduced the other consultants on the team; Daniel Kaufman, Jonathan Kaufman, and Annie Crangle, and gave background about each firm, Third Plateau and Capitol Impact. He shared that they have come to know and care for this District during their time working here. He related that the beginning of phase two of the development of the Strategic Plan will be to synthesize the valuable input from community. From there the consultants will begin next steps to pare down the priorities determining what to implement for the 2014-15 and 2015-16 school years. Mr. Schenirer detailed the upcoming town hall meetings to take place in late August and early September.

Board members thanked the consulting team for their hard work and dedication. Board members remarked that they looked forward to the next steps toward defining a final strategic plan.

V. ADJOURNMENT

President Kronenberg adjourned the meeting at 7:52 PM.

**West Contra Costa Unified School District
 Minutes of the Special Board of Education Workshop
 DeJean Middle School
 Multipurpose Room
 3400 Macdonald Ave.
 Richmond, CA 94805**

August 7, 2013

I. OPENING PROCEDURES

President Madeline Kronenberg called the meeting to order at 6:34 PM

Pledge of Allegiance

President Kronenberg led those in attendance in the pledge of allegiance.

II. MEETING OVERVIEW

President Kronenberg offered welcome and instructions to the public regarding the meeting.

Roll Call

Board Members Present: Randy Enos, Todd Groves, Madeline Kronenberg, Elaine Merriweather, Charles Ramsey

Staff Present: Bill Fay, Associate Superintendent for Operations; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent for Secondary Schools; Superintendent Bruce Harter; Debbie Haynie, Executive Secretary; Ken McDaniel, Maintenance Supervisor

III. OPPORTUNITY FOR PUBLIC COMMENT ON AGENDA ITEM

None

IV. DISTRICT'S FOCUS SCHOOLS FOR 2013-2014

Superintendent Harter related that this meeting provided opportunity for the Board to take an in depth look at some of the District's most challenged schools. Staff began the meeting by providing presentations and then allow the opportunity for Board members to circulate and engage in dialogue with school representatives.

Ms. Rashidchi provided a background presentation regarding Decile 1 / Performance Improvement 5 schools. She shared that fourteen schools became Focus Schools by their Decile 1 statewide rating or year five program improvement status. Ms. Rashidchi provided data regarding the academic performance index for the last two years as well as other performance indicators. She said there will be three areas of focus for 2013-14 including academic, social/emotional and stakeholder outreach. The school staff provided input to their plans to improve and accelerate student achievement.

Dr. Jose Lopez of California State East Bay spoke about the development of an English Language (EL) support system within the District. The system will increase the capacity of schools to work with teachers to accelerate EL Learners outcomes and build sustainable best practices in schools for teachers of EL students.

The remainder of the meeting was spent with Board members talking with staff from the Focus Schools regarding plans of action for 2013-2014 at Bayview, Chavez, DeJean, Dover, Downer, Grant, Kennedy, King, Lake, Mira Vista, Nystrom, Richmond, Stege, and Verde.

V. BOARD DIRECTION AND NEXT STEPS FOR THE ACADEMIC SUBCOMMITTEE

Mr. Ramsey thanked everyone for participating in this positive experience to learn what the Board needs to do to support schools. He spoke about the group he participated in saying they understood the challenges and the need for an ongoing dialogue to improve achievement for all students including black and brown students.

Mr. Enos spoke about his personal experience as a student, teacher and principal in Richmond schools and the importance to see the challenges to overcome. He said his group shared a desire to make a difference with students.

Mr. Groves spoke of protecting the rights of students to learn. He said there is good opportunity in the work ahead holding everyone accountable.

Mr. Merriweather said she participated in an enlightened group of schools with large populations. She said the educational goals are very clear as are the signs of progress. She remarked that staff acknowledged areas for improvement. She saw that staff at these schools is aware of the need for cohesiveness and collaboration in order to be ready for the challenge for improvements.

President Kronenberg reported on her group. She said she was impressed by the level of energy around the things needing to be accomplished. She was happy to have this group come together to share with the Board regarding moving the most at risk students forward. This is the first time that staff, as colleagues, was provided the opportunity to articulate with one another. She felt this was a valuable conversation that needs to continue in order to report measurable progress and next steps.

President Kronenberg thanked everyone for attending and their hard work.

V. ADJOURNMENT

President Kronenberg adjourned the meeting at 8:07 PM.

BH:dh
8-7-13 Min Sp

**West Contra Costa Unified School District
Minutes of the Board of Education Meeting
Lovonya DeJean Middle School
3400 Macdonald Avenue
Richmond, CA 94805**

Agenda Item B.7

August 12, 2013

A. CLOSED SESSION

B. OPENING PROCEDURES

President Kronenberg called the meeting to order at 5:30 P.M. The Board recessed into Closed Session.
President Kronenberg called the Public Session to order at 6:34 P.M.

B.1 Pledge of Allegiance

President Kronenberg led the pledge of allegiance.

B.2 Welcome and Meeting Procedures

President Kronenberg offered welcome and instructions to the public regarding the meeting.

B.3 Roll Call

Board Members Present: Randall Enos, Todd Groves, Madeline Kronenberg, Elaine Merriweather, Charles Ramsey

Staff Present: Steve Collins, SELPA Director; Linda Delgado, Coordinator Education Services; Bill Fay, Associate Superintendent Operations; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent K-Adult Schools; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary; Keith Holtzlander, Director of Facilities; Ken McDaniel, Maintenance Supervisor; Leticia Oregon, Interpreter; Mary Phillips, Chief Technology Officer, Nia Rashidchi, Assistant Superintendent Educational Services; Mike Wasilchin, Human Resources Director Classified; Ken Whittemore, Assistant Superintendent Human Resources

B.4 Report/Ratification of Closed Session

Superintendent Harter asked the Board to ratify action taken in Closed Session to appoint administrators:

Marci Williams, Director Human Resources – Employee Relations
Mimi Melodia, Coordinator Education Services
Stephanie Serrano, Principal Ohlone Elementary
Claudia Velez, Assistant Principal Peres Elementary

MOTION: Mr. Enos moved approval of the action taken in Closed Session to appoint administrators. Mr. Groves seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, and President Kronenberg voted yes, with Mr. Ramsey abstaining and no absences. Motion carried 4-0-1-0.

B.5 Agenda Review and Adoption

MOTION: Mr. Ramsey moved approval of the agenda to include moving item F. 1 to follow Consent Items. Mr. Enos seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey, and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

B.6 Minutes: July 24, 2013

MOTION: Mr. Ramsey made corrections to the Minutes of July 24, 2013 regarding Consent Item C.13. Mr. Ramsey then moved approval of the Corrected Minutes of July 24, 2013. Mr. Enos seconded the motion to approve the minutes as corrected. Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

B.7 WCCUSD Public Comment

Joanna Pace, Nancy Barker

B.8 Request to Address the Board – Billie Alexander

Mr. Alexander addressed the Board regarding Proposition 30 and Assembly Bill 1729. He stressed concerns about the needs of young men of color and the duty of everyone to support success in academics, access to health care and employment. He asked that Proposition 30 funds be used to support the social and emotional needs of these students.

C. BUSINESS ITEMS

C.1 Grants/Awards/Agreements

C.2 Acceptance of Donations

C.3 Approval of Fund-Raising Activities

C.4 Summary of Payroll and Vendor Warrant Reports

C.5 Adoption of Resolution No. 28-1314: Replacement of Outdated Warrant

C.6 Contracted Services

C.7 Agreements for Nonpublic, Nonsectarian School/Agency Services

Mr. Groves had questioned about performance evaluations of these contracts. Mr. Collins responded with information regarding SELPA's requirement to review and visit sites on a regular basis.

C.8 Notice of Completions: Bid 1121341-05 Coronado & Stege Elementary School Storm Drain Extension, 2141103-08 Portola Middle School Demolition of Existing Campus, Bid 1471390-00 Peres Elementary School Modernization I, and Bid 3601364-06 Kennedy High School Kitchen Flooring Replacement

C.9 Community Budget Advisory Committee Amended Member Ratification

C.10 CalPERS Retiree Health Care Resolutions – for those retiring prior to January 1, 2007

Resolution No. 17-1314 – Unrepresented Classified Confidential

Resolution No. 18-1314 – Public Employees Union (Local One)

Resolution No. 19-1314 – School Supervisors Association (SSA)

Resolution No. 20-1314 – Unrepresented Management

Resolution No. 21-1314 – United Teachers of Richmond (UTR)

Resolution No. 22-1314 – West Contra Costa Administrators' Association (WCCAA)

C.11 CalPERS Retiree Benefit Resolutions – for those retiring after December 31, 2006 and before July 1, 2010

Resolution No. 23-1314: Unrepresented Classified Confidential

Resolution No. 24-1314: Public Employees Union (Local 1)

Resolution No. 25-1314: School Supervisors Association (SSA)

Resolution No. 26-1314: Unrepresented Management

Resolution No. 27-1314: West Contra Costa Administrators Association (WCCAA)

C.12 Certificated Board Authorization - Education Code 44258.3

C.13 Certificated Provisional Internship Permit (PIP) Request(s)

C.14 Routine Personnel Changes - Certificated

C.15 Routine Personnel Changes – Classified

C.16 Acceptance of Contracts for Placement of Student Teachers

C.17 Approve the following New Salary Schedules: Helms Middle School, De Anza High School, Cameron School

C.18 Approve the following Reclassifications and New Job Descriptions effective July 1, 2013

C.19 Ratification and Approval of Engineering Services Contracts

C.20 Ratification and Approval of Negotiated Change Orders

C.21 Ratification of Staff Awarded Contract (CUPCCAA): Kennedy High School Temporary Science Classroom Fume Hood Installation

C.22 Ratification of Staff Awarded Contract (CUPCCAA): Kennedy High School Temporary Science Classroom Emergency Shower Installation

C.23 Kennedy High School Science Building Renovation Award of Contract

C.24 Ratification of Staff Awarded Contract: Dover ES MPR Demolition

C.25 Ratification of Staff Awarded Contract: Dover ES Building A Security Camera Upgrade

C.26 Citizens' Bond Oversight Committee (CBOC) Appointment: Dennis Hicks appointed by Building Trades Council

C.27 Travel to the 9th Annual International Fab Lab Conference August 20 – 27 in Japan

MOTION: Mr. Ramsey moved approval of Consent Items C.1 – C.27. Mr. Enos seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey, and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

F.1 Staff Recommendation, Summit Schools

Dr. Linda Delgado provided information regarding the Summit Public Schools (SPS) K-2 Charter School petition. Dr. Delgado addressed concerns that were shared with the charter school staff regarding 1) inadequate information on structured language development for English Language Learners, 2) inadequate descriptions concerning the process for student discipline and, 3) concern at the small number of signatures and locale of addresses for prospective student interest in enrolling for the intended start date not representative of the projected enrollment targets. She shared that SPS offered responses to provide greater support for English Language Learners, seeking to avoid all unnecessary discipline actions, and having significant financial backing and hiring of an experienced principal who will use significant outreach efforts. The recommendation of staff is to grant the petition pending execution of a memorandum of understanding that resolves the identified concerns and other operational issues.

Public Comment:

Joanna Pace, Margaret Browne, Tyler Sussman, Dennis Cody, Ben Steinberg, Alonn Ilan, Michael Peritz, Nerissa Wu, Thomas Prather, Jerry Simmons, Jennifer Lyle, Bobbie Dowling, Romy Douglass, Victoria Folks, Leslie Reckler, Bea Lieberman, Catherine Collen, Scottie Smith, Cameron Moore, Mary Flanagan, John Irminger, Diego Arambula, David Castillo, Lakisia Hill

Board Comment:

Mr. Ramsey thanked Summit for sharing their proposals. He said he felt compelled to identify key salient issues critical to the fabric of District. The comments made regarding an unconditional approval caused him to recall the Brown vs. Board of Education decision regarding separate but unfair educational applications. He spoke of schools in certain parts of town where students were bussed to accommodate integration in other parts of town. He expressed concern about placing 675 students at a site not configured for a campus of that size. He also commented about student transportation that he believed was not adequate for students. He also expressed concern from the standpoint of Summit wanting the District to modify the recommendations and the lack of outreach efforts to the target community.

Mr. Enos thanked Summit staff and Ms. Kelly Garcia for her time to provide him with information. He reflected as a resident and teacher in the community, as well as an elected official serving every child in the District. He had concern that the issues were not addressed fully.

Mr. Groves asked about the process for approval of the recommendation. Superintendent Harter responded that staff's recommendation is to approve the charter subject to the successful negotiation of a memorandum of understanding. Mr. Groves continued by saying he did not think the application was a good idea. The school could hurt more children than it could help causing damaging drops in enrollment in the other District schools. The public has spoken with overwhelming opposition to this charter. While he thought that Summit is committed to serving students most in need in the District, he had concern that they will have difficulty reaching those students. While he thought that the charter would be approved at the county or state level, he expressed concern about the Board denying the charter thereby eliminating a directive role for the District. Because of that, he would support the charter.

Ms. Merriweather said that she had thoroughly read the proposal, and said that the issue had been framed well by Mr. Ramsey and Mr. Enos. She said she would not support the charter.

President Kronenberg remarked that a charter is supposed to serve anyone and share innovative practices outside the norm of traditional school. She said that Summit is most interested in having 100% engaged parents at their school. She went on to say that the District does not have that degree of engagement at any school. She feared that parents who are engaged will be siphoned off at a deficit to those remaining at public schools. She said that she could not support the petition.

Mr. Ramsey made a motion to deny the charter under the guidelines that it cannot meet the capacity of heterogeneous groupings and the demand for unconditional conditions. Superintendent Harter repeated and clarified the motion that the Board had made a finding of fact that Summit would not meet the guidelines to be a school that reflects the District population, that the Board will not approve a charter unconditionally, and that the petition provided inadequate information about student transportation.

MOTION: Mr. Ramsey moved to deny the Summit Schools charter petition. Mr. Enos seconded. A roll call vote was taken with Mr. Enos, Ms. Merriweather, Mr. Ramsey and President Kronenberg voting yes, Mr. Groves voting no, with no abstentions and no absences. Motion carried 4-1-0-0.

D. AWARDS, RECOGNITIONS, AND REPORTS

Public Employees Local One. Scott Brown spoke about negotiations in hopes of coming to an understanding that will benefit the membership. He extended thanks to Ms. Jellison and Ms. Brown around food service positions and salary increases for some of the lowest wage workers in the District. Mr. Brown continued to say that due to personal issues, he has tendered his resignation with Local One as of August 30. He spoke of the emotional time and taking great honor in representing the classified men and women with District.

School Supervisors Association. Sandra Falk spoke highly of her colleague Scott Brown. She thanked the Board for passing the reorganization and reclassification items on the agenda, recalling the many months of work with food service staff and District negotiators. She also thanked the Board for its vote on the charter school with respect to the idea of siphoning off committed parents. In her opinion charter schools are unintentionally creating another separate but equal class in public education. She encouraged the Board to fight to maintain a free public education available to everyone.

United Teachers of Richmond. Diane Brown thanked the Board for denying the charter petition and its commitment to teachers and families in the District. She shared information about charter schools that cause isolation of students by race and class. She also shared information about the reform strategy called a ringing strategy where the corporate sponsored charter would surround but not locate in an area with disadvantaged families, meaning that only the most committed families make the effort to enroll.

E. COMMITTEE COMMUNICATIONS

(Education Code 35145.5; Government Code 54950 et seq.)

E.1 Standing Reports

Academic Subcommittee. Ms. Rashidchi announced that the first meeting of the school year will take place September 17, 6:30 at Helms Middle School.

College and Career Readiness. Mr. Greer said that College and Career Readiness would be discussed at the October 16 Academic Subcommittee meeting. A future presentation will be made to the Board regarding the broad-based coalition.

Facilities Subcommittee. Mr. Ramsey recapped a meeting for the approval for the Lake School construction which included a plan for how the site will be used to enhance educational purposes and maximize function. He said that one hundred parents participated in the meeting. He said that other items on the Facilities Subcommittee agenda included the Pinole Middle School fields, bidding for the El Cerrito stadium as well as the Richmond swim center at Kennedy High School.

Community Budget Advisory Committee. Ms. Gamba reported that the committee met recently where a robust discussion was held regarding the Local Control Funding Formula. The committee is seeking parent and business leaders to join the membership. She welcomed Mary Flanagan, teacher at Nystrom, to the committee.

Ivy League Connection. Mr. Ramsey reported on the successful summer programs with thirty-eight students participating. He shared that in October the University of Pennsylvania will come to the District to meet with students and counselors to share what they look for in college applications. He said that Northwestern, Brown, and John Hopkins Universities have all committed to District information nights.

Safety Committee. Ms. Merriweather said that the first meeting of the school year will be held September 5th at the Richmond Police Department, 9:00 AM.

Technology Committee. Ms. Phillips reported on the current work on installation of wireless access at all sites, supplying laptops and LCD projectors to teachers in classrooms as well as the computer refresh program which will replace older technology. The committee will meet the first week of September.

Youth Commission. Mr. Greer reported that a student representative will attend beginning with the September Board meeting.

E.2 Superintendent's Report

Superintendent Harter provided a report of activities in the District.

F. ACTION ITEMS

F.1 Staff Recommendation, Summit Schools

This item was moved to follow Consent Items.

G. DISCUSSION ITEMS

G.1 Project Status Report

Mr. Holtslander provided an update of construction projects in the District.

Public Comment:

None

Board Comment:

Mr. Ramsey asked Mr. Holtslander to provide reports on Coronado and Montalvin in the September update.

H. UNFINISHED REQUESTS TO ADDRESS THE BOARD (continued from Item E)

None

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

Mr. Ramsey asked that his corrections to the minutes be repeated for clarification. He remarked about the opening of school for DeAnza and Helms beginning August 13, as well as the Decile 1 and strategic planning information shared at recent meetings. He asked President Kronenberg to adjourn the meeting in honor of Scott Brown and Public Employees Union Local One.

Mr. Enos remarked about the work for students.

Ms. Merriweather reported on the recent Richmond High School freshman orientation and her opportunity to meet with Transitional Kindergarten teachers. She asked the audience to participate on August 28, in sixty-three minutes of peace honoring Dr. Martin Luther King Jr. She said that community leaders will provide positive events for the community participation from 3:00 to 4:03 on that day.

Mr. Groves said he looked forward to the next three weeks without Board meetings.

President Kronenberg said she was surprised to learn about Mr. Brown leaving and remarked that he had served the organization well with passion and commitment. She hoped his replacement would be as passionate and committed to represent the membership. President Kronenberg closed meeting in honor of Mr. Brown.

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – September 11, 2013

K. ADJOURNMENT

President Kronenberg adjourned the meeting at 8:55 P.M.

Motion vote count order: Yes-No-Abstain-Absent

BH:dh

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 11, 2013

From: Sheri Gamba *SG*
Associate Superintendent Business Services

Agenda Item: CI C.1

Subject: Grants/Awards/Agreements

Background Information: Formal action is requested from the Board of Education to accept the grants/awards/agreements, as detailed on the attached sheet dated September 11, 2013.

Recommendation: Recommend Approval

Fiscal Impact: As noted per grants summary

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

GRANT / AWARD / AGREEMENT NOTIFICATIONS

Project Name	Project Amount for Budget Period	Funding Agency	Comments
21st Century Community Learning Centers	\$393,750	California Department of Education - After School Division	To fund the Elementary and Middle After School Core Programs
Resource # 4124	7/1/13 - 12/31/14		PCA # 14349-7A
After School Education and Safety Grant Program	3,597,632.75	California Department of Education - After School Division	To fund the After School Programs at multiple sites for the 13-14 school year
Resource # 6010	7/1/13 - 6/30/14		PCA # 23939-EZ
Adult Education and Family Literacy Act	\$220,448	California Department of Education - Adult Education Office	To fund the ABE, ESL, ESL Citizen- Ship, ESL Pre and Post Tests, Family Literacy, VESL, VABE
Resource # 3905	7/1/13 - 6/30/14		PCA # 14508-39
Adult Education and Family Literacy Act	\$79,607	California Department of Education - Adult Education Office	To fund the ASE, GED programs at Adult Ed
Resource # 3913	7/1/13 - 6/30/14		PCA # 13978-41
Adult Education and Family Literacy Act	\$36,488	California Department of Education - Adult Education Office	To Fund the English Literacy and Civics Education: Civic Participa- tion and Citizenship Preparation
Resource # 3926	7/1/13 - 6/30/14		PCA # 14109-42
12-13 Mental Health Average Daily Atten- dance (ADA) Allocation	\$1,364 Amendment No. 1	California Department of Education - Special Ed Division, Admin Services Unit	Additional ADA from the 12-13 Second Principal Apportionment
Resource # 3327	7/1/12 - 9/30/14		PCA # 15197-01
San Leandro USD Mathematics Coaching	\$16,000	San Leandro Unified School District (SLUSD)	Provide workshops K-5 & 6-8 cohorts focusing on mathematics and algebra
Resource # 9630	7/1/13 - 6/30/14		

GRANT / AWARD / AGREEMENT NOTIFICATIONS

Project Name	Project Amount for Budget Period	Funding Agency	Comments
Alameda USD Mathematics Coaching Resource # 9630	\$50,000 8-1-13 - 6/30/14	Alameda Unified School District (AUSD)	Provide mathematics coaching for seven AUSD Coaches
Hollister USD Mathematics Coaching Resource # 9630	\$5,000 7/1/13 - 6/30/14	Hollister Unified School District (HSD)	Provide mathematics coaching for one HSD Coach
Dublin USD Mathematics Coaching Resource # 9630	\$15,000 7/1/13 - 6/30/14	Dublin Unified School District (DUSD)	Provide mathematics coaching for one DUSD Coach
Livermore Valley Joint USD Mathematics Coaching Resource # 9630	\$13,000 7/1/13 - 6/30/14	Livermore Valley Joint Unified School District (LVJUSD)	Provide mathematics coaching for One LVJUSD Coach
Education for Change Mathematics Coaching Resource # 9630	\$30,000 7/1/13 - 6/30/14	Education for Change (EFC)	Provide mathematics coaching for Six Coaches
Mathematics Coaching Consortium (MCC) Resource # 9630	\$25,000 8/1/13 - 6/30/14	Elk Grove Unified School District (EGUSD)	Provide mathematics coaching for EGUSD Coaches

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 11, 2013

From: Sheri Gamba *SG*
Associate Superintendent Business Services

Agenda Item: CI C.2

Subject: Acceptance of Donations

Background Information: The District has received donations as summarized on the attached sheet dated September 11, 2013. The estimated values for any non-cash donations (as indicated by an asterisk) are those provided by the donor. Staff recommends acceptance of these donations.

Recommendation: Recommend Approval

Fiscal Impact: As noted per donations summary.

DISPOSITION BY BOARD OF EDUCATION		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____

West Contra Costa Unified School District
September 11, 2013 Board Meeting

<u>Donor Name</u>	<u>Description or Purpose</u>	<u>Estimated Value</u>	<u>Receiving School or Department</u>
Recycle America	Materials & Supplies	\$33.20	Cameron School
Mr. Mateo Sanchez	Materials & Supplies	\$124.99	Cameron School
PG & E Corporation Foundation	Materials & Supplies	\$312.00	Downer Elementary
Fairmont PTA	Playworks Program	\$7,500.00	Fairmont Elementary
Washington PTA	Yard Coach	\$7,500.00	Washington Elementary
Mr. Robert Thompson	Miscellaneous Supplies	\$300.00	State Pre-School
Richmond Community Foundation	Summer Mini Grant	\$1,000.00	DeJean Middle
Alameda-Contra costa Youth Soccer League	Field Use	\$700.00	DeJean Middle
Local Driving School	Cheer Prep.	\$100.00	Pinole Valley High
Savemart Supermarkets	Materials & Supplies	\$36.45	Portola Middle

*Estimated values for the non-cash donations are provided by the donor
Donation Précis 91113

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 11, 2013

From: Sheri Gamba *SG*
Associate Superintendent Business Services

Agenda Item: CI C.3

Subject: Approval of Fund-Raising Activities

Background Information: The planned fund-raising events for the 2013-14 school year is summarized on the attached sheet dated September 11, 2013.

Recommendation: Recommend Approval

Fiscal Impact: Additional revenue for schools

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District
September 11, 2013 Board Meeting

APPROVAL OF FUND-RAISERS

<u>School</u>	<u>Fund-Raising Activity</u>	<u>Activity Sponsor</u>
Ellerhorst Elementary	Walk-a-Thon	Ellerhorst Staff & Parents
Montalvin Elementary	Catalog Sales	Montalvin Staff and Parents
Valley View Elementary	Fall Festival	Valley View Parents' Club
Washington Elementary	Family/Student Portraits	Washington PTA
Washington Elementary	Sale of School Logo	Washington PTA
Washington Elementary	Book Fairs	Washington PTA
Washington Elementary	Sales of Catalog, Coupon Book, Student Art Card, T-Shirts, Cook Book, Panorama Student Body Picture, Juice Bar & Grocery Sales	Washington PTA
Washington Elementary	Walk-a-Thon	Washington PTA
Washington Elementary	School Fair/Carnival	Washington PTA
Washington Elementary	Silent Auction	Washington PTA
Washington Elementary	Raffles	Washington PTA
Washington Elementary	Family Movie Night	Washington PTA
Washington Elementary	Penny Drive	Washington PTA
Washington Elementary	Pasta Night	Washington PTA
Washington Elementary	Spelling Bee	Washington PTA
Washington Elementary	Talent Show	Washington PTA
Washington Elementary	Poetry Night	Washington PTA
Washington Elementary	School Garden Produce Sales	Washington PTA

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 11, 2013

From: Sheri Gamba *SG*
Associate Superintendent Business Services

Agenda Item: CI C.4

Subject: Summary of Payroll and Vendor Warrant Reports

Background Information: Attached are the summaries of Payroll and Vendor Warrants issued during the month of August 2013.

Total of payroll warrants (August 2013): \$ 9,391,714

Total of vendor warrants (August 2013): \$ 15,954,291

Recommendation: Recommend approval of the payroll and vendor warrant reports

Fiscal Impact: As noted above

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District

Month of : August 2013

Payrolls	Warrant From	Numbers To	Total Warrants Current	Total Warrants Previous	Total Warrants To Date
Variable	668586	668933	262,321	707,720	970,041
Regular	668934	669656	1,800,274	21,815	1,822,089
Special	669657	669716	6,351	226,417	232,768
Variable EFT	396488	397204	677,692	1,543,893	2,221,585
Regular EFT	397205	399400	6,642,851	1,245,346	7,888,197
Special EFT				0	0
Typed	297709	297715	7,051	14,346	21,397
BENEFITS			0	0	0
Cancelled	Various	Various	(4,824)	(17,057)	(21,881)
Totals			9,391,714	3,742,480	13,134,194

Salary detail is available in the Payroll office upon request.


 Linda Castellan, Payroll Supervisor

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT

2013-2014

PAYMENT

DATE: August 6, 2013

PAGE-1

FUND#	FUND DESCRIPTION	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	334,061	749,165	1,083,226
7706	CAFETERIA	489	76,473	76,962
7707	CHILD DEVELOPMENT		0	0
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY		269,568	269,568
7710	BUILDING		0	0
7711	CAPITAL FACILITIES		0	0
7712	SELF INSURANCE PROPERTY & LIABILITY		1,423,708	1,423,708
7713	STATE SCHOOL LEASE/PURCHASE		0	0
7714	COUNTY SCHOOL FACILITIES		0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY		0	0
7719	CHARTER SCHOOL		0	0
7725	MRAD		0	0
7728	DEBT SERVICE		0	0
7744	RETIREE BENEFITS	4,769	61,992	66,761
7770	ADULT EDUCATION		0	0
7785	DEFERRED MAINTENANCE		0	0
7790	BOND INTEREST & REDEMPTN		0	0
7701	PAYROLL REVOLVING	3,617,937	8,485,435	12,103,372
	TOTALS	3,957,256	11,066,341	15,023,597

Chandra J. V.
Prepared By

T. J. J.
Accounting Supervisor

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT

2013-2014

PAYMENT

DATE: August 13, 2013

PAGE-2

FUND#	FUND DESCRIPTION	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	291,945	1,083,226	1,375,171
7706	CAFETERIA	39,131	76,962	116,093
7707	CHILD DEVELOPMENT	329	0	329
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY		269,568	269,568
7710	BUILDING	344,898	0	344,898
7711	CAPITAL FACILITIES		0	0
7712	SELF INSURANCE PROPERTY & LIABILITY		1,423,708	1,423,708
7713	STATE SCHOOL LEASE/PURCHASE		0	0
7714	COUNTY SCHOOL FACILITIES		0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY		0	0
7719	CHARTER SCHOOL		0	0
7725	MRAD		0	0
7728	DEBT SERVICE		0	0
7744	RETIREE BENEFITS		66,761	66,761
7770	ADULT EDUCATION	8,735	0	8,735
7785	DEFERRED MAINTENANCE		0	0
7790	BOND INTEREST & REDEMPTN		0	0
7701	PAYROLL REVOLVING	340	12,103,372	12,103,712
	TOTALS	685,378	15,023,597	15,708,975

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2013-2014

PAYMENT

DATE: August 20, 2013

PAGE-3

FUND#	FUND DESCRIPTION	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	400,319	1,375,171	1,775,490
7706	CAFETERIA	10,473	116,093	126,566
7707	CHILD DEVELOPMENT		329	329
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY		269,568	269,568
7710	BUILDING	712,428	344,898	1,057,326
7711	CAPITAL FACILITIES	10,654	0	10,654
7712	SELF INSURANCE PROPERTY & LIABILITY	43,734	1,423,708	1,467,442
7713	STATE SCHOOL LEASE/PURCHASE		0	0
7714	COUNTY SCHOOL FACILITIES		0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY		0	0
7719	CHARTER SCHOOL		0	0
7725	MRAD		0	0
7728	DEBT SERVICE		0	0
7744	RETIREE BENEFITS		66,761	66,761
7770	ADULT EDUCATION	2,386	8,735	11,121
7785	DEFERRED MAINTENANCE		0	0
7790	BOND INTEREST & REDEMPTN		0	0
7701	PAYROLL REVOLVING		12,103,712	12,103,712
	TOTALS	1,179,994	15,708,975	16,888,969

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT

2013-2014

PAYMENT

DATE: August 26, 2013

PAGE-4

FUND#	FUND DESCRIPTION	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL		1,775,490	1,775,490
7706	CAFETERIA		126,566	126,566
7707	CHILD DEVELOPMENT		329	329
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY		269,568	269,568
7710	BUILDING		1,057,326	1,057,326
7711	CAPITAL FACILITIES		10,654	10,654
7712	SELF INSURANCE PROPERTY & LIABILITY		1,467,442	1,467,442
7713	STATE SCHOOL LEASE/PURCHASE		0	0
7714	COUNTY SCHOOL FACILITIES		0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY		0	0
7719	CHARTER SCHOOL		0	0
7725	MRAD		0	0
7728	DEBT SERVICE		0	0
7744	RETIREE BENEFITS	53,706	66,761	120,467
7770	ADULT EDUCATION		11,121	11,121
7785	DEFERRED MAINTENANCE		0	0
7790	BOND INTEREST & REDEMPTN		0	0
7701	PAYROLL REVOLVING		12,103,712	12,103,712
	TOTALS	53,706	16,888,969	16,942,675

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT

2013-2014

PAYMENT

DATE: August 26, 2013

PAGE-5

FUND#	FUND DESCRIPTION	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	455,648	1,775,490	2,231,138
7706	CAFETERIA	96,020	126,566	222,586
7707	CHILD DEVELOPMENT	37	329	366
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY	467	269,568	270,035
7710	BUILDING	4,569,037	1,057,326	5,626,363
7711	CAPITAL FACILITIES		10,654	10,654
7712	SELF INSURANCE PROPERTY & LIABILITY		1,467,442	1,467,442
7713	STATE SCHOOL LEASE/PURCHASE		0	0
7714	COUNTY SCHOOL FACILITIES		0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY		0	0
7719	CHARTER SCHOOL		0	0
7725	MRAD		0	0
7728	DEBT SERVICE		0	0
7744	RETIREE BENEFITS		120,467	120,467
7770	ADULT EDUCATION	61	11,121	11,182
7785	DEFERRED MAINTENANCE		0	0
7790	BOND INTEREST & REDEMPTN		0	0
7701	PAYROLL REVOLVING		12,103,712	12,103,712
	TOTALS	5,121,270	16,942,675	22,063,945

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT

2013-2014

PAYMENT

PAGE-6

DATE: August 7, 2013

FUND#	FUND DESCRIPTION	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL		2,231,138	2,231,138
7706	CAFETERIA		222,586	222,586
7707	CHILD DEVELOPMENT		366	366
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY		270,035	270,035
7710	BUILDING		5,626,363	5,626,363
7711	CAPITAL FACILITIES		10,654	10,654
7712	SELF INSURANCE PROPERTY & LIABILITY		1,467,442	1,467,442
7713	STATE SCHOOL LEASE/PURCHASE		0	0
7714	COUNTY SCHOOL FACILITIES		0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY		0	0
7719	CHARTER SCHOOL		0	0
7725	MRAD		0	0
7728	DEBT SERVICE		0	0
7744	RETIREE BENEFITS		120,467	120,467
7770	ADULT EDUCATION		11,182	11,182
7785	DEFERRED MAINTENANCE		0	0
7790	BOND INTEREST & REDEMPTN		0	0
7701	PAYROLL REVOLVING	620,927	12,103,712	12,724,639
	TOTALS	620,927	22,063,945	22,684,872

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT

2013-2014

PAYMENT

DATE: August 30, 2013

PAGE-7

FUND#	FUND DESCRIPTION	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL		2,231,138	2,231,138
7706	CAFETERIA		222,586	222,586
7707	CHILD DEVELOPMENT		366	366
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY		270,035	270,035
7710	BUILDING		5,626,363	5,626,363
7711	CAPITAL FACILITIES		10,654	10,654
7712	SELF INSURANCE PROPERTY & LIABILITY		1,467,442	1,467,442
7713	STATE SCHOOL LEASE/PURCHASE		0	0
7714	COUNTY SCHOOL FACILITIES		0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY		0	0
7719	CHARTER SCHOOL		0	0
7725	MRAD		0	0
7728	DEBT SERVICE		0	0
7744	RETIREE BENEFITS		120,467	120,467
7770	ADULT EDUCATION		11,182	11,182
7785	DEFERRED MAINTENANCE		0	0
7790	BOND INTEREST & REDEMPTN		0	0
7701	PAYROLL REVOLVING	4,335,760	12,724,639	17,060,399
	TOTALS	4,335,760	22,684,872	27,020,632

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 11, 2013

From: Sheri Gamba *SG*
Associate Superintendent Business Services

Agenda Item: CI C.5

Subject: Contracted Services

Background Information: Permission is requested of the Board of Education to approve the following contracts for services as detailed on the attached sheets dated September 11, 2013.

Recommendation: Recommend Approval

Fiscal Impact: As noted per contracts summary

DISPOSITION BY BOARD OF EDUCATION		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____

West Contra Costa Unified School District
September 11, 2013 Board Meeting

CONTRACTED SERVICES

The following professional consultant services are recommended for approval.

<u>DEPARTMENT</u>	<u>DATE OF SERVICE</u>	<u>CONSULTANT NAME</u>	<u>COST & FUNDING</u>	<u>PURPOSE</u>
K-12 Operations	9/12/13 Thru 6/30/14	Greater Richmond Inter-Faith Program	75,900 Title 1 Neglected and Delinquent	Provide an equitable education under the McKinney-Vento Act through the expedition of school enrollment, case management, and outreach programs for the homeless children and their families. The Greater Richmond Interfaith Program in collaboration with the West Contra Costa Unified School District shall coordinate services with group homes and local shelters to ensure the identification and aid of homeless children and youth in the district.
Educational Services	9/12/13 Thru 6/30/14	New Leaders 14001504	\$342,000 Title II	Provide a high-level, rigorous leadership development program for WCCUSD principals and central office administrators in the areas of: data drive instruction, leading difficult conversations, building a culture of high expectations, and managing/leading effective teams.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 11, 2013

From: Sheri Gamba *SG*
Associate Superintendent Business Services

Agenda Item: CI C.6

Subject: Adoption of Resolution No. 34-1314: Replacement of Outdated Warrant

Background Information: Government Code Section 298029(c) allows the governing board, by resolution, to order a replacement check be issued for a warrant that is stale dated. This resolution authorizes the issuance of a check to replace the outdated warrant for Joy Guinto. Staff recommend replacement of the stale dated warrant.

Recommendation: Recommend approval to replace the outdated warrant

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 34-1314
REPLACEMENT OF OUTDATED WARRANT
September 11, 2013

WHEREAS Government Code Section 29802(c) allows the governing board, by resolution, to order that a replacement check be issued for a warrant that is stale dated.

BE IT RESOLVED, by the Board of Education of the West Contra Costa Unified School District, that we issue a check to replace the following stale dated check:

Type:	Payroll Check
Payee:	Joy Guinto
Check No.:	756269
Amount:	\$23.21
Issue Date:	May 4, 2011

PASSED AND ADOPTED on the 11th day of September, 2013, at a regular meeting of the Board of Education by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I hereby certify that the foregoing is a full, true and correct copy of a resolution passed at a meeting of the Board of Education, of the West Contra Costa Unified School District.

Bruce Harter
Secretary, Board of Education

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 11, 2013

From: Sheri Gamba *dy*
Associate Superintendent Business Services

Agenda Item: CI C.7

Subject: Notice of Completions: Bid 1621223-12 Verde Elementary School Restroom Renovations, Bid 1301223-17 Kensington Elementary School Restroom Renovations, Bid 1251612-14 Grant Elementary School & 1341612-08 Lake Elementary School Restroom Renovations, and Bid 1161223-02 Downer Elementary School Restroom Renovations.

Background Information:

Substantial completion notices has been received for: Bid 1621223-12, Bid 1301223-17, Bid 1251612-14 & 1341612-08, and Bid 1161223-02.

Major construction projects are subject to acceptance by the governing board before a Notice of Completion can be processed, and final payment of the contract made. (BP 7470)

Staff recommends acceptance of the work completed by the following contractors:

Streamline Builders, Bid 1621223-12 Verde Elementary School Restroom Renovations.

AM Woo Construction, Bid 1301223-17 Kensington Elementary School Restroom Renovations.

AM Woo Construction, Bid 1251612-14 Grant Elementary School & 1341612-08 Lake Elementary School Restroom Renovations.

Streamline Builders, Bid 1161223-02 Downer Elementary School Restroom Renovations.

Recommendation: Recommend approval of these notices of completion.

Fiscal Impact: None.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO
NAME WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT
STREET
ADDRESS 1108 BISSELL AVENUE
CITY &
STATE RICHMOND, CALIF 94801

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. The completion of work is deemed to be the date of such acceptance by the Governing Board of the District (civil code 3086)

Notice is hereby given that:

1. The undersigned is owner of the property hereinafter described:
2. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
3. The full address of the owner is: 1108 Bissell Avenue, Richmond, Calif. 94801.
4. A work of improvement on the property hereinafter described was completed and accepted on 9/11/13.
5. The work done was: Project 1621223-12 Verde ES Restroom Renovations.
6. The name and address of the contractor for such work of improvement was Streamline Builders 1700 25th Ave., San Francisco, CA 94122 Date of Contract: 5/30/13.
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: American Safety Casualty Insurance Company.
8. The property on which said work of improvement was completed is located within the West Contra Costa Unified School District, County of Contra Costa, State of California, and is described and located as follows: Verde ES, 2000 Giaramita St., Richmond, CA 94801

Dated: September 11, 2013

Director, General Services
West Contra Costa USD

VERIFICATION

I, the undersigned, say: I am the Director, General Services the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 11, 2013, at Richmond, California.

Director, General Services
West Contra Costa USD

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO
NAME WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT
STREET
ADDRESS 1108 BISSELL AVENUE
CITY &
STATE RICHMOND, CALIF 94801

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. The completion of work is deemed to be the date of such acceptance by the Governing Board of the District (civil code 3086)

Notice is hereby given that:

1. The undersigned is owner of the property hereinafter described:
2. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
3. The full address of the owner is: 1108 Bissell Avenue, Richmond, Calif. 94801.
4. A work of improvement on the property hereinafter described was completed and accepted on 9/11/13.
5. The work done was: Project 1301223-17 Kensington ES Restroom Renovations.
6. The name and address of the contractor for such work of improvement was AM Woo Construction, 11040 Bollinger Canyon Rd. Ste. E508, San Ramon, CA 94582 Date of Contract: 4/24/13/13.
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: American Safety Casualty Insurance Company.
8. The property on which said work of improvement was completed is located within the West Contra Costa Unified School District, County of Contra Costa, State of California, and is described and located as follows: Kensington ES, 90 Highland Blvd., Kensington, CA 94708

Dated: September 11, 2013

Director, General Services
West Contra Costa USD

VERIFICATION

I, the undersigned, say: I am the Director, General Services the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 11, 2013, at Richmond, California.

Director, General Services
West Contra Costa USD

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO

NAME WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT

STREET
ADDRESS 1108 BISSELL AVENUE

CITY &
STATE RICHMOND, CALIF 94801

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. The completion of work is deemed to be the date of such acceptance by the Governing Board of the District (civil code 3086)

Notice is hereby given that:

1. The undersigned is owner of the property hereinafter described:
2. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
3. The full address of the owner is: 1108 Bissell Avenue, Richmond, Calif. 94801.
4. A work of improvement on the property hereinafter described was completed and accepted on 9/11/13.
5. The work done was: Project 1251612-14 Grant ES & 1341612-08 Lake ES Restroom Renovations.
6. The name and address of the contractor for such work of improvement was AM Woo Construction, 11040 Bollinger Canyon Rd. Ste. E508, San Ramon, CA 94582 Date of Contract: 6/6/13.
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: American Safety Casualty Insurance Company.
8. The property on which said work of improvement was completed is located within the West Contra Costa Unified School District, County of Contra Costa, State of California, and is described and located as follows: Grant ES. 2400 Downer Ave., Richmond, CA 94804; Lake ES 2700 11th St., San Pablo, CA 94806

Dated: September 11, 2013

Director, General Services
West Contra Costa USD

VERIFICATION

I, the undersigned, say: I am the Director, General Services the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 11, 2013, at Richmond, California.

Director, General Services
West Contra Costa USD

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO
NAME WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT
STREET
ADDRESS 1108 BISSELL AVENUE
CITY &
STATE RICHMOND, CALIF 94801

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. The completion of work is deemed to be the date of such acceptance by the Governing Board of the District (civil code 3086)

Notice is hereby given that:

1. The undersigned is owner of the property hereinafter described:
2. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
3. The full address of the owner is: 1108 Bissell Avenue, Richmond, Calif. 94801.
4. A work of improvement on the property hereinafter described was completed and accepted on 9/11/13.
5. The work done was: Project 1161223-02 Downer ES Restroom Renovations.
6. The name and address of the contractor for such work of improvement was Streamline Builders, 1700 25th Ave., San Francisco, CA 94122 Date of Contract: 4/24/13 .
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Western Surety Company.
8. The property on which said work of improvement was completed is located within the West Contra Costa Unified School District, County of Contra Costa, State of California, and is described and located as follows: Downer ES, 1231 18th St., San Pablo, CA 94806.

Dated: September 11, 2013

Director, General Services
West Contra Costa USD

VERIFICATION

I, the undersigned, say: I am the Director, General Services the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 11, 2013, at Richmond, California.

Director, General Services
West Contra Costa USD

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 11, 2013

From: Sheri Gamba
Associate Superintendent Business Services

Agenda Item: CI C.8

Subject: Response to Grand Jury Report No. 1311 "Assessing Fiscal Risk"

Background Information:

The 2012-13 Grand Jury issued a report on June 4, 2013 titled "Assessing Fiscal Risk". The report was sent to all Contra Costa County Special Districts, School Districts, County Agencies, Cities and the Local Agency Formation Commission (LAFCO). The report focuses on the review of audits for all agencies and the fiscal responsibility of responding to findings and corrective action. It acknowledges the extent of oversight for school districts, which is different than those of the other agencies. The report requires that each agency or district respond in writing to the findings and recommendations within the report.

Attached is a copy of the Grand Jury Report along with the response I prepared on behalf of the District.

Recommendation: Accept submission of report

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____



June 4, 2013

RECEIVED
JUN 07 2013
SUPERINTENDENT

Bruce Harter, Ph.D., Superintendent
West Contra Costa Unified School District
1108 Bissell Ave.
Richmond, CA 94801

Dear Dr. Harter:

Attached is a copy of **Grand Jury Report No. 1311, "Assessing Fiscal Risk"** by the 2012-2013 Contra Costa Grand Jury.

In accordance with California Penal Code Section 933.05, this report is being provided to you at least two working days before it is released publicly.

Section 933.5(a) of the California Government Code requires that (the responding person or entity shall report one of the following actions) in respect to each finding:

- (1) The respondent agrees with the finding.
- (2) The respondent disagrees with the finding.
- (3) The respondent partially disagrees with the finding.

In the cases of both (2) and (3) above, the respondent shall specify the portion of the finding that is disputed, and shall include an explanation of the reasons therefore.

In addition, Section 933.05(b) requires that the respondent reply to each recommendation by stating one of the following actions:

1. The recommendation has been implemented, with a summary describing the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
3. The recommendation requires further analysis. This response should explain the scope and parameters of the analysis or study, and a time frame for the matter to be prepared for discussion. This time frame shall not exceed six months from the date of the publication of the Grand Jury Report.

4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation thereof.

Please be reminded that Section 933.05 specifies that no officer, agency, department or governing body of a public agency shall disclose any contents of the report prior to its public release. Please insure that your response to the above noted Grand Jury report includes the mandated items. We will expect your response, using the form described by the quoted Government Code, no later than **SEPTEMBER 4, 2013.**

It would be greatly appreciated if you could send this response in hard copy to the Grand Jury as well as by e-mail to clope2@contracosta.courts.ca.gov (Word document).

Sincerely,



Marc Hamaji, Foreperson
2012-2013 Contra Costa County Civil Grand Jury

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

**A REPORT BY
THE 2012-2013 CONTRA COSTA COUNTY GRAND JURY**
725 Court Street
Martinez, California 94553

REPORT 1311

ASSESSING FISCAL RISK

Who is Minding the Store?

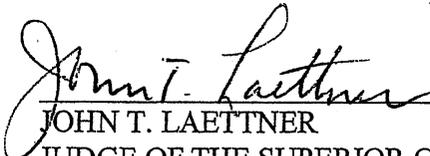
APPROVED BY THE GRAND JURY:

Date: 5/30/13


MARTHA WHITTAKER
GRAND JURY FOREPERSON- PRO TEM

ACCEPTED FOR FILING:

Date: 6/3/13


JOHN T. LAETTNER
JUDGE OF THE SUPERIOR COURT

Contra Costa County Grand Jury Report

REPORT 1311

ASSESSING FISCAL RISK

Who is Minding the Store?

TO: Contra Costa County, Cities, School Districts and other Special Districts in Contra Costa County, LAFCO (Local Agency Formation Commission)

SUMMARY

Contra Costa County ("County"), its cities, school districts and other special districts (collectively "County Organizations") have an obligation to establish and maintain a proper system of fiscal controls ("Internal Controls"), including financial and physical oversight, in order to safeguard the public assets. Any financial loss or additional expenditure as a result of lack of oversight is never acceptable.

Internal Controls include but are not limited to: adequate segregation of duties, physical control over assets and records, proper financial reporting and independent checks/oversight on performance. These controls are important when it comes to grant administration. The County, cities and most school districts vie for state and federal grants which require separate reporting and performance according to grant terms. Proper controls are critical to ensuring that grant funds are expended as intended, program activities are carried out in accordance with the terms of the grant, and there is no required repayment to the grantor.

As part of the annual financial statement audit, independent auditors evaluate Internal Controls to the extent that they believe necessary to issue their audit opinion. In doing so, they will report to the organization any problems or findings identified with Internal Controls (including more serious problems which they characterize as "Material Weaknesses" and "Significant Deficiencies") and instances of non-compliance with grant programs. The reaction of the governing body to any deficiencies in terms of Internal Control Material Weaknesses or Significant Deficiencies and grant non-compliance reported as part of the audit is significant. If the deficiencies are taken seriously and corrected quickly and an environment exists of not allowing repetitive findings, then a robust control environment is promoted. Where reaction is lax and accountability weak, the potential exists for further abuse. This is particularly important in the case of the County, cities and special districts which lack other independent, direct oversight (unlike the relationship of the County Office of Education to the school districts).

A review of auditor reports on Internal Controls and grant compliance from the County, selected cities, school districts and other special districts suggests that the control environment is far from optimum among County Organizations. The majority of County Organizations reviewed had problems with Internal Controls and/or grant compliance identified by the independent auditors, including Material Weaknesses and Significant Deficiencies. In a number of instances, these findings were recurring over multiple years. Furthermore, there is a significant difference among officials interviewed regarding the importance of establishing and maintaining a rigorous Internal Control environment and responding to/fixing findings raised by the independent auditors.

The Grand Jury considers Internal Controls an important element in establishing and maintaining integrity in financial reporting and safeguarding assets on behalf of the citizens of the County.

METHODOLOGY

In evaluating the Internal Control environment maintained by County Organizations, the following tasks were performed:

- Interviews with financial and management officials from selected County Organizations;
- Interviews with representatives from the California State Controller's Office ("SCO");
- Review of audited financial statements for selected County Organizations for the Fiscal Years ("FY") 2011 and 2012;
- Review of auditor communication letters for selected County Organizations related to their audits for the FY2008-FY2012 periods;
- Review of auditor "Management Letters" and/or "Reports on Internal Controls over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards" for selected County Organizations related to their audits for the FY2008-2012 periods;
- Review of auditor-prepared Single Audit Reports and/or "Independent Auditors' Report on Compliance with Requirements that could have a Direct and Material Effect on Each Major Program and on Internal Control over Compliance in Accordance with OMB Circular A-133" for selected County Organizations related to their audit for the FY2008-2012 periods;
- Preparation of a detailed control questionnaire and survey of selected County Organizations;
- Review of State Controller Office Audit report to assess the adequacy of the system of Internal Controls at both the City of Hercules and the Hercules Redevelopment Agency (SCO.ca.gov);
- Review of Contra Costa County internal audit reports and City of Richmond internal audit report – "Internal Audit of Library and Cultural Services Department" dated

February 2013;

- Review of selected outside grant audit reports provided by selected County Organizations;
- Review of requirements for preparation of the Single Audit report, as maintained by the California State Controller's Office (SCO.ca.gov); and,
- Review of selected Government Accounting Standards as promulgated by the Government Accounting Standards Board ("GASB").

BACKGROUND

There have been a number of high-profile financial problems involving local government entities documented in the media over the past several years. From a state perspective this includes The City of Bell in Southern California – where there are allegations of massive corruption, and the bankruptcy filings of Vallejo, Stockton and San Bernardino. In Contra Costa County, the State authorities have intervened in the cities of Richmond and Hercules and the West Contra Costa Unified School District. In certain of these instances, the underlying problems were a lack of financial resources, exacerbated by inadequate financial reporting. In other instances, the problems were caused by a lack of controls over the financial operations of the affected organization.

See Appendix 1 for a glossary of key terms used throughout this report.

Internal Controls

County Organizations have a responsibility to the citizens they serve to safeguard their organizations' assets and report the results of their operations. Internal Controls are the policies and procedures established by an organization to ensure reliable financial reporting, effective and efficient operations, compliance with applicable laws and regulations and the safeguarding of assets against theft and unauthorized use, acquisition, or disposal. A system of Internal Controls should encompass both the control environment and specific control activities.

The management style and the expectations of management, particularly their control policies, determine the control environment. An effective control environment helps to ensure that established policies and procedures are followed. The control environment includes independent oversight provided by a governing board (including audit committees); independent audit of the organization's finances; management's integrity, ethical values, and philosophy; a defined organizational structure with competent and trustworthy employees; and the assignment of authority and responsibility within the organization.

An effective control environment includes the following:

- **Adequate segregation of duties.**

This requires that different individuals be assigned responsibility for different elements of related activities, particularly those involving authorization, custody, or recordkeeping. For example, the same person who is responsible for an asset's recordkeeping should not be responsible for physical control of that asset. Having different individuals perform these functions creates a system of checks and balances.

- **Proper authorization of transactions and activities.**

This helps ensure that all of an organization's activities adhere to established guidelines unless variances are properly authorized by management.

- **Adequate documents and records which provide evidence that financial statements are accurate.**

- **Controls designed to ensure adequate recordkeeping.**

This includes the creation of invoices and other documents that are easy to use and sufficiently informative; the use of pre-numbered, consecutive documents, such as receipt logs; and the timely preparation of documents and financial reports including actual versus budgeted results.

- **Physical controls over assets and records.**

This helps protect an organization's assets. These control activities may include electronic or mechanical controls (such as a safe, employee ID cards, cash registers, and fireproof files) or computer-related controls dealing with system access privileges or established backup and recovery procedures.

- **Independent checks on performance.**

This includes checks which are carried out by employees who did not do the work being checked and will help ensure the accuracy and reliability of accounting information and the efficiency of operations. For example, a supervisor verifies the accuracy of an accounting clerk's account reconciliations. Internal auditors may also verify that the supervisor performed the required review.

In order to identify and establish effective controls, management must continually assess the risk, monitor control implementation, and modify controls as needed.

Annual Audit Internal Control Reporting

Each year, as part of the annual financial statement audit, the independent auditors evaluate those Internal Controls they feel are necessary for them to issue their audit opinion (this could range from a comprehensive review of controls to no review of controls). The auditors do not look at all Internal Controls (for example, the outside auditors for the City of Richmond did not report on any findings with regard to the library, while a separate internal audit found multiple issues and proposed 29 corrective recommendations). At the conclusion of their audit, the auditors are required to communicate with management as to certain key information involved with the audit (often referred to as "Required Communications") and communicate any findings with regard to Internal Controls (often referred to as a "Management Letter").

Since the outside auditors' review is by its nature limited in scope, when the outside auditors describe an inadequate Internal Control environment, a more detailed or thorough review may be required to determine if even more serious or pervasive issues exist (which, if not corrected, could potentially lead to major financial reporting errors, fraud, or other fiscal problems in the future). In addition, for those organizations that received federal funds in excess of \$500,000, the auditors also issue a report on the organization's compliance with the grants (often referred to as "Single Audit Report").

The auditors' control findings are typically categorized as "Material Weaknesses", "Significant Deficiencies" and "Other Matters or Findings". The professional literature provides the following definitions:

- "Material Weakness" is "a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis."
- "Significant Deficiency" is "a deficiency or a combination of deficiencies in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance."
- "Other Matters or Findings", while not specifically defined, refers to any additional issues which the independent auditor wishes to communicate to the governing body of the organization.

Both Material Weaknesses and Significant Deficiencies are considered serious conditions by the outside auditors that warrant immediate attention and correction. An organization's management is required to formally respond to these findings. An entity can receive a "clean" or unqualified opinion on its financial statements and still have problems with its Internal Controls.

Survey and Report Review Results

A detailed survey covering certain Internal Controls was sent by the Grand Jury to selected County Organizations. This survey focused on identifying the size of finance/accounting functions within the organizations, the adequacy of segregation of duties and what impact, if any, recent budgetary constraints may have had on the size of accounting and finance functions. The surveyed County Organizations were Contra Costa County; the cities of Richmond, Pinole, Antioch and Walnut Creek; the Acalanes Unified, West Contra Costa Unified, Mount Diablo Unified and Pittsburg Unified school districts; Pleasant Hill Recreation District; Contra Costa Water District and Kensington Police and Community Services District. A review of the survey responses and reports from the independent auditor for the five most recent fiscal years (2008-2012) identified the following items:

- Three organizations - City of Richmond, Richmond Housing Authority and West Contra Costa USD - received "qualified" audit opinions from the independent accountants in 2011. The qualifications with respect to the City of Richmond and Richmond Housing Authority relate to the Housing Authority's ability to continue as a going concern due to its current dire financial position. The qualification on the 2011 West Contra Costa USD financial statements related to the improper exclusion in the financial statements of certain trust/agency activities. The West Contra Costa USD corrected the exclusion in 2012.
- In approximately 75% of the entities reviewed, there was communication from the auditors indicating that a significant number of audit adjustments (for example, approximately 120 separate adjustments in the case of Richmond for 2011) were required to the financial statements as prepared by the organization. This may suggest that monthly or interim information prepared during the year was incorrect, potentially impacting budgetary controls and/or information presented to management/governing boards for decision-making or oversight purposes.
- A majority of the entities reviewed had at least one Internal Control issue noted as Material Weaknesses/Significant Deficiencies. The total number of control issues identified for the five-year period ranged from 1 (Contra Costa Water District and City of Antioch) to greater than 125 (City of Richmond). In many instances, the issues identified were recurring.
- A majority of the entities reviewed had at least one grant compliance finding over the past five fiscal years. The total number of findings ranged from 0 (Contra Costa Water District) to greater than 40 (City of Richmond). In many instances, the issues identified were recurring.

- In the smaller cities and special districts there is not a sufficient number of staff to achieve an adequate segregation of duties.

Contra Costa County has an internal audit group that currently formally reports to the County Auditor-Controller and informally to an "Audit Committee" that includes two County supervisors and representatives from the Auditor-Controller's Office. The internal audit group reviews the various operating County departments on a 2-5 year cyclical basis (more frequently where problems have been identified). The scope and plans for these audits are determined by the Auditor-Controller, with input from the Audit Committee. The professional literature indicates that the internal audit function should have direct reporting responsibility to the governing board of an organization.

Material Weaknesses/Significant Deficiencies

A more detailed view of the number of Material Weaknesses/Significant Deficiencies identified by the independent auditors for the County Organizations reviewed, including the recurring nature of some of the findings, is presented below in Table 1.

Table 1- Summary of Material Weaknesses/Significant Deficiencies -

Entity	Material Weaknesses/Significant Deficiencies by Fiscal Year					
	2012	2011	2010	2009	2008	Recurring
Contra Costa County	1	1	2	0	0	Yes
City of Richmond/Richmond Housing Authority	*	15	18	12	11	Yes
City of Antioch	0	1	0	0	0	No
City of Walnut Creek	0	0	0	0	0	No
City of Pinole	0	0	0	0	0	No
City of Hercules	(2)	(2)	(2)	(2)	(2)	
Pleasant Hill Recreation	0	0	0	0	0	No
Kensington Police (KPPCSD)	1(1)	0	0	0	0	Yes
Contra Costa Water Dist.	0	0	0	0	0	No
Acalanes USD	0	0	0	1	1	Yes
Mt. Diablo USD	2	2	1	3	1	Yes
West Contra Costa USD	1	2	0	0	0	Yes
Pittsburg USD	2	1	5	11	0	Yes

Legend / Notes –

* Reporting for 2012 not yet completed

- (1) KPCCSD has not completed a timely audit for either 2011 or 2012 due to the credit card charges allegations and investigations. Due to the inability to produce audited financial statements on a timely basis– there is deemed to be a Material Weakness.
- (2) City of Hercules/Hercules RDA – Information based on separate State Controller Office Audit Report of Controls for 2005-2010.

With respect to the school districts, there has been noted improvement in Internal Controls measured by a reduction in auditor findings in the last five years. The Contra Costa Office of Education has regular involvement with the various school districts to assist them in confronting their internal control issues. The County Office of Education has, at times, inserted monitors or consulting experts to assist the districts. The majority of the recent findings relate to identified inadequacies in the controls over cash receipts (most often student/parent donations or contributions) and timely recordkeeping/reconciliation in the area of “Associated Student Funds” – student clubs and organizations for which the school districts have oversight and accounting responsibility.

A number of the organizations reviewed had recurring findings of Material Weaknesses/Significant Deficiencies. The repetition of significant findings from year to year could call into question a management’s or governing board’s commitment to the control environment. Additional background on certain of the information reviewed is as follows:

- **Kensington Police Protection and Community Services District –**

In 2010, the independent auditor identified as an internal control weakness the issue of unsubstantiated credit card purchases. Subsequently, there were allegations of improper credit-card spending. . The District had to incur approximately \$25,000 in costs related to an additional independent, forensic audit of the spending allegations as a result of the lack of functioning of internal controls.

- **The City of Hercules (including the Hercules Redevelopment Agency) -**

An audit by The State Controller’s Office found “control deficiencies were serious and pervasive – in effect, non-existent. In addition, the City Council did not appear to exercise any oversight over the City’s operations.” (SCO Audit Report). The audit (which covered the period 2005-2010) indicates that there were millions of dollars of questionable spending and property transfers by the RDA, misuse of city-issued credit cards, improper budgeting and a lack of competitive bidding on public contracts.

- **The City of Richmond -**

Significant issues were identified in regard to library operations, including inadequate controls over purchases, improper credit card use, significant shrinkage or theft of library materials, unauthorized purchases, lack of control over cash receipts and inadequate controls over fines/billings for lost items. These items could aggregate as much as \$450,000 in losses (2013 City of Richmond Library Internal Audit Report).

- **The City of Richmond/Richmond Housing Authority -**

There are an excessive number of issues noted from an overall perspective. While many of the issues deal with the accuracy and timeliness of financial reporting, there are many which document losses (or potential losses) due to inadequate controls, including: unauthorized city credit card usage, significant levels of uncollectible employee/other loans (which aggregate to approximately \$1 million over the period reviewed), and significant disallowed grant/program costs requiring the city to fund activities initially to be covered under grants (several million dollars).

- **Contra Costa County –**

The Contra Costa County Auditor-Controller department is currently operating at approximately 6-9 headcount below its budgeted headcount level, primarily due to a high level of unplanned retirements (which did not leave time for adequate succession planning) and employee turnover. Additionally, as longer-term employees have retired/left, they have been replaced by less-experienced personnel with an attendant loss of cumulative institutional knowledge.

Internal Audit Reports for the past four years prepared by Contra Costa County internal audit staff identify a number of different internal control issues at the various County operating departments. The majority of issues relate to proper safeguarding of assets and controls associated with ensuring the integrity of financial reporting. The issues at various County departments include:

- A lack of compliance with County credit card guidelines, including personal use, charges for non-permitted items, exceeding transaction authority limits, and missing approvals (primarily for travel) and documentation. According to the internal audit reports there have been instances where the non-compliance resulted in unreimbursed losses.
- Instances where there was a lack of segregation of duties at the operating department level.
- Controls over cash receipts in terms of depositing funds on a timely basis and maintaining adequate control logs over all receipts.
- Concerns with respect to petty cash funds and the timely reconciliation of these funds.
- Controls over various “trust funds” and the timely reconciliation and correction of identified reconciling items, processing disbursement/refunds of such funds and the necessity for proper tax reporting related to certain of these funds.
- Results of periodic inventory observations by the internal audit staff that show both overages and shortages (including items such as medical supplies/pharmacy inventories, fuel inventories, and various supplies).
- Failure to properly and fully reconcile various accounts, many of which show differences between the general ledger system and the related subsidiary systems. This included the

timely resolution (and correction where necessary) of differences identified when reconciliations were performed, rather than just carrying these differences forward. These differences could result in undetected errors or losses and/or inaccurate financial reporting.

- Failure to properly use asset tags to safeguard County equipment and properly certify equipment inventories at fiscal year-ends.

In the case of the County, cities and independent special districts, responsibility for remedy and oversight of findings with respect to Internal Controls lies with management and the related governing board. There is no additional on-going oversight over the County, cities and independent special districts by a supervising entity, similar to the role played by the Contra Costa Office of Education with regard to school districts. According to representatives from the California State Controller’s Office, that organization may intervene in extreme situations including those where state funds are required to be provided as part of a temporary solution to a crisis situation.

In the smaller cities and special districts (such as Kensington Police Protection and Community Services District, Pleasant Hill Recreation District and the City of Pinole) there is not sufficient staff to achieve an adequate segregation of duties. In instances such as these, the professional literature describes the need for additional “compensating controls” – typically a person(s) independent of the day-to-day processes who can exercise a meaningful level of supervisory oversight (including check signatory control for large expenditures). This supervisory oversight could include someone from the related governing board.

Single Audit/Grant Findings

A summary of the Single Audit Report Findings – which focuses on compliance with Federal and State grants, is presented below in Table 2.

Table 2 – Single Audit Report (Grant) Findings (FY2008-2012) -

Entity	Single Audit Report (Grant Findings) Total Grant Issues Identified by Fiscal Year					
	2012	2011	2010	2009	2008	Recurring
Contra Costa County	6	5	3	0	2	Yes
City of Richmond/Richmond Housing Authority	*(1)	12	9	7	11	Yes
City of Antioch	1	0	3	0	0	No
City of Walnut Creek	0	0	0	0	0	No
City of Pinole	0	N/A	0	1	N/A	No
Pleasant Hill Recreation	N/A	N/A	N/A	N/A	N/A	N/A

Entity	Single Audit Report (Grant Findings) Total Grant Issues Identified by Fiscal Year					
Kensington Police (KPPCSD)	N/A	N/A	N/A	N/A	N/A	N/A
Contra Costa Water Dist.	0	0	0	0	0	N/A
Acalanes USD	0	1	0	1	0	Yes
Mt. Diablo USD	1	3	3	2	5	Yes
West Contra Costa USD	0	1	2	1	3	Yes
Pittsburg USD	0	2	2	3	4	Yes

Legend / Notes –

* Reporting for FY12 not yet complete

N/A – Not applicable

- (1) An employee in the City of Richmond has identified issues with a Library Grant, including allegations of improper accounting and this has been acknowledged by the City per media reports. This is not included in the totals for this year. A separate internal audit of the library function revealed multiple Internal Control weaknesses and 29 corrective recommendations.

Single Audit Report Findings represent identified instances of non-compliance with a grant or award. While the report does not necessarily cover all grants and awards – it does cover those the auditor believes are most significant. The impact of non-compliance instances on grants typically ranges from required remediation to repayment of disallowed grant funds. This could potentially involve the loss of the grant or impact the ability to receive future grants. There were a number of instances where costs charged to grants were disallowed and had to be repaid or entities were not able to identify grant disallowances or required repayments. Specific examples include:

- The City of Richmond 2011 Single Audit Report identified multiple instances aggregating in excess of \$200,000 where repayment of grant funds was required. Additionally information suggests that there are Richmond Library grant funds in excess of \$50,000 which were improperly charged to a grant. Many of these instances related to control problems that were identified for multiple, consecutive years by the independent auditors.
- The 2011 financial statement audit report for the Richmond Housing Authority states that “the allowance for HUD disallowed costs was increased to \$2.4 million” and this was one of the reasons for the auditors questioning the ability of this entity to continue as a going concern or financially-viable entity.
- Contra Costa County was unable to identify the level of disallowed grant or program costs for the past two years.

Single Audit Reports are submitted to the California State Controller's Office which notifies the relevant state agency involved in the grant of any issues raised and it is the individual agency's responsibility to resolve the findings with the grant recipient. Granting agencies may also perform their own audits of grant activity and compliance.

Significant differences exist between County Organizations in the level of importance placed on the various auditor findings in regard to Internal Controls and grant compliance and the control environment considered as a whole. The views ranged from "not important at all" to significant importance coupled with immediate efforts to ensure the findings were corrected and were not recurring.

FINDINGS

1. Several of the entities reviewed showed Material Weaknesses, Significant Deficiencies and other deficiencies in Internal Controls each year as reported by the external auditors.
2. In several instances, the Material Weaknesses, Significant Deficiencies and other deficiencies were repeated from one year to the next by the external auditors without being remedied.
3. Weaknesses in Internal Controls could ultimately result in financial losses, loss of public confidence (reputational risk), inaccurate or faulty financial reporting and decision-making based on incomplete or inaccurate information.
4. Several of the entities reviewed showed issues (including Material Weaknesses/Significant Deficiencies) with respect to compliance with grants which they have been awarded.
5. Unresolved problems with grants could potentially result in the loss of future grants and required repayment of expended grant funds. Where repayment of grant funds is required, unrelated general fund resources are being used. This can result in a loss of public confidence (reputational risk).
6. There is a significant difference among County Organizations as to the level of importance placed on the control and grant compliance findings of the outside auditors and need to remedy, on a timely basis, the issues noted.
7. Many of the entities reviewed had communications from the auditors indicating that a significant number of audit adjustments were required to the financial statements as prepared by the organization. This may suggest that monthly or interim information prepared during the year was incorrect, potentially impacting budgetary controls and/or information presented to management/governing boards for decision-making or oversight purposes.
8. Based on the entities reviewed, the County Board of Supervisors, the City Councils, and the governing boards in the case of school districts and special districts, are not providing adequate oversight over the entities that they govern to ensure that Material Weaknesses, Significant Deficiencies and other deficiencies in regard to Internal Controls and outside grant compliance are being remedied in a timely manner. Most County Organizations do not have an Audit Committee, independent of the organization's financial management, which is chartered to provide financial oversight.

9. A recurring finding by the independent auditors with respect to school districts related to the need for improved controls over “Associated Student Body Funds” – the various student clubs and organizations for which the districts have financial oversight and accounting responsibility. The improved control recommendations involved controls over cash receipts, timely accounting and reconciliation of funds held by the organizations and controls over disbursements. Continued and significant problems in this area could result in both losses and negative publicity (reputational risk).

RECOMMENDATIONS

The Grand Jury recommends that:

1. Financial management of the County, all cities, all school districts and all special districts remedy within 12 months the Material Weaknesses, Significant Deficiencies and other deficiencies in Internal Controls reported by the external auditors.
2. County Organizations maintain or add audit report results to appropriate financial managements’ performance goals to ensure that such individuals are held accountable for promptly remedying deficiencies identified in audit reports, and consider the legality of maintaining or adding such performance goals on audit reports to financial managements’ evaluations.
3. The County Organizations improve direct financial oversight and assessment of the control environment including:
 - a. The Board of Supervisors more actively provide oversight in the case of the County and appoint a formal Audit Committee from among their members to ensure that Internal Control and grant compliance deficiencies are promptly remedied and there are sufficient direct and detailed discussions between the Board and the outside auditors.
 - b. The City Councils more actively provide oversight by appointing an Audit Committee from among their members as well as an ad hoc citizens’ committee to ensure that Internal Control deficiencies are promptly remedied.
 - c. The governing boards of school districts appoint a formal Audit Committee from among their members and provide direct oversight to district operating and financial management to ensure that Internal Control deficiencies are promptly remedied.
 - d. The governing boards of special districts appoint a formal Audit Committee from among their members and provide direct oversight to district operating and financial management to ensure that Internal Control deficiencies are promptly remedied. In instances where the size of the entity precludes an adequate segregation of duties, governing board members need to consider direct involvement in key financial processes.
 - e. The Superintendent of the County Office of Education continue to provide oversight over governing boards of school districts and continue to use the power of this office to compel remediation of Internal Control deficiencies.
 - f. LAFCO (Local Agency Formation Commission) encourage governing boards of special districts to promptly remedy Internal Control deficiencies that are identified.
 - g. The Board of Supervisors have the County internal audit staff report directly to the Board of Supervisors rather than the Auditor Controller. The governing boards of

other County Organizations have the internal audit groups of other County Organizations maintain their independence and not report to financial management but instead to the City Council in the case of cities and the governing boards in the case of school districts and special districts.

REQUIRED RESPONSES

Each County Organization needs to respond only in regards to its own practices.

	Findings	Recommendations
Contra Costa County Board of Supervisors	1-8	1,2,3a,3g
City of Antioch	1-8	1,2,3b,3g
City of Brentwood	1-8	1,2,3b,3g
City of Clayton	1-8	1,2,3b,3g
City of Concord	1-8	1,2,3b,3g
Town of Danville	1-8	1,2,3b,3g
City of El Cerrito	1-8	1,2,3b,3g
City of Hercules	1-8	1,2,3b,3g
City of Lafayette	1-8	1,2,3b,3g
City of Martinez	1-8	1,2,3b,3g
Town of Moraga	1-8	1,2,3b,3g
City of Oakley	1-8	1,2,3b,3g
City of Orinda	1-8	1,2,3b,3g
City of Pinole	1-8	1,2,3b,3g
City of Pittsburg	1-8	1,2,3b,3g
City of Pleasant Hill	1-8	1,2,3b,3g
City of Richmond	1-8	1,2,3b,3g
City of San Pablo	1-8	1,2,3b,3g
City of San Ramon	1-8	1,2,3b,3g
City of Walnut Creek	1-8	1,2,3b,3g

	Findings	Recommendations
Acalanes Union High School District	1-9	1,2,3c,3g
Antioch Unified School District	1-9	1,2,3c,3g
Brentwood Union School District	1-9	1,2,3c,3g
Byron Unified School District	1-9	1,2,3c,3g
Canyon School District	1-9	1,2,3c,3g
Contra Costa Community College District	1-9	1,2,3c,3g
John Swett Unified School District	1-9	1,2,3c,3g
Knightsen Elementary School District	1-9	1,2,3c,3g
Lafayette School District	1-9	1,2,3c,3g
Liberty Union High School District	1-9	1,2,3c,3g
Martinez Unified School District	1-9	1,2,3c,3g
Moraga School District	1-9	1,2,3c,3g
Mount Diablo Unified School District	1-9	1,2,3c,3g
Oakley Union Elementary School District	1-9	1,2,3c,3g
Orinda Union School District	1-9	1,2,3c,3g
Pittsburg Unified School District	1-9	1,2,3c,3g
San Ramon Valley Unified School District	1-9	1,2,3c,3g
Walnut Creek School District	1-9	1,2,3c,3g
West Contra Costa Unified School District	1-9	1,2,3c,3g
Contra Costa County Office of Education	1-9	1,2,3e
Local Agency Formation Commission (LAFCO)	1-8	1,2,3f
Kensington Police Protection and Community Services District	1-8	1,2,3d,3g
Pleasant Hill Recreation and Park District	1-8	1,2,3d,3g
Contra Costa Water District	1-8	1,2,3d,3g

Appendix 1 – Glossary of Key Terms

Audit Committee – An operating committee of an organization’s governing board charged with oversight of the organization’s audit and control functions.

Management Letter- The required communication of the independent auditor and those charged with governance of an organization in regards to deficiencies identified during the audit in the system of internal controls. In the Public Sector, these are also commonly referred to as “Reports on Internal Controls over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements performed in Accordance with Government Auditing Standards.”

Material Weakness -A deficiency or a combination of deficiencies, in internal controls such that there is a reasonable possibility that a material misstatement of the entity’s financial statements will not be prevented, or detected and corrected on a timely basis.

Required Communications – The independent auditor is required to formally communicate with those charged with governance in relation to an audit of financial statements. This typically involves a governing board and any audit committee established by such governing board. The communication typically includes the auditor’s responsibilities under generally accepted auditing standards, an overview of the planned scope and timing of the audit and significant findings from the audit.

Significant Deficiency - A deficiency or a combination of deficiencies in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Single Audit Report – All non-federal government entities that expend \$500,000 or more of Federal awards or grants are required to obtain an annual audit in accordance with the Single Audit Act and rules set forth by the Office of Management and Budget (OMB). This audit, typically done in conjunction with the annual financial statement audit, focuses primarily on grant/award compliance. This report is often titled “Independent Auditors’ Report on Compliance with Requirements that could have a Direct And Material Effect on Each Major Program an on Internal Control over Compliance in Accordance with OMB CircularA-133.”

System of Internal Accounting Controls or Internal Controls – The policies and procedures established by an organization designed to ensure reliable financial reporting, effective and efficient operations, compliance with applicable laws and regulations and the safeguarding of assets against theft and unauthorized use, acquisition, or disposal. A System of Internal Accounting Controls should encompass both the control environment and specific control activities.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

1108 Bissell Avenue
Richmond, CA 94801-3135
Telephone (510) 231-1100

Bruce Harter, Ph.D.
Superintendent of Schools

Sheri Gamba
*Associate Superintendent
Business Services*

August 30, 2013

Marc Hamaji, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 911
Martinez, CA 94553

Re: Responses to 2012-13 Contra Costa County Grand Jury Report No. 1311, Assessing
Fiscal Risk Findings and Recommendations

Dear Foreperson Hamaji:

Pursuant to California Penal Code sections 933 and 933.05, the Contra Costa County Superintendent of Schools Joseph A. Ovick, Ed.D., files this response with regard to the 2012-13 Contra Costa County Grand Jury Report #1311, Assessing Fiscal Risk Findings and Recommendations.

FINDINGS

Finding #1:

Several of the entities reviewed showed Material Weaknesses, Significant Deficiencies and other deficiencies in Internal Controls each year as reported by external auditors.

Response to Finding #1:

We agree with this finding. From time-to-time weaknesses and deficiencies may be identified by external auditors.

Finding #2:

In several instances, the Material Weaknesses, Significant Deficiencies and other deficiencies were repeated from one year to the next by the external auditors without being remedied.

Response to Finding #2:

We disagree with this finding. Audit findings are corrected before the completion of the subsequent fiscal year with few exceptions. The District had no recurring finding for the audit year ending June 2012.

Finding #3:

Weaknesses in Internal Controls could ultimately result in financial losses, loss of public confidence (reputational risk), inaccurate or faulty financial reporting and decision-making based on incomplete or inaccurate information.

Response to Finding #3:

We agree with this finding. For this reason, we make certain to document and correct audit findings.

Finding #4:

Several of the entities reviewed showed issues (including Material Weaknesses/Significant Deficiencies) with respect to compliance with grants which they have been awarded.

Response to Finding #4:

We agree with this finding. From time-to-time audit findings relate to grant award compliance. The only finding of that nature for the District in recent history was the reporting of interest earned to a federal grant being reported in a more timely manner.

Finding #5:

Unresolved problems with grants could potentially result in the loss of future grants and required repayment of expended grant funds. Where repayment of grant funds is required, unrelated general fund resources are being used. This can result in a loss of public confidence (reputational risk).

Response to Finding #5:

We agree with this finding. For this reason, audit findings are documented and corrected before the completion of the subsequent fiscal year.

Finding #6:

There is a significant difference among County Organizations as to the level of importance placed on the control and grant compliance findings of the outside auditors and need to remedy, on a timely basis, the issues noted.

Response to Finding #6:

We disagree with this finding because we are unaware of the level of importance other County Organizations place on grant compliance. However, we feel that our organization places a high level of importance on auditor findings and these findings are corrected quickly.

Finding #7:

Many of the entities reviewed had communications from the auditors indicating that a significant number of audit adjustments were required to the financial statements as prepared by the organization. This may suggest that monthly or interim information prepared during the year was incorrect, potentially impacting budgetary controls and/or information presented to management/governing boards for decision-making or oversight purposes.

Response to Finding #7:

We disagree with this finding. Our agency does not experience a significant number of audit adjustments.

Finding #8:

Based on the entities reviewed, the County Board of Supervisors, the City Councils, and the governing boards in the case of school districts and special districts, are not providing adequate oversight over the entities that they govern to ensure that Material Weaknesses, Significant Deficiencies and other deficiencies in regard to Internal Controls and outside grant compliance are being remedied in a timely manner. Most County Organizations do not have an Audit Committee, independent of the organization's financial management, which is chartered to provide financial oversight.

Response to Finding #8:

We disagree with this finding. Our agency does provide adequate oversight to ensure that audit findings are documented, communicated and resolved in a prompt manner.

Finding #9:

A recurring finding by the independent auditors with respect to school districts related to the need for improved controls over "Associated Student Body Funds" – the various student clubs and organizations for which the districts have financial oversight and accounting responsibility. The improved control recommendations involved controls over cash receipts, timely accounting and reconciliation of funds held by the organizations and controls over disbursements. Continued and significant problems in this area could result in both losses and negative publicity (reputational risk).

Response to Finding #9:

We agree with this finding. The nature of "Associated Student Body Funds" makes it difficult to provide the level of training and controls necessary to prevent every possible breakdown in cash receipts, timely accounting and other controls. However, our agency takes this responsibility very seriously and we take steps to train staff and manage these funds in a responsible manner.

RECOMMENDATIONS

Recommendation #1:

Financial management of the County, all cities, all school districts and all special districts remedy within 12 months of the Material Weaknesses, Significant Deficiencies and other deficiencies in Internal Controls reported by the external auditors.

Response to Recommendation #1:

The recommendation has been implemented based on existing procedures in effect under current state law.

The California State Controller's Office (SCO) issues an audit guide each year that School Districts and County Offices of Education (LEA's) auditors are required to follow in the preparation of the audit report. The auditors are required to code all findings to allow the California Department of Education (CDE) and Contra Costa County Office for Education (CCCOE) to properly evaluate and resolve audit findings.

The audit guide requires the LEA to provide a corrective action plan for each audit finding. In January, the CCCOE staff begins reviewing the audit exceptions in the audit reports to determine whether the LEA's response to the audit exception in the audit report represents a sufficient corrective action plan. If the CCCOE staff determines that the response from the LEA in the audit report is not adequate, they should notify the LEA in January/February. Not later than May 15, the CCCOE must notify the CDE and the SCO that the county staff have reviewed the audits, reviewed the audit exceptions, and that all exceptions have been corrected or the LEA has submitted an acceptable plan.

Recommendation #2:

County Organizations maintain or add audit report results to appropriate financial managements' performance goals to ensure that such individuals are held accountable for promptly remedying deficiencies identified in audit reports, and consider the legality of maintaining or adding such performance goals on audit reports to financial managements' evaluations.

Response to Recommendation #2:

The recommendation has been implemented. Current state law required that all audit findings be reviewed and corrected no later than May 15th of each fiscal year. Audit findings and corrective actions must be reported to board of education members, the CCCOE, the SCO and the CDE. Therefore, there is no need to add additional performance or other reporting mechanisms to ensure that individuals are held accountable for promptly remedying deficiencies in audit reports.

Recommendation #3c:

The County Organizations improve direct financial oversight and assessment of the control environment including:

- c. The governing board of school districts appoint a formal Audit Committee from among their members and provide direct oversight to district operating and financial management to ensure that Internal Control deficiencies are promptly remedied.

Response to Recommendation #3c:

This recommendation will not be implemented because our current procedures and State law provide for prompt resolution of audit findings. Current state law required that all audit findings be reviewed and corrected no later than May 15th of each fiscal year. Audit findings and corrective actions must be reviewed annually by the CCCOE and reported to the School Board of Education, the CCCOE, the SCO and the CDE.

Recommendation #3g:

The County Organizations improve direct financial oversight and assessment of the control environment including:

- g. The Board of Supervisors have the County internal audit staff report directly to the Board of Supervisors rather than the Auditor Controller. The governing boards other County Organizations have the internal audit groups of other County Organizations maintain their independence and not report to financial management but instead to the City Council in the case of cities and the governing boards in the case of school districts and special districts.

Response to Recommendation #3g:

The recommendation has been implemented based on procedures in effect under current state law. We currently are required under state law to report all audit findings and corrective to the School Board of Education, the CCCOE, the SCO and the CDE.

Sincerely,



Sheri Gamba
Associate Superintendent of Business

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 11, 2013
From: Kenneth L. Whittemore, *[Signature]* **Agenda Item:** CI C.9
Assistant Superintendent Human Resources
Subject: Acceptance of Contracts for Placement of Student Teachers

Background Information:

Teachers in this district provide supervision and evaluation for student teachers seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher education and the individual classroom teacher.

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed on the attached sheet dated September 11, 2013.

Recommendation: Recommended Approval.

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District
September 11, 2013

ACCEPTANCE OF CONTRACTS FOR PLACEMENT OF STUDENT TEACHERS

The following institution of higher education has submitted an agreement with West Contra Costa Unified School District. This institution intends to place student teachers in the West Contra Costa Unified School District schools.

Dominican University – Memorandum of Understanding
Grand Canyon University – Student Teaching Internship

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 11, 2013
From: Kenneth L. Whittemore, 
Assistant Superintendent Human Resources **Agenda Item:** CI C.10
Subject: Approve the following Revised/New Job Descriptions

Chief Technology Officer
Director, Systems Integration

Background Information: Chief Technology Officer job description is updated to conform to district requirements and Americans with Disabilities Act (ADA) compliance. Director, Systems Integration is a new position to increase the efficiency and effectiveness in the Technology department. This new position will provide needed support, guidance, oversight and maintenance of the district's data and information systems, which includes oversight of technology support to all users, working with vendors for smooth and effective integration and providing needs analysis and intervention for effective use of technology for curriculum.

Recommendation: Recommended Approval.

Fiscal Impact: No cost for Chief Technology Officer.
General Fund cost of \$150,000 for Director, Systems Integration.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

CHIEF TECHNOLOGY OFFICER

PRIMARY FUNCTIONS:

Under direction, responsible for all aspects of district Information Technology (IT) systems including: planning, developing, directing, coordinating, and maintaining instructional and administrative IT systems; Provides technology vision and leadership for developing and implementing IT initiatives supporting district goals, with emphasis on integrating technology-based teaching and learning in all classrooms; Responsible for preparing and recommending IT portions of the district operating and capital budgets; Provides leadership role in the continuous improvement of district business processes and IT infrastructures to achieve a more efficient and valuable use of technology-based instructional and administrative investments within the district; and perform related duties as assigned.

MAJOR DUTIES AND RESPONSIBILITIES:

- Plan, develop, direct, coordinate, and maintain an IT infrastructure, architecture, and program, which support the Board of Education's (BOE) and Superintendent's commitment to using IT effectively and efficiently in an integrated manner for both instructional and administrative functions.
- Direct the daily operation of teams and units assigned to the Chief Technology Officer (CTO) to ensure efficient operations.
- Participate as a member of the Superintendent's Cabinet to provide executive oversight and management in all aspects of the district.
- Serve as principal advisor on matters related to IT management and planning.
- Provide leadership in developing and recommending sound IT management plans and practices to Executive Staff.
- Provide a strategic focus for long range planning for all information processing and telecommunication systems (voice, video and data) operations.
- Lead IT planning process for the district in a collaborative manner by focusing on both instructional and administrative uses of IT.
- Develop proposals for the use of district bond funds for technology as well as the master plan for technology.
- Manage IT hardware and software assets, which includes cost life cycles, budget projections, short term and long term goals and asset capabilities
- Monitor operational aspects, which include IT purchases, systems implementation, information security, technical support, hardware repair, etc.
- Prepare IT portions of the district operating and capital budgets and present budget proposals to Superintendent's Cabinet and BOE for approval.
- Prioritize and recommend IT projects to include in the budget.
- Manage existing application development projects and coordinate, implement and manage new application development projects.
- Expand the IT capabilities to all levels of the management team to support efficient and timely management information via user-friendly access to school system data via information warehouse techniques and strategies.
- Develop and maintain IT standards to ensure all IT users can be creative and effective in a controlled environment and/or classroom environment.

- As part of the IT strategy and architecture, maintain adequate network security measures to secure the infrastructure while enabling greater use of the IT investments to benefit both internal and external users.
- Manage outside associations with vendors, outsourcing contractors, and community partners.
- Compare IT management practices with external organizations (i.e. other government agencies, school systems, etc.) with the district's practices to make recommendations for improvements or modifications.
- Maintain close working relationships with IT officials from other agencies in Contra Costa County government, California Department of Education, other school districts, other government agencies and other stakeholders.
- Ensure training is provided to all IT users for productive and efficient use of existing and new systems.
- Provide technologies to students, parents, community organizations, other government agencies, suppliers and other external stakeholders so they may conduct business with the district in a productive and efficient manner.
- Interact with students, parents, teachers, staff, management team, community organizations, other government agencies and internal/external stakeholders to address IT concerns, questions and matters in an efficient and professional manner.

QUALIFICATIONS:

Knowledge of:

- IT and IT management with a strong business orientation.
- Technology, business and educational processes and their interconnectivity with the district deployment strategy.
- Leading the introduction of new technology into the district through strategic projects.
- Evolving role of K – 12 challenges to meet the needs of students and all stakeholders.
- Clear and effective communication techniques and technologies for a wide range of student and adult learners.
- Complex techniques of data analysis and report preparation for Cabinet, BOE and the public.
- Principles and practices of administration, supervision and training.
- Public speaking and instructional techniques.

Ability to:

- Identify, read, understand, analyze, and interpret complex technology publications, business periodicals, governmental laws, rules and regulations.
- Coordinate small and large scale programs on a district-wide basis.
- Convert program and IT system requirements into written plans and create visual diagrams to illustrate IT system designs and architecture.
- Communicate professionally, positively, effectively, orally and in writing, with all internal and external stakeholders for presentations, meetings, workshops, etc.
- Establish and maintain effective relationships and communicate positively with employees, students and the public from diverse backgrounds and cultures.
- Ability to conceptualize, launch and deliver multiple IT projects simultaneously within budget and meeting all time frames.
- Lead and manage a collaborative, team oriented and flexible department to support district employees and contract staff members.

- Compile and prepare accurate statistical reports, studies, project plans, business correspondence, procedure manuals and presentations for all IT and information systems related topics.
- Prepare, send, and receive various forms of documents, including e-mail, in Microsoft Word, Excel, Access, PowerPoint, etc.
- Develop, revise and implement procedures, to improve and ensure energy consumption efficiency.
- Establish short term and long term plans and objectives while adjusting to changing priorities.
- Operate modern office equipment such as multi-line telephone, mobile phone, personal computer, laptop and related equipment.
- Ability to utilize computer software and various resources related to maintenance, custodial and energy programs.
- Speak and write English to communicate clearly and effectively.
- Supervise and evaluate the performance of others.
- Provide positive, persuasive instruction, correction, and encouragement.

EDUCATION AND EXPERIENCE:

Education:

- Bachelor's degree (Master's preferred) from an accredited college or university with an emphasis on business administration, engineering, computer science, public or educational administration, or a closely related field.

Experience:

- Considerable, responsible experience in the development and administration of management analysis, budget, planning, and IT management.
- Demonstrated contract and vendor management and entrepreneurial activities.
- Vast experience in managing IT and implementing systems in diverse non-profit organizations of comparable size.
- IT experiences in educational, non-profit and/or for-profit industrial organizations are desirable.
- Four (4) years supervising and program oversight and responsibility.
- Demonstrated experience in training, instructing, supporting staff and presenting workshops.
- Demonstrated high level of customer service with internal and external stakeholders.

Licenses or Certificates Needed:

- Possession of a valid California Driver's License. Candidates must provide (and maintain) official motor vehicle driving record, and proof of compliance with district safe driving standards. Failure to provide or to meet this requirement will result in disqualification regardless of any other qualification.
- Use of a personal automobile is required in the performance of the work.

PHYSICAL EFFORT / WORK ENVIRONMENT:

Environment:

- Indoor / outdoor environment (i.e. offices, classrooms, auditoriums, etc.)
- Office setting with phones, computer work, customer contact, drop-ins and other communications.

- Variable hours, including evenings and weekends.

Physical Abilities:

Employees in this position must have/be able to:

- Observe safe lifting and carrying practices.
- Walk, climb, stand, stoop, lift and carry sufficient to perform tasks.
- Hear and understand speech at normal levels and on the telephone with/without assistive devices.
- See, hear and speak with/without assistive devices sufficient to communicate effectively with others.
- Bend at the waist.
- Reach overhead, above the shoulders and horizontally; grasp.
- Sit for extended periods of time with intermittent walking.
- Dexterity of hands and fingers to operate office equipment.
- Drive and travel to various work and school sites.

SALARY:

Schedule: Management

Salary Range: 1.63

Approved by the Human Resources Department

Approved by the Board of Education _____.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

DIRECTOR, SYSTEMS INTEGRATION

PRIMARY FUNCTIONS:

With minimal supervision, assumes lead role in the analysis of enterprise data resident in the district's information systems; works with various internal business groups resolving data related issues; within the Technology Services team, works closely with database analysts and business analysts on project and operations related efforts; utilize analytical and communication skills to troubleshoot, anticipate and improve district IT assets; and performs other related duties as assigned.

MAJOR DUTIES AND RESPONSIBILITIES:

- Carries out data analysis and supporting activities, which includes data categorization, profiling and reporting.
- Develop and deliver usage metrics analysis and reports to illustrate system, transactions and data usage by site and correlates said metrics to priorities for data related initiatives.
- Investigates, understands, describes and documents data contents in transaction systems.
- Monitors and detects the timeliness, accuracy and reliability of production data.
- Provides documentation of district enterprise data in the form of data flows, data models, data schema, etc.
- Analyzes root causes of data integrity and data quality problems and threats and other related issues.
- Defines and implements action plans to resolve problems and threats to district data systems and develops; implements appropriate processes and procedures to continually enhance the quality and integrity of district enterprise data.
- Serves as an expert resource to Technology Services staff on the subject of data involved in other development, enhancement and maintenance efforts; serves as an expert user of various data reporting and analysis tools.
- Confers with representatives from administrative or instructional departments to gather data, facts, or information concerning requests for, and uses of, enterprise data.
- Participates in customer interviews and analyzes business rules and process requirements; identifies and analyzes complex, ambiguous and/or conflicting development issues; develops and refines business process and entity relationship diagrams; consults with customers on systems, database and technology alternatives capable of addressing and resolving business needs.
- Anticipates impacts on other business processes and data sets when changes and modifications are made to district systems; recommends work process and/or operating changes to complement system functionalities; advises customers on desirable functionalities to meet foreseeable system needs.
- Promotes effective sharing and utilization of common data across applications, multiple platforms and departments, which includes planning and execution of data migration processes.
- Collaborates with district personnel for the purpose of implementing and maintaining services and/or programs.
- Attends meetings as assigned for the purpose of conveying and/or receiving information.
- Trains, directs, guides, coaches, evaluates, supports and disciplines assigned staff.
- Attends training workshops and professional development as directed.

QUALIFICATIONS:

Knowledge of:

- Enterprise-level Enterprise Resource Planning (ERP) systems, specifically the integration and interdependencies of data shared between various modules, sub-systems and system interfaces.
- SQL Server, MS Access, ASP.net, ETL and other databases.
- Database concepts, database warehousing and databases schemas.
- Principles and methods of systems analysis, including business process and entity relationship analysis tools and methods, systems development life cycle, systems design principles and application development methodologies and tools.
- Managing student information systems.
- Application programming languages, software development and maintenance tools and utilities.
- Relational database theory, design rules and development practices, including data modeling, data flow and entity relationship analysis, data structure analysis, logical and physical database design, data access methods, storage capacity management and database recovery techniques.
- Database management systems and software, including architectures, diagnostic tools, commands and utilities; database development and administration tools; tools and utilities for monitoring and tuning database performance.
- Techniques of project management including work planning, scheduling, measurement and reporting.
- Methods of project and process control, budgeting, and cost analysis and prediction.
- Procedures and techniques of operations analysis, records development and management, and statistical analysis and presentation.
- Data collection and comparative analysis techniques.
- Microsoft suite (Excel, Word, PowerPoint, Outlook, etc.) and other software and applications.
- Techniques of supervision, training, coaching, conflict resolution and motivation of employees.
- Effective oral and written communication skills.
- School and district policies, rules and regulations.

Ability to:

- Learn and understand customer business processes and the requirements to the depth needed to consult effectively on solutions to current and future business needs.
- Develop conceptual frameworks and apply state-of-the-art technology to the management and administration of enterprise data assets.
- Perform business and functional analyses and reach efficient and effective conclusions regarding customer needs and requirements.
- Apply and understand analysis of functional requirements to develop proposals, specifications and recommendations for efficient, cost-effective applications, database management and technology solutions.
- Perform application and database troubleshooting and tuning to resolve complex systems, data management, communication and interoperating problems.
- Complete multiple priorities with short deadlines.
- Conduct and participate in meetings, conferences, professional development and other trainings.
- Compile data to prepare complex reports.
- Set priorities based on IT needs and successfully complete tasks in a timely manner.

- Work cooperatively, efficiently and effectively with other departments and organizations to assure optimal network performance and reliability.
- Work effectively and efficiently without close supervision.
- Supervise and direct the work of others.
- Understand and carry out verbal and written directions.
- Read, write and speak English with sufficient comprehension to perform duties accurately and competently.
- Train, work effectively and work cooperatively with individuals from diverse backgrounds.
- Communicate positively and effectively, orally and in writing, with district staff, students and various community partners.

EDUCATION AND EXPERIENCE:

Education:

- Bachelor's Degree from an accredited college or university in Math, Computer Science, Information Systems, Engineering or a closely related field.

Experience:

- Four years of direct, progressive experience in managing issuing related to the quality, integrity, analysis and documentation of enterprise data.
- Two years progressive experience as a team leader and project manager on a major data warehouse or data quality improvement project.
- Experience beyond the four years required experience may be substituted for education on a year for year basis, at the discretion of the district.
- Demonstrated experience in design and maintenance of enterprise networking services (i.e. switching, routing, wireless, firewall, Email, web filters, Active Directory, Exchange 2010 Enterprise and other related systems).
- Demonstrated project management skills and abilities.
- Demonstrated high level of successful customer service with public.

Licenses or Certificates Needed:

- Possession of a valid California Driver's License. Candidates must provide (and maintain) official motor vehicle driving record, and proof of compliance with district safe driving standards.

PHYSICAL EFFORT / WORK ENVIRONMENT:

Environment:

- Primarily indoor office, with some outdoor exposure.
- Office setting with phones, computer work, customer contact, drop-ins and other communications.

Physical Abilities:

Employees in this position must have/be able to:

- Observe safe lifting and carrying practices.

- Walk, climb, stand, stoop, lift and carry sufficient to perform tasks.
- Hear and understand speech at normal levels and on the telephone with/without assistive devices.
- See, hear and speak with/without assistive devices sufficient to communicate effectively with others.
- Bend at the waist.
- Reach overhead, above the shoulders and horizontally; grasp.
- Sit for extended periods of time with intermittent walking.
- Dexterity of hands and fingers to use keyboard and office equipment.
- Drive and travel to various work and school sites.
- Occasionally lift and carry up to twenty (20) pounds for short distances.

SALARY:

Schedule: Management
Salary Range: Index 1.13

Approved by the Human Resources Department
Approved by the Board of Education _____.

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801-3135
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 11, 2013
From: Mary Phillips *mp* **Agenda Item:** CI C.11
Chief Technology Officer
Subject: Board Policy Update: BP 3580 District Records

Background Information:

BP 3580 for District Records has not been updated since February 8, 2008. We are updating this to keep up with the current procedures and codes.

Recommendation: Review and adoption

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District

Board Policy

District Records

BP 3580

Business and Non-Instructional Operations

~~District records shall be developed, maintained, and disposed of in accordance with law and California Department of Education regulations.~~

The Governing Board recognizes the importance of securing and retaining district documents. The Superintendent or designee shall ensure that district records are developed, maintained, and disposed of in accordance with law, Board policy, and administrative regulations.

~~The Superintendent or designee shall establish regulations that define records which are permanent, optional, and disposable and specify how each type of record is to be maintained or destroyed. Any photographic, microfilm, or electronic copies of original records shall be permanently retained.~~

The Superintendent or designee shall consult with district legal counsel, site administrators, district information technology staff, personnel department staff, and others as necessary to develop a secure document management system that provides for the storage, retrieval, archiving and destruction of district documents, including electronically stored information such as email. This document management system shall be designed to comply with state and federal laws regarding security of records, record retention and destruction, response to "litigation hold" discovery requests, and the recovery of records in the event of a disaster or emergency.

The Superintendent or designee shall ensure the confidentiality of records as required by law and shall establish regulations to safeguard data against damage or loss, **or theft.**

The Superintendent or designee shall ensure that employees receive information about the district's document management system, including retention and confidentiality requirements and an employee's obligations in the event of a litigation hold established on the advice of legal counsel.

Safe at Home Program

District public records shall not include the actual addresses of students, parents/guardians, or employees when a substitute address is designated by the Secretary of State pursuant to the Safe at Home program. (Government Code 6206, 6207)

When a substitute address card is provided pursuant to this program, the confidential, actual address may be used only to establish district residency requirements for enrollment and for school

emergency purposes.

Legal Reference:

EDUCATION CODE

35145 Public meetings
35163 Official actions, minutes and journal
35250-35255 Records and reports
44031 Personnel file contents and inspection
49065 Reasonable charge for transcripts
~~49069 Absolute right to access~~

CODE OF CIVIL PROCEDURE

~~1985.8 Electronic Discovery Act~~
2031.010-2031.060 Civil Discovery Act, scope of discovery demand
2031.210-2031.320 Civil Discovery Act, response to inspection demand

GOVERNMENT CODE

6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking
6252-6265 Inspection of public records
12946 Retention of employment applications and records for two years

PENAL CODE

11170 Retention of child abuse reports

CODE OF REGULATIONS, TITLE 5

~~430 Individual student records; definition~~
432 Varieties of student records
16020-16022 Records, general provisions
16023-16027 Retention of records

UNITED STATES CODE, TITLE 20

~~1232g Family Educational Rights and Privacy Act~~

CODE OF FEDERAL REGULATIONS, TITLE 34

~~99.1 99.8 Family Educational Rights and Privacy Act~~

Management Resources:

SECRETARY OF STATE PUBLICATIONS

Letter re: California Confidential Address Program Implementation (SB 5489), August 27, 1999

WEB SITES

California Secretary of State: <http://www.sos.ca.gov/safeathome> (11/06, 11/09) 4/13

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: February 6, 2008 Richmond, California

revised:

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 11, 2013
From: Bill Fay **Agenda Item:** CI C.12
Associate Superintendent for Operations
Subject: Ratification and Approval of Engineering Services Contracts

Background Information:

Contracts have been initiated by staff using previously qualified consulting, engineering, architectural, or landscape architectural firms to assist in completion of the referenced projects. Many of the firms are already under contract and the staff-initiated work may be an extension of the firm's existing contract with the District. Public contracting laws have been followed in initially qualifying and selecting these professionals.

Recommendation: Ratify and approve contracts.

Fiscal Impact: Total for this action: \$728,902. Funding sources Measure J Bond, Measure D-2010 and Measure E-2012 Bond.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
FACILITIES PLANNING AND CONSTRUCTION**

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Project/Funding	Dates	Firm	Contract Cost	Reference
Kennedy High School Richmond Swim Center Project Measure J Bond (PID:3601364-01)	November 2013 through December 2014	Williamson Inspection Service Co.	\$31,323	DSA Inspection Services.
Kennedy High School Science Building Renovation Project Measure D-2010 Bond (PID:3601211-13)	July 2013 through December 2014	Williamson Inspection Service Co.	\$31,323	DSA Inspection Services.
Pinole Middle School Playfield Project Measure D-2010 Bond (PID:2121102-06)	October 2013 through August 2014	Williamson Inspection Service Co.	\$31,323	DSA Inspection Services.
Helms Middle School Sports Field and Landscaping Project Measure D-2010 Bond (PID:2101101-16)	January 2013 through May 2014	Williamson Inspection Service Co.	\$82,831	DSA Inspection Services.
Verde Elementary School Parking and Drop off Improvements Project Measure D-2010 Bond (PID:16210028-00)	August 2013	Clark Civil Engineering	\$1,800	Additional Civil Engineering Services.
Richmond High School Building B Project Measure D-2010 Bond (PID:3641380-07)	August 2013	Subtronic Corporation	\$1,900	Underground locating services.
Kennedy High School Science Building Renovation Project Measure D-2010 Bond (PID:3601211-13)	August 2013	Aurora Environmental Services, Inc.	\$12,215	Segregate, package, profile, manifest, transport and dispose of hazardous waste.
Program Wide for Various Sites Measure D-2010 Bond	July 2013 through June 2014	Jack Schreder & Associates	\$18,350	Facilities Needs Assessment.

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
FACILITIES PLANNING AND CONSTRUCTION**

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Kennedy High School Science Building Renovation Project Measure D-2010 Bond (PID:3601211-13)	August 2013 through December 2014	Grossman Design Group	\$37,500	Waterproofing design consultation.
Riverside Elementary School Master Planning Project Measure E-2012 Bond (PID:15010037-00)	August 2013 through September 2013	Kister, Savio & Rei, Inc.	\$22,412	Topography and utilities survey.
Program Wide for Various Sites Measure D-2010 Bond	July 2013 through June 2014	Jack Schreder & Associates	\$43,500	Facilities Master Plan and Demographic Analysis.
Program Wide for Various Sites Measure D-2010 Bond	July 2013 through June 2014	Jack Schreder & Associates	\$6,950	Developer Fee Justification
Coronado Elementary School Reconstruction Project Measure D-2010 Bond (PID:1121341-00)	August 2013	MacNair & Associates	\$2,175	Arborist Services
LaVonya DeJean Middle School MP Room Sound System Project Fund 40 (PID:20810059-00)	September 2013 through November 2013	Rosen, Goldberg Der & Lewitz, Inc.	\$12,500	Audiovisual design services.
Highland Elementary School Campus Replacement Project Measure E-2012 (PID: 1221357-04)	August 2013 through October 2013	Quattrocchi Kwok Architects	\$381,100	Schematic Design services.
Vista AHS Portable Labs Parking Project Measure D-2010 Bond (PID:37310058-00)	August 2013 through September 2013	Clark Civil Engineering	\$11,700	Civil Engineering Services.

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 11, 2013
From: Bill Fay **Agenda Item:** CI C.13
Associate Superintendent for Operations
Subject: Ratification and Approval of Negotiated Change Orders

Background information:

Staff is seeking ratification of Change Orders on the following current District construction projects: Grant ES Restroom Renovations; Lake ES Restroom Renovations; Grant ES Fire Alarm Modernization; Portola MS Demolition of Existing Campus; New Gompers & LPS. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

In addition to normal ratification, approval of the noted Change Order for the Grant ES Fire Alarm Modernization project is required by the Board, with special findings as noted below, because this project is in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by ratifying these Change Orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served by having this work completed by the contractor on the project.

Recommendation: Ratify negotiated Change Orders as noted.

Fiscal Impact: Total ratification and approval by this action: \$120,498.61

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

September 11, 2013 Change Order Ratification Summary

	Project	Company	Original Contract	Previously Approved CO's	Items Pending Board Action		Total CO's	CO Percent of Original Contract	Adjusted New Contract	Change Order Numbers
					CO's Pending Ratification	CO's Pending Approval				
1	Grant ES Restroom Renovations	AM Woo Construction	\$94,404.00	\$0.00	\$3,508.88	\$0.00	\$3,508.88	3.72%	\$97,912.88	1 - 3
2	Lake ES Restroom Renovations	AM Woo Construction	\$55,196.00	\$0.00	\$2,402.85	\$0.00	\$2,402.85	4.35%	\$57,598.85	1 - 2
3	Grant ES Fire Alarm Modernization	BBJ Electric	\$300,095.00	\$0.00	\$30,009.50	\$27,500.38	\$57,509.88	19.16%	\$357,604.88	1 - 2
5	Portola MS Demolition of Existing Campus	Alten Construction	\$2,102,267.00	\$161,300.00	\$46,828.00	\$0.00	\$208,128.00	9.90%	\$2,310,395.00	18 - 20
6	New Gompers & LPS	Lathrop Construction Assoc.	\$53,887,350.00	\$29,749.00	\$10,249.00	\$0.00	\$39,998.00	0.07%	\$53,927,348.00	13

Pending Board Actions	Ratifications	\$92,998.23
	Approvals	\$27,500.38
	Total Board Action	\$120,498.61

Note: the proposed Board Action is to Ratify all Change Orders below ten percent (10%) of the Contract Value; the change order amounts pending Board Approval is the portion of the Change Order(s) above 10%.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
 1108 Bissell Avenue
 Richmond, California 94801-3135
 Office of Superintendent of Schools

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 11, 2013
From: Bill Fay **Agenda Item:** CI C.14
 Associate Superintendent for Operations
Subject: Ratification of Staff Awarded Contracts (CUPCCAA)

Background information:

The District prepared the drawings and specifications for various projects. Staff solicited bids per the California Uniform Public Construction Cost Accounting Act (CUPCCAA) Resolution #90-0809 (2009); Educ. Code § 22034. The Superintendent’s designee has approved and executed contracts for the following projects.

• FOC –Marina Way	Door Hardware	Reed Brothers	\$13,964.81
• FOC-Marina Way	Misc. Work	California Constructores	\$7,352.07
• Vista AHS	Data Drops Installations	Bethel Electric	\$574.64
• De Anza HS	Furnish and Install Fencing	AM Woo Construction	\$17,850.00
• Richmond HS	Portable Removal & Demo	ERA Construction	\$43,000.00
• Richmond HS	Ramp Removal & Paving	Mark Raine Paving	\$2, 500.00
• De Anza	Misc. Work	California Constructores	\$2,710.00
• Hercules MHS	Ground Rods Testing	McPeak Electric	\$900.00
• Kennedy HS	Electrical Work	ERA Construction	\$8,500.00
• Kennedy HS	Painting	Perfection Painting	\$12,450.00
• De Anza	Installation of Soap Dispensers	AM Woo Construction	\$6,209.81
• Kennedy HS	Equipment Removal/Installation	ERA Construction	\$4,600.00
• Kennedy HS	Kitchen Flooring Prep Work	ERA Construction	\$24,980.00
• Kennedy HS	Floor Removal & Abatement	Sandstone Construction	\$21,450.00
• Lincoln ES	Electrical Repair	Streamline Builders	\$5, 875.00
• Kennedy HS	Cat 6 Drop	Bethel Electrical	\$4,992.30

All contracts approved by District staff must be ratified by the District’s Board.

Recommendation:

Ratify staff awarded contracts as noted above.

Fiscal Impact: Total ratification by this action: \$169,533.63

DISPOSITION BY BOARD OF EDUCATION		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 11, 2013
From: Bill Fay **Agenda Item:** CI C.15
Associate Superintendent for Operations
Subject: Mira Vista Elementary School Covered Accessible Ramp Addition Rejection of Bids and
Authorization for Staff to Rebid the Project

Background Information:

This project would provide construction of two covered accessible ramps with skylights and removal of existing inclined chair lifts. The project would also include removal of naturally occurring asbestos in the soil related to foundation work.

DLM Architects completed plans and specifications for the project. The District conducted a public bid of the project. Bids were opened on July 30, 2013. Four Contractors submitted bids. They were as follows: Angotti & Reilly \$1,256,547; Cal Pacific Construction, Inc. \$1,331,000; KCK Builders, Inc. \$1,421,000; West Bay Builders \$1,876,000.

The preliminary estimate for the project was \$700,000 so the language for the PLA was not included in the bid documents. The lowest bid was more than one million dollars, which would require the project be covered by the PLA. Considering this information, it is appropriate that the District re-estimate the project and rebid. Therefore it is recommended that the Board take action at this time to reject all bids and authorize staff to rebid the project.

Recommendation:

Reject all bids and authorize staff to rebid project.

Fiscal Impact: Not known at this time. Funded from the Measure D-2010 Bond.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 11, 2013
From: Bill Fay **Agenda Item:** CI C.16
Associate Superintendent for Operations
Subject: Agreement for Program, Project and Construction Management Services between West Contra Costa Unified School District and SGI Construction Management ("Agreement")

Background information: On July 24, 2013 the contract for Program and Construction Management Services with SGI, Construction Management was brought to the Board of Education for consent approval, Item C-13. In the process of adopting the consent agenda, Director Ramsey requested that the Board approve a change to the contract that would remove the Termination for Convenience clause and add a clause affirming that the agreement shall be only terminated for cause.

Director Ramsey cited as rational for the removal of the clause a need to keep "the continuity of the bond program flowing" and preserve the District's relationship with SGI, "so that if there is a change of board, change of administration . . .we don't take something that [was] created over the last 15 years and just dismantle it on the whims of individuals". The Board unanimously voted to delete the termination for convenience clause and add a clause that allows for termination only for cause.

At staff's direction, legal counsel prepared the requested revisions. Pursuant to the Brown Act, the item is herein re-noticed, as the removal of the termination for convenience provision could be interpreted as a material change.

The changes to the Agreement (included in the attached redline) are in accordance with changes to the July 24, 2013 meeting minutes at the August 12, 2013 BOE meeting and recited below as follows: (*the new language is underlined and the removed language appears as strike-through text*)

Recommendation:

Memorialize revisions for the attached Agreement for Program, Project and Construction Management Services as changed between West Contra Costa Unified School District and SGI Construction Management.

Fiscal Impact: To Be Determined.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

**AGREEMENT FOR PROGRAM, PROJECT AND
CONSTRUCTION MANAGEMENT SERVICES
BETWEEN
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
AND
SGI, CONSTRUCTION MANAGEMENT**

TABLE OF CONTENTS

Article 1.	DEFINITIONS	1
Article 2.	SCOPE, RESPONSIBILITIES AND SERVICES OF CONSTRUCTION MANAGER ..	2
Article 3.	CONSTRUCTION MANAGER STAFF	3
Article 4.	SCHEDULE OF WORK	3
Article 5.	CONSTRUCTION COST BUDGET.....	3
Article 6.	FEE AND METHOD OF PAYMENT.....	5
Article 7.	PAYMENT FOR EXTRA SERVICES.....	5
Article 8.	OWNERSHIP OF DATA	5
Article 9.	TERMINATION OF AGREEMENT	6
Article 10.	INDEMNITY.....	7
Article 11.	FINGERPRINTING	7
Article 12.	RESPONSIBILITIES OF THE DISTRICT	8
Article 13.	LIABILITY OF DISTRICT.....	8
Article 14.	INSURANCE.....	9
Article 15.	NONDISCRIMINATION.....	11
Article 16.	COVENANT AGAINST CONTINGENT FEES.....	11
Article 17.	ENTIRE AGREEMENT/MODIFICATION	11
Article 18.	NON-ASSIGNMENT OF AGREEMENT	11
Article 19.	LAW, VENUE.....	12 ¹¹
Article 20.	ALTERNATIVE DISPUTE RESOLUTION.....	12
Article 21.	SEVERABILITY	12
Article 22.	EMPLOYMENT STATUS.....	12
Article 23.	WARRANTY OF CONSTRUCTION MANAGER	13
Article 24.	COST DISCLOSURE - DOCUMENTS AND WRITTEN REPORTS	14 ¹³
Article 25.	COMMUNICATIONS / NOTICE	14
Article 26.	DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION	14
Article 27.	OTHER PROVISIONS	14
EXHIBIT "A" – RESPONSIBILITIES AND SERVICES OF CONSTRUCTION MANAGER-A-1		
EXHIBIT "B" – CRITERIA AND BILLING FOR EXTRA WORK		B-1
EXHIBIT "C" – SCHEDULE OF WORK		C-1
EXHIBIT "D" – FEE SCHEDULE		D-1
EXHIBIT "E" – CERTIFICATIONS		E-1

AGREEMENT FOR PROGRAM, PROJECT AND CONSTRUCTION MANAGEMENT SERVICES

This Agreement for Program, Project and Construction Management Services ("Agreement") is made as of the ___ day of _____, 2013, between the **West Contra Costa Unified School District** ("District") and **SGI, Construction Management** ("Construction Manager") (collectively, the "Parties"), for the following project(s) (collectively the "Project"):

The construction management and administration of the following projects:

- _____, **which is part of the District's Measures D and E Bond Program ("Program") (See Exhibit "A" for Project scope).**

The Project may include multiple components. Any one of the components or combination thereof may be changed, including terminated, in the same manner as the Project, as indicated herein, without changing in any way the remaining component(s). The provisions of this Agreement shall apply to each component without regard to the status of the remaining component(s). Construction Manager shall invoice for each component separately and District shall compensate Construction Manager for each component separately on a proportionate basis based on the level and scope of work completed for each component.

That for and in consideration of the mutual covenants herein contained, the Parties hereto agree as follows:

Article 1. DEFINITIONS

- 1.1. In addition to the definitions above, the following definitions for words or phrases shall apply when used in this Agreement, including all Exhibits:
 - 1.1.1. **Agreement:** The Agreement consists exclusively of this document and all identified exhibits attached and incorporated by reference.
 - 1.1.2. **Architect:** The architect(s) that the District designates as being the architect(s) for all or a portion of the Project, including all consultants to the Architect(s). The Architect is a member of the Design Team
 - 1.1.3. **Construction Manager:** The entity listed in the first paragraph of this Agreement, including all Consultant(s) to the Construction Manager.
 - 1.1.4. **Construction Budget:** The total amount indicated by the District for the Project plus all other costs, including design, construction, administration, financing, and all other costs.
 - 1.1.5. **Construction Cost Budget:** The total cost to District of all elements of the Project designed or specified by the Design Team, as adjusted at the end of each design phase in accordance with this Agreement. The Construction Cost Budget does not include the compensation of the Program Manager, the Design Team, the Construction Manager, the cost of the land, rights-of-way, financing or other costs which are the responsibility of the District.
 - 1.1.6. **Consultant(s):** Any and all consultant(s), sub-consultant(s),

subcontractor(s), or agent(s) to the Construction Manager.

- 1.1.7. **Design Team:** The architect(s), engineer(s), and other designer(s) that the District designates as designing all or a portion of the Project, including all consultants to the architect(s), engineer(s) or other designer(s), who have a responsibility to the District to design all or a portion of the Project either directly or as a subconsultant or subcontractor.
- 1.1.8. **DSA:** The Division of the State Architect.
- 1.1.9. **Extra Services:** Extra Services are defined in Article 7 and **Exhibit "B."**
- 1.1.10. **Fee:** The Construction Manager's Fee is defined herein, payable as set forth herein and in **Exhibit "D."**
- 1.1.11. **Program Manager:** Any program manager hired to perform program management services under for the District, including all Consultant(s) to the Program Manager. If no Program Manager is hired by the District for the Project(s), then all references to "Program Manager" shall be read and interpreted as the District.
- 1.1.12. **Service(s):** All labor, materials, supervision, services, tasks, and work that the Construction Manager is required to perform and that are required by, or reasonably inferred from, the Agreement, and that are necessary for the design and completion of the Project.

Article 2. SCOPE, RESPONSIBILITIES AND SERVICES OF CONSTRUCTION MANAGER

- 2.1. **Scope:** Construction Manager shall provide the Services described herein and under **Exhibit "A"** for the Project. The parties agree that the Construction Manager's Services described herein are based on a construction manager / general contractor structure on the Project(s). The District reserves the right to change this structure including, without limitation, utilizing a construction manager / multiple-prime structure, a design-build structure, or a lease-leaseback structure, each of which the Parties agree may require the Construction Manager's Fee and Scope as well as certain terms and conditions of this Agreement to be adjusted by an amendment, in writing and signed by both Parties.
- 2.2. **Coordination:** In the performance of Construction Manager's services under this Agreement, Construction Manager agrees that it will maintain such coordination with District personnel and/or its designated representatives as may be requested and desirable. This shall include, without limitation, coordination with all members of the District's Design Team, and the persons responsible for operation of the District's Labor Compliance Program, if any. If the Construction Manager employs sub-consultant(s), the Construction Manager shall ensure that its contract(s) with its sub-consultant(s) include language notifying the sub-consultant(s) of the District's Labor Compliance Program, if any.
- 2.3. **Construction Manager's Services:** Construction Manager shall act as the District's agent to render the services and furnish the work as described in **Exhibit "A,"** which will commence upon the receipt of a Notice to Proceed

signed by the District representative. Construction Manager's services will be completed in accordance with the schedule attached as **Exhibit "C."**

Article 3. CONSTRUCTION MANAGER STAFF

- 3.1. The Construction Manager has been selected to perform the work herein because of the skills and expertise of key individuals.
- 3.2. The Construction Manager agrees that the following key people in Construction Manager's firm shall be associated with the Project in the following capacities:

Principal In Charge: _____
Project Director: _____
Construction Manager: _____
Asst. Construction Manager: _____
Other: _____
Other: _____

- 3.3. The Construction Manager shall not change any of the key personnel listed above without prior written approval by District, unless said personnel cease to be employed by Construction Manager. In either case, District shall be allowed to interview and approve replacement personnel.
- 3.4. If any designated lead or key person fails to perform to the satisfaction of the District, then upon written notice the Construction Manager shall immediately remove that person from the Project and provide a temporary replacement. Construction Manager shall within seven (7) days provide a permanent replacement person acceptable to the District. All lead or key personnel for any Consultant must also be designated by the consultant and are subject to all conditions previously stated in this paragraph.
- 3.5. Construction Manager represents that the Construction Manager has no existing interest and will not acquire any interest, direct or indirect, which could conflict in any manner or degree with the performance of services required under this Agreement and that no person having any such interest shall be employed by Construction Manager.

Article 4. SCHEDULE OF WORK

The Construction Manager shall commence work under this Agreement upon receipt of a Notice to Proceed, and shall prosecute the work diligently as described in **Exhibit "A"** in accordance with the schedule attached as **Exhibit "C."** Time is of the essence and failure of Construction Manager to perform work on time as specified in this Agreement is a material breach of this Agreement.

Article 5. CONSTRUCTION COST BUDGET

- 5.1. The Construction Manager shall have responsibility to develop, review, and reconcile the Construction Cost Budget with the Design Team and the District throughout the design process and construction.
- 5.2. The Construction Cost Budget shall be the total cost to District of all elements

of the Project designed or specified by the Project design professional(s). The Construction Cost Budget does not include the compensation of the Construction Manager, the Project design professional(s), sub-consultants, the cost of the land, rights-of-way, financing or other costs which are the responsibility of the District.

- 5.3. Construction Manager shall work cooperatively with the Project design professional(s) during the Schematic Design Phase, Design Development Phase, and Construction Documents Phase, as described in **Exhibit "A,"** so that the construction cost of the work designed by the Project design professional(s) will not exceed the Construction Cost Budget, as may be adjusted subsequently with the District's written approval. The Construction Manager shall notify the District if it believes the construction cost of the work by the Project design professional(s) will exceed the Construction Cost Budget. The Construction Manager, however, shall not perform or be responsible for any design or architectural services.
- 5.4. Evaluations of the District's Construction Budget, and preliminary and detailed cost estimates prepared by the Construction Manager, represent the Construction Manager's best judgment as a professional familiar with the construction industry.
- 5.5. If the Bidding Phase has not commenced within ninety (90) days after DSA approval, the Construction Cost Budget shall be adjusted to reflect changes in the general level of prices in the construction industry between the date of submission of the Construction Documents to the District and the date on which proposals are sought.
- 5.6. If any of the following events occur:
 - 5.6.1. If the lowest responsive base bid received is in excess of ten percent (10%) of the Construction Cost Budget, or
 - 5.6.2. If the combined total of base bid and all additive alternates come in fifteen percent (15%) or more under the Construction Cost Budget, or
 - 5.6.3. If the Construction Cost Budget increases in phases subsequent to the Schematic Design Phase due to reasonably foreseeable changes in the condition of the construction market in the county in which the District is located, in so far as these have not been caused by Acts of God, earthquakes, strikes, war, or energy shortages due to uncontrollable events in the world economy, then the District, in its sole discretion, has one or a combination of the following alternatives:
 - 5.6.3.1. Give the Construction Manager written approval on an agreed adjustment to the Construction Cost Budget.
 - 5.6.3.2. Authorize the Construction Manager to re-negotiate, where appropriate, re-bid on or more Projects within three (3) months time (exclusive of District and other agencies' review time) at no additional cost to the District.
 - 5.6.3.3. Terminate this Agreement if the Project is abandoned, without further obligation by either party.

5.6.3.4. Instruct the Project design professional(s) to revise the drawings and specifications to bring the Project within the Construction Cost Budget for re-bidding, with Construction Manager's performing cost estimating, value engineering, and/or bidding support at no additional cost to the District.

5.7. The Construction Cost Budget shall be reconciled at the completion of each design phase.

Article 6. FEE AND METHOD OF PAYMENT

6.1. District shall pay Construction Manager

an amount equal to _____ percent
(_____ %) of the Construction Cost Budget

for all services contracted for under this Agreement and based on the Fee Schedule attached to **Exhibit "D."**

6.2. District shall pay Construction Manager the Fee pursuant to the provisions herein and in **Exhibit "D."**

6.3. No increase in Fee will be due from change orders generated during the construction period to the extent caused by Construction Manager's error.

6.4. The Construction Manager's Fee set forth in this Agreement shall be full compensation for all of Construction Manager's Services incurred in the performance hereof as indicated in **Exhibit "D"**, including, without limitation, all costs for personnel, travel within two hundred (200) miles of the Project location, offices, per diem expenses, printing, providing, or shipping of deliverables in the quantities set forth in **Exhibit "A."** ("Fee")

Article 7. PAYMENT FOR EXTRA SERVICES

7.1. District-authorized Services outside of the scope in **Exhibit "A"** or District-authorized reimbursables not included in Construction Manager's Fee are "Extra Services." Any charges for Extra Services shall be paid by the District as described in **Exhibit "B"** only upon certification that the claimed Extra Services were authorized in writing in advance by the District and that the Extra Services have been satisfactorily completed.

7.2. A written proposal describing the proposed scope of services and listing the personnel, labor duration, rates, and cost must be submitted by the Construction Manager to the District for written approval before proceeding with any Extra Services.

Article 8. OWNERSHIP OF DATA

After completion of the Project or after termination of this Agreement, Construction Manager shall deliver to District a complete set of Project records, including without limitation all documents generated by Construction Manager, copies of all documents exchanged with or copied to or from all other Project participants, and all closeout documents. Project records shall

be indexed and appropriately organized for easy use by District personnel. All Project records are property of the District, whether or not those records are in the Construction Manager's possession.

Article 9. TERMINATION OF AGREEMENT

~~9.1~~ If Construction Manager fails to perform Construction Manager's duties to the satisfaction of the District, or if Construction Manager fails to fulfill in a timely and professional manner Construction Manager's material obligations under this Agreement, or if Construction Manager violates any of the material terms or provisions of this Agreement, the District shall have the right to terminate this Agreement effective immediately upon the District giving written notice thereof to the Construction Manager. In the event of a termination pursuant to this subdivision, Construction Manager may invoice District for all work performed until the notice of termination, but District shall have the right to withhold payment and deduct any amounts equal to the District's costs because of Construction Manager's actions, errors, or omissions that caused the District to terminate the Construction Manager. In no event shall the District have the right to terminate the Agreement for its own convenience. Construction Manager shall only be terminated for cause, as set-forth herein.
~~9.1.~~

Formatted: Indent: Left: 1", No bullets or numbering

~~9.2.~~ District shall have the right in its sole discretion to terminate the Agreement for its own convenience. In the event of a termination for convenience, Construction Manager may invoice District and District shall pay all undisputed invoice(s) for work performed until the notice of termination. This shall be the only amount(s) potentially owing to Construction Manager's if there is a termination for convenience.

~~9.3.~~~~9.2.~~ The Construction Manager has the right to terminate this Agreement if the District does not fulfill its material obligations under this Agreement and fails to cure such material default within sixty (60) days, or if the default cannot be cured within sixty (60) days, commence to cure such default, diligently pursue such cure, and complete the cure within a reasonable time following written notice and demand from Construction Manager. Such termination shall be effective after receipt of written notice from Construction Manager to the District.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~9.4.~~~~9.3.~~ Except as indicated in this Article, termination shall have no effect upon any of the rights and obligations of the Parties arising out of any transaction occurring prior to the effective date of such termination.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~9.5.~~~~9.4.~~ If, at any time in the progress of the Project, the governing board of the District determines that the Project should be terminated, the Construction Manager, upon written notice from the District of such termination, shall immediately cease work on the Project. The District shall pay the Construction Manager only the Fee associated with the Services provided, since the last invoice that has been paid and up to the notice of termination.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~9.6.~~~~9.5.~~ If the Project is suspended by the District for more than one hundred and eighty (180) consecutive days, the Construction Manager shall be compensated for services performed prior to notice of such suspension. When the Project is resumed, the schedule shall be adjusted and the Construction

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

Manager's compensation shall be equitably adjusted to provide for expenses incurred in the resumption of the Construction Manager's services. Upon resumption of the Project after suspension, the Construction Manager will take all reasonable efforts to maintain the same Project personnel.

Article 10. INDEMNITY

~~10.1.10.2.~~ To the furthest extent permitted by California law, Construction Manager shall defend, indemnify and hold free and harmless the District, its agents, representative, officers, consultants, employees, trustees, and volunteers (the "indemnified parties") from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity ("Claims"), to property or persons, including personal injury and/or death, directly or indirectly arising out of, connected with, or resulting from the performance of the services, the Project, or this Agreement unless a Claim is caused by the sole negligence or sole willful misconduct of the indemnified parties.

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~10.2.10.3.~~ Construction Manager shall pay and satisfy any judgment, award or decree that may be rendered against the indemnified parties in any Claim. Construction Manager shall also reimburse District for the cost of any settlement paid by District arising out of any Claim. Construction Manager shall reimburse the indemnified parties for any and all legal expenses and costs, including attorneys' fees, expert witness fees and consultant fees, incurred by each of them in connection therewith or in enforcing the indemnity herein provided to the extent caused by the above agreement to indemnify. Construction Manager's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the indemnified parties. District shall have the right to accept or reject any legal representation that Construction Manager proposes to defend the indemnified parties.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

Article 11. FINGERPRINTING

~~11.1.11.2.~~ Unless the District has determined pursuant to Education Code section 45125.2 that on the basis of scope of work in this Agreement that Construction Manager and its subcontractors and employees will have only limited contact with pupils, the Construction Manager shall comply with the provisions of Education Code section 45125.01 regarding the submission of employee fingerprints to the California Department of Justice and the completion of criminal background investigations of its employees. The Construction Manager shall not permit any employee to have any contact with District pupils until such time as the Construction Manager has verified in writing to the governing board of the District that the employee has not been convicted of a felony, as defined in Education Code section 45122.1. The Construction Manager's responsibility shall extend to all employees, agents, and employees or agents of its subcontracts regardless of whether those individuals are paid or unpaid, concurrently employed by the District, or acting as independent contractors of the Construction Manager. Verification of compliance with this section and the Criminal Background Investigation Certification (**Exhibit "E"**) shall be provided in writing to the District prior to each individual's commencement of employment or participation on the Project and prior to permitting contact with any student.

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~11.2.11.3.~~ No drugs, alcohol and/or smoking are allowed at any time in any

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

buildings and/or grounds on District property. No students, staff, visitors, or contractors are to use drugs on these sites.

~~11.3.11.4.~~ Unacceptable and/or loud language will not be tolerated. "Cat calls" or other derogatory language toward students or public will not be allowed.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

Article 12. RESPONSIBILITIES OF THE DISTRICT

~~12.1.12.2.~~ The District shall examine the documents submitted by the Construction Manager and shall render decisions so as to avoid unreasonable delay in the process of the Construction Manager's services.

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

~~12.2.12.3.~~ The District shall provide to the Construction Manager complete information regarding the District's requirements for the Project.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~12.3.12.4.~~ The District shall retain design professional(s) whose services, duties and responsibilities shall be described in written agreement(s) between the District and design professional(s).

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~12.4.12.5.~~ The District shall, in a timely manner, and with Construction Manager's assistance, secure, submit and pay for necessary approvals, easements, assessments, permits and charges required for the construction, use, or occupancy of permanent structures or for permanent changes in existing facilities, subject to Construction Manager's and/or the design professional(s) duties to recommend or provide same.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~12.5.12.6.~~ The District, its representatives, and consultants shall communicate with the contractor either directly or through the Construction Manager.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~12.6.12.7.~~ During the Construction Phase of the Project, the District may require that the contractors submit all notices and communication relating to the Project directly to the Construction Manager.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~12.7.12.8.~~ The District shall designate an officer, employee and/or other authorized representatives to act on the District's behalf with respect to the Project. The District's representative for the Project shall be available during working hours and as often as may be required to render decisions and to furnish information in a timely manner.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

Article 13. LIABILITY OF DISTRICT

~~13.1.13.2.~~ Other than as provided in this Agreement, District's obligations under this Agreement shall be limited to the payment of the compensation provided in this Agreement. Notwithstanding any other provision of this Agreement, in no event shall District be liable, regardless of whether any claim is based on contract or tort, for any special, consequential, indirect or incidental damages, including, but not limited to, lost profits or revenue, arising out of or in connection with this Agreement for the services performed in connection with this Agreement.

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~13.2.13.3.~~ Any and all costs incurred by District, or for which District may become liable, to the extent caused by negligent delays of Construction Manager in its performance hereunder, shall be paid to District by Construction Manager as provided for herein and/or under California law.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~13.3.~~13.4. District shall not be responsible for any damage to persons or property as a result of the use, misuse or failure of any equipment used by Construction Manager, or by its employees, even though such equipment be furnished or loaned to Construction Manager by District.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~13.4.~~13.5. The Construction Manager hereby waives any and all claim(s) for recovery from the District under this Agreement, which loss or damage is covered by valid and collectible insurance policies. Construction Manager agrees to have its required insurance policies endorsed to prevent the invalidation of insurance coverage by reason of this waiver. This waiver shall extend to claims paid, or expenses incurred, by Construction Manager's insurance company on behalf of the District.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

Field Code Changed

Article 14. INSURANCE

~~14.1.~~14.2. Construction Manager shall procure prior to commencement of the work of this Agreement and maintain for the duration of the Agreement insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Construction Manager, their agents, representatives, employees and sub-consultant(s).

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~14.2.~~14.3. **Minimum Scope and limits of Insurance:** Coverage shall be at least as broad as the following scopes and limits:

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~14.2.1.~~14.3.1. **Commercial General Liability.** Two million dollars (\$2,000,000) per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

Formatted: Indent: Left: 1", Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.44" + Tab after: 1.44" + Indent at: 1.94"

~~14.2.2.~~14.3.2. **Commercial Automobile Liability, Any Auto.** Two million dollars (\$2,000,000) per accident for bodily injury and property damage.

Formatted: Indent: Left: 1", Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.44" + Tab after: 1.44" + Indent at: 1.94"

~~14.2.3.~~14.3.3. **Workers' Compensation.** Statutory limits required by the State of California and

Formatted: Indent: Left: 1", Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.44" + Tab after: 1.44" + Indent at: 1.94"

~~14.2.4.~~14.3.4. **Employer's Liability.** Two million dollars (\$2,000,000) per accident for bodily injury or disease.

Formatted: Indent: Left: 1", Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.44" + Tab after: 1.44" + Indent at: 1.94"

~~14.2.5.~~14.3.5. **Professional Liability.** This insurance shall cover the Construction Manager and his/her sub-consultant(s) for two million dollars (\$2,000,000) aggregate limit subject to no more than twenty-five thousand dollars (\$25,000) per claim deductible, coverage to continue through completion of construction plus two years thereafter. The policy must contain terms or endorsements extending coverage that requires the insurer to defend and indemnify for acts which happen before the effective date of the policy provided the claim is first made during the policy period.

Formatted: Indent: Left: 1", Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.44" + Tab after: 1.44" + Indent at: 1.94"

~~14.3.~~14.4. The District reserves the right to modify the limits and coverages

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

described herein, with appropriate credits or changes to be negotiated for such changes.

~~14.4.~~~~14.5.~~ **Deductibles and Self-Insured Retention:** Any deductibles or self-insured retention exceeding \$25,000 must be declared to and approved by the District. At the option of the District, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the District, its officers, officials, employees and volunteers; or the Construction Manager shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~14.5.~~~~14.6.~~ **Other Insurance Provisions:** The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~14.5.1.~~~~14.6.1.~~ All policies except for the professional insurance policy shall be written on an occurrence form

Formatted: Indent: Left: 1", Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.44" + Tab after: 1.44" + Indent at: 1.94"

~~14.5.2.~~~~14.6.2.~~ The District, the Construction Manager, their representatives, consultants, trustees, officers, officials, employees, agents, and volunteers ("Additional Insureds") are to be covered as additional insureds as respects liability arising out of activities performed by or on behalf of the Construction Manager; instruments of service and completed operations of the Construction Manager; premises owned, occupied or used by the Construction Manager; or automobiles owned, leased, hired or borrowed by the Construction Manager. The coverage shall contain no special limitations on the scope of protection afforded to the Additional Insureds.

Formatted: Indent: Left: 1", Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.44" + Tab after: 1.44" + Indent at: 1.94"

~~14.5.3.~~~~14.6.3.~~ For any claims related to this project, the Construction Manager's insurance coverage shall be primary insurance as respects the Additional Insureds. Any insurance or self-insurance maintained by the Additional Insureds shall be in excess of the Construction Manager's insurance and shall not contribute with it.

Formatted: Indent: Left: 1", Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.44" + Tab after: 1.44" + Indent at: 1.94"

~~14.5.4.~~~~14.6.4.~~ Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to the Additional Insureds.

Formatted: Indent: Left: 1", Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.44" + Tab after: 1.44" + Indent at: 1.94"

~~14.5.5.~~~~14.6.5.~~ The Construction Manager's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

Formatted: Indent: Left: 1", Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.44" + Tab after: 1.44" + Indent at: 1.94"

~~14.5.6.~~~~14.6.6.~~ Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the District.

Formatted: Indent: Left: 1", Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.44" + Tab after: 1.44" + Indent at: 1.94"

~~14.6.~~~~14.7.~~ **Acceptability of Insurers:** Insurance is to be placed with insurers admitted in California with a current A.M. Best's rating of no less than A:VII.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~14.7.~~~~14.8.~~ **Verification of Coverage:** Construction Manager shall furnish the District with:

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~14.7.1-14.8.1.~~ Certificates of insurance showing maintenance of the required insurance coverage;

Formatted: Indent: Left: 1", Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.44" + Tab after: 1.44" + Indent at: 1.94"

~~14.7.2-14.8.2.~~ Original endorsements affecting general liability and automobile liability coverage. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. All endorsements are to be received and approved by the District before work commences.

Formatted: Indent: Left: 1", Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.44" + Tab after: 1.44" + Indent at: 1.94"

Article 15. NONDISCRIMINATION

Field Code Changed

Construction Manager agrees that no discrimination shall be made in the employment of persons under this Agreement because of the race, national origin, ancestry, religion, age, physical disability, sex, or sexual orientation of such person. Construction Manager shall comply with any and all regulations and laws governing nondiscrimination in employment.

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Article 16. COVENANT AGAINST CONTINGENT FEES

Construction Manager warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Construction Manager, to solicit or secure this Agreement, and that it has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the Construction Manager, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent on or resulting from the award or making of this Agreement. For breach or violation of this warranty, the District shall have the right to annul this Agreement without liability, or in its discretion, to deduct from the contract price or consideration or otherwise recover, the full amount of such fee, commission, percentage fee, gift, or contingency.

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Article 17. ENTIRE AGREEMENT/MODIFICATION

This Agreement, including the Exhibits hereto, supersedes all previous contracts and constitutes the entire understanding of the parties hereto. Construction Manager shall be entitled to no other benefits than those specified herein. No changes, amendments or alterations shall be effective unless in writing and signed by both Parties. Construction Manager specifically acknowledges that in entering this Agreement, Construction Manager relies solely upon the provisions contained in this Agreement and no others.

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Article 18. NON-ASSIGNMENT OF AGREEMENT

In as much as this Agreement is intended to secure the specialized services of the Construction Manager, Construction Manager may not assign, transfer, delegate or sublet any interest therein without the prior written consent of District and any such assignment, transfer, delegation or sublease without the District's prior written consent shall be considered null and void. Likewise, District may not assign, transfer, delegate or sublet any interest therein without the prior written consent of Construction Manager and any such assignment, transfer, delegation or sublease without Construction Manager's prior written consent shall be considered null and void.

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Article 19. LAW, VENUE

~~19.1.~~19.2. This Agreement has been executed and delivered in the State of California and the validity, enforceability and interpretation of any of the clauses of this Agreement shall be determined and governed by the laws of the State of California.

~~19.2.~~19.3. The county in which the District administration office is located shall be the venue for any action or proceeding that may be brought or arise out of, in connection with or by reason of this Agreement.

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

Article 20. ALTERNATIVE DISPUTE RESOLUTION

All claims, disputes or controversies arising out of, or in relation to the interpretation, application or enforcement of this Agreement may be decided through mediation as the first method of resolution. If this method proves unsuccessful, then all claims, disputes or controversies as stated above may be decided through arbitration, if agreed to by all Parties.

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Article 21. SEVERABILITY

If any term, covenant, condition or provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired or invalidated thereby.

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Article 22. EMPLOYMENT STATUS

~~22.1.~~22.2. Construction Manager shall, during the entire term of Agreement, be construed to be an independent contractor and nothing in this Agreement is intended nor shall be construed to create an employer-employee relationship, a joint venture relationship, or to allow District to exercise discretion or control over the professional manner in which the Construction Manager performs the services which are the subject matter of this Agreement; provided always, however, that the services to be provided by Construction Manager shall be provided in a manner consistent with all applicable standards and regulations governing such services.

~~22.2.~~22.3. Construction Manager understands and agrees that the Construction Manager's personnel are not and will not be eligible for membership in or any benefits from any District group plan for hospital, surgical or medical insurance or for membership in any District retirement program or for paid vacation, paid sick leave or other leave, with or without pay or for other benefits which accrue to a District employee.

~~22.3.~~22.4. Should District, in its discretion, or a relevant taxing authority such as the Internal Revenue Service or the State Employment Development Department, or both, determine that Construction Manager is an employee for purposes of collection of any employment taxes, the amounts payable under this Agreement shall be reduced by amounts equal to both the employee and employer portions of the tax due (and offsetting any credits for amounts already paid by Construction Manager which can be applied against this liability). District shall then forward those amounts to the relevant taxing

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

authority.

~~22.4.~~22.5. Should a relevant taxing authority determine a liability for past services performed by Construction Manager for District, upon notification of such fact by District, Construction Manager shall promptly remit such amount due or arrange with District to have the amount due withheld from future payments to Construction Manager under this Agreement (and offsetting any amounts already paid by Construction Manager which can be applied as a credit against such liability).

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~22.5.~~22.6. A determination of employment status pursuant to the preceding two paragraphs shall be solely for the purposes of the particular tax in question, and for all other purposes of this Agreement, Construction Manager shall not be considered an employee of District. Notwithstanding the foregoing, should any court, arbitrator, or administrative authority determine that Construction Manager is an employee for any other purpose, then Construction Manager agrees to a reduction in District's liability resulting from this Agreement pursuant to principles similar to those stated in the foregoing paragraphs so that the total expenses of District under this Agreement shall not be greater than they would have been had the court, arbitrator, or administrative authority determined that Construction Manager was not an employee.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~22.6.~~22.7. Nothing in this Agreement shall operate to confer rights or benefits on persons or entities not a party to this Agreement.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

Article 23. WARRANTY OF CONSTRUCTION MANAGER

~~23.1.~~23.2. Construction Manager warrants that the Construction Manager is properly licensed and/or certified under the laws and regulations of the State of California to provide all the services that it has herein agreed to perform.

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

~~23.2.~~23.3. Construction Manager certifies that it is aware of the provisions of the Labor Code of the State of California that require every employer to be insured against liability for workers compensation or to undertake self-insurance in accordance with the provisions of that code, and it certifies that it will comply with those provisions before commencing the performance of the work of this Agreement.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~23.3.~~23.4. Construction Manager certifies that it is aware of the provisions of the Labor Code of the State of California that requires employers to pay employees in full and on time and will abide by those provisions and ensure that employees shall be paid timely pursuant to a reasonable payroll schedule for time worked.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~23.4.~~23.5. Construction Manager certifies that it is aware of the provisions of California Labor Code that require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects ("Prevailing Wage Laws"). Since the Construction Manager is performing work as part of an applicable "public works" or "maintenance" project, and since the total compensation is One Thousand Dollars (\$1,000) or more, the Construction Manager agrees to fully comply with and to require its sub-consultant(s) to fully comply with all applicable prevailing wage requirements of the California Labor Code.

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

Article 24. COST DISCLOSURE - DOCUMENTS AND WRITTEN REPORTS

Construction Manager shall be responsible for compliance with California Government Code section 7550, if the total cost of the Agreement is over Five Thousand Dollars (\$5,000).

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Article 25. COMMUNICATIONS / NOTICE

Communications between the Parties to this Agreement may be sent to the following addresses:

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

District West Contra Costa Unified School District 1300 Potrero Avenue Richmond, CA 94804 ATTN: Director of Facilities and Construction	Construction Manager _____, Inc. _____ _____, CA _____ ATTN: _____
--	---

The Parties, by notice given hereunder, may designate different addresses to which subsequent notices, certificates or other communications will be sent.

Article 26. DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION

Pursuant to section 17076.11 of the Education Code, the District has a participation goal for disabled veteran business enterprises (DVBEs) of at least three percent (3%), per year, of funds expended each year by the District on projects that use funds allocated by the State Allocation Board pursuant to the Leroy F. Greene School Facilities Act (the Act). This Project may use funds allocated under the Act. Therefore, to the extent feasible, the Construction Manager shall provide to the District certification of compliance with the procedures for implementation of DVBE contracting goals, appropriate documentation identifying the amount paid to DVBEs in conjunction with the contract, and documentation demonstrating the Construction Manager's good faith efforts to meet these goals.

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Article 27. OTHER PROVISIONS

~~27-1-27.2.~~ The Construction Manager shall be responsible for the cost of construction change orders caused directly by the Construction Manager's willful misconduct or negligent acts, errors or omissions. Without limiting Construction Manager's liability for indirect or consequential cost impacts, the direct costs for which the Construction Manager shall be liable shall equal its proportionate share of the difference between the cost of the change order and the reasonable cost of the work had such work been a part of the originally prepared construction documents.

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

~~27-2-27.3.~~ Neither the District's review, approval of, nor payment for, any of the services required under this Agreement shall be construed to operate as a waiver of any rights under this Agreement, and Construction Manager shall remain liable to the District in accordance with this Agreement for all

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.55" + Indent at: 1"

damages to the District caused by Construction Manager's failure to perform any of the services furnished under this Agreement to the standard of care of the Construction Manager for its Services, which shall be, at a minimum, the standard of care of construction managers performing similar work for California school districts at or around the same time and in or around the same geographic area of the District.

~~27.3-27.4.~~ Each party warrants that it has had the opportunity to consult counsel and understands the terms of this Agreement and the consequences of executing it. In addition, each party acknowledges that the drafting of this Agreement was the product of negotiation, that no party is the author of this Agreement, and that this Agreement shall not be construed against any party as the drafter of the Agreement.

Formatted: Outline numbered + Level: 2 +
Numbering Style: 1, 2, 3, ... + Start at: 2 +
Alignment: Left + Aligned at: 0.5" + Tab after:
0.55" + Indent at: 1"

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date(s) indicated below.

Dated: _____,
2013

Dated: _____,
2013

West Contra Costa Unified School District SGI, Construction Management

By: _____

By: _____

Print Name: _____

Print Name: _____

Print Title: _____

Print Title: _____

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 11, 2013

From: Wendell C. Greer
Associate Superintendent, K – Adult Operations

Agenda Item: CI C.17

Subject: Denial of Charter Petition from Summit Schools

Background Information:

On Friday, June 14, 2013 a team member from Summit Public Schools submitted a Charter Petition for a school that intended to serve 6 grade levels from 7th through 12th, in the West Contra Costa Unified School District.

On July 10, 2013 the Board convened to hold a hearing to determine the level of community support for the Summit Charter School.

On August 12, 2013 the Board convened to consider staff recommendations, and discuss the merits of the petition as submitted. The Board determined that the petition did not contain a reasonably comprehensive description of two required elements, as stated in the attached “Findings of Fact” and “Exhibit A”.

Recommendation:

Recommend ratification of Resolution 32-1314 Denying the Charter Petition for the Establishment of the Summit Charter School.

Fiscal Impact:

None at this time.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 32-1314

RESOLUTION OF THE GOVERNING BOARD OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT DENYING THE CHARTER PETITION FOR THE ESTABLISHMENT OF THE SUMMIT CHARTER SCHOOL

WHEREAS, the establishment of Charter Schools is governed by the Charter Schools Act of 1992, as subsequently amended, Education Code sections 47600 *et seq.* and implementing Title 5 of the California Code of Regulations;

WHEREAS,, the West Contra Costa Unified School District (“District”) received the charter Petition (“Petition”) proposing the establishment of the Summit Charter School (“Charter School”);

WHEREAS, consistent with Education Code section 47605 subdivision (b), at a regular meeting, the District’s Governing Board (“Board”) held a public hearing on the Petition, at which time the Board considered the level of support for the Petition by teachers employed by the District, other employees of the District, and parents/guardians;

WHEREAS, the Board convened on August 12, 2013, to consider whether to grant or deny the Petition;

WHEREAS, approval of charter petitions is governed by the standards and criteria set forth in Education Code section 47605 and implementing Title 5 of the California Code of Regulations;

WHEREAS, Education Code section 47605 subdivision (b) prohibits the Board from denying a charter Petition unless it makes written factual findings, specific to the particular charter school, setting forth facts to support one or more findings, which include:

1. The petition does not contain the number of signatures required by Education Code section 47605 subdivision (a);
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition;
3. The charter school presents an unsound educational program for the students to be enrolled in the charter school;
4. The petition does not contain an affirmation of each of the conditions described in Education Code section 47605 subdivision (d); or
5. The petition does not contain reasonably comprehensive descriptions of all 16 elements required in Education Code section 47605 subdivision (b)(5).

WHEREAS, the Board made a motion on August 12, 2013 setting out the findings to deny the Petition and the Board voted to deny the Petition by a 4-1 vote;

THEREFORE BE IT RESOLVED, that Governing Board of the West Contra Costa Unified School District hereby ratifies the denial and adopts these written Findings of Fact, attached hereto as Exhibit "A," and denies the Petition to establish the Summit Charter School;

PASSED AND ADOPTED by the Governing Board on September 11, 2013, at a duly noticed meeting by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

I, Charles T. Ramsey, Clerk of the Governing Board of the West Contra Costa Unified School District, HEREBY CERTIFY that the foregoing Resolution was duly introduced, passed and adopted by the Board at a meeting thereof held on September 11, 2013, by a vote of 4 to 1.

IN WITNESS THEREOF, I have hereto set my hand this 11th day of September, 2013.

Charles T. Ramsey
Clerk of the Governing Board

EXHIBIT "A"

FINDINGS OF FACT

- I. THE PETITION DID NOT CONTAIN A REASONABLY COMPREHENSIVE DESCRIPTION OF THE FOLLOWING ELEMENTS OF THE PETITION.**
 - A. The petition failed to adequately state "the means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted."**
 - B. The petition failed to adequately describe transportation options for charter school students.**

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 11, 2013

From: Bruce Harter
Superintendent

Agenda Item: CI C.18

Subject: Approval of Board Members Travel

Background Information:

Board Bylaw 9250 stipulates members of the board shall be reimbursed for allowable expenses incurred in attending any meetings or in making any trips on official business of the school district when so authorized in advance by the Board of Education. (Education .Code 35044). Board members have expressed interest in attending the following:

- Congressional Black Caucus Foundation, Annual Legislative Conference, Washington, D.C., September 18-21, 2013
- CSBA Masters In Governance Workshops, San Jose, CA, September 20, 2013
- California Public Finance Conference, Los Angeles, September 25-27, 2013
- CUBE Conference, San Antonio, October 3 – 5, 2013
- Second Annual Silicon Valley STEM Summit, Mountain View, CA, October 15, 2013

Expenses including registration, travel and food are budgeted and there is sufficient funding within that budget.

Recommendation:

Recommend Approval

Fiscal Impact:

General Fund

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 11, 2013

From: Elaine Merriweather
Board Member

Agenda Item: CI C.19

Subject: Resolution No. 33-1314: Resolution in Support of the Human Rights and Human Relations commission of the City of Richmond, California, Regarding the City of Richmond Human Rights Award 2012-2013

Background Information:

The City of Richmond was declared a Human Rights City in 2009, becoming one of the first Human Rights Cities in the United States. The Richmond City Council unanimously passed a resolution adopting the United Nations' Universal Declaration of Human Rights as guiding principles. The City embraces the principles of equality, social pluralism and the recognition of human dignity for all.

The West Contra Costa Unified School District Board of Education supports working collaboratively with local government and community groups for the prevention of violence and the promotion of peace.

Recommendation:

Recommend Approval of Resolution No. 33-1314

Fiscal Impact:

None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 33-1314

RESOLUTION IN SUPPORT OF THE HUMAN RIGHTS AND HUMAN RELATIONS COMMISSION OF THE CITY OF RICHMOND, CALIFORNIA, REGARDING THE CITY OF RICHMOND HUMAN RIGHTS AWARDS 2012-2013

WHEREAS, the City of Richmond's City Council unanimously voted to become a Human Rights city in 2009; and

WHEREAS, the City has an interest in promoting Human Rights education, and social and economic justice and equality for all its citizens; and

WHEREAS, December 10 is universally celebrated as International Human Rights Day, and

WHEREAS, Richmond's Human Rights and Human Relations Commission works collaboratively with the City to insure that the rights of residents are a priority in any and all deliberations; and

WHEREAS, we plan to honor persons of diverse persuasion who have made outstanding contributions in the area of human rights, and those who played a significant role in cultivating and expanding a culture of peace in Richmond; and

WHEREAS, we encourage community based organizations, nonprofits, and individuals to nominate persons and groups whose work exemplifies the spirit of Human Rights; and

WHEREAS, the Human Rights and Human Relations Commission of the City of Richmond will honor the recipients as a reception on December 9, 2013;

NOW, THEREFORE, BE IT RESOLVED THAT, the Governing Board of the West Contra Costa Unified School District supports the Human Rights and Human Relations Commission of the City of Richmond in its outreach, advertising and nominations for this important event.

PASSED AND ADOPTED by the Governing Board on September 11, 2013, at a duly noticed meeting by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

I DO HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed and adopted by the members of the Governing Board of the West Contra Costa Unified School District at a public meeting of said Board held on September 11, 2013.

President of the Board of Education

Secretary of the Board of Education

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 11, 2013
From: Nia Rashidchi, Assistant Superintendent, Educational Services **Agenda Item:** D.1
Wendell Greer, Associate Superintendent, K-Adult Schools
Subject: 2013 Academic Performance Index (API)/California Standards Tests (CSTs) – Report on and Recognition of Schools

Background Information:

API -The California Department of Education (CDE) sets API growth targets for all public schools annually and has computed Academic Performance Indices (APIs) for all public schools since 1999. California draws achievement information from state assessments to calculate one number called the API. The state's target is 800+.

In order for a school to make its API, it must achieve its schoolwide target, as well as targets for all numerically significant subgroups. Any subgroup for which there are 100 valid scores or 50 valid scores comprising at least 15% of the valid scores for a school is identified by CDE as a numerically significant subgroup. Possible numerically significant subgroups include: African American, American Indian, Asian, Filipino, Hispanic, Pacific Islander, White, Socioeconomically Disadvantaged, English Learners, and Students with Disabilities. Meeting the comparable improvement target means that each student subgroup in the school met its individual achievement goals.

The California Standards Tests (CSTs) assess the 1997 California Content Standards in ELA, Mathematics, Science and History-Social Science in grades 2 – 11. The five performance levels designated for reporting results are advanced, proficient, basic, below basic, and far below basic. The state target is for all students to score at the proficient or advanced level.

Staff will summarize districtwide data, discuss key learnings/actions for the 2013-14 school year, and then recognize WCCUSD schools for making 2013 API targets.

Recommendation: WCCUSD Board recognition of schools meeting 2013 API criteria.

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 11, 2013

From: Sheri Gamba *SG*
Associate Superintendent Business Services

Agenda Item: F.1

Subject: Approval of the 2012-2013 Unaudited Actuals Financial Report

Background Information: By September 15 of each year, the district must file the Unaudited Actuals Financial Report for the prior year with the Contra Costa County Office of Education and the California Department of Education. This report reflects the financial activities of the District by major object of revenue and expense for each fund operated in the district.

Staff will present an overview of the financial activity and its impact on the ending balance.

Included in the Unaudited Actuals is a Summary of the General Fund and all Funds. The complete Unaudited Actuals Financial Report will be delivered under separate cover.

Recommendation: Staff requests approval to file this report with the County Superintendent.

Fiscal Impact: Year-end closing

DISPOSITION BY BOARD OF EDUCATION		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
2012-2013 UNAUDITED ACTUALS REPORT - DISTRICT SUMMARY
BALANCE SHEET AND COMPONENTS OF ENDING FUND BALANCE

Schedule 1

	GENERAL FUND			SPECIAL	CAPITAL	OTHER	DISTRICT
	UNRESTRICTED	RESTRICTED	Total	REVENUE FUNDS Schedule 3	OUTLAY FUNDS Schedule 5	FUNDS Schedule 7	
ASSETS							
Cash in County Treasury	\$ 2,217,702	\$ 13,085,476	\$ 15,303,178	\$ 15,639,172	\$ 79,100,965	\$ 58,787,056	\$ 168,830,371
Cash in Banks	1,207	21,384	22,591	21,186	-	-	43,777
Revolving Fund	70,000	-	70,000	-	-	-	70,000
Cash With Fiscal Agent	-	-	-	-	6,120,512	1,044,331	7,164,842
Cash Collections Awaiting Deposit	-	-	-	750	-	-	750
Investments	922,636	-	922,636	12,572	2,672,422	7,196,979	10,804,608
Accounts Receivable	23,191,482	15,792,958	38,984,440	3,807,417	54,083	30,033	42,875,974
Due From Other Funds	-	-	-	-	-	-	-
Stores Inventories	234,001	-	234,001	-	-	-	234,001
Prepaid Expense	-	-	-	612,991	-	-	612,991
Total Assets	\$ 26,637,028	\$ 28,899,818	\$ 55,536,846	\$ 20,094,088	\$ 87,947,982	\$ 67,058,399	\$ 230,637,314
LIABILITIES							
Accounts Payable	3,260,950	6,403,924	9,664,874	793,348	13,439,555	1,816,891	25,714,668
Due to Other Funds	-	-	-	-	-	1	1
Temporary Loans	-	-	-	-	-	-	-
Deferred Revenue	-	511,999	511,999	392,935	-	-	904,933
Other Liabilities	-	-	-	-	-	500,000	500,000
Total Liabilities	3,260,950	6,915,923	10,176,873	1,186,283	13,439,555	2,316,892	27,119,602
FUND BALANCE							
Reserved for Revolving Fund	70,000	-	70,000	-	-	-	70,000
Reserved for Stores Inventory	234,001	-	234,001	612,991	-	-	846,992
Prepaid Expenditures	-	-	-	-	-	-	-
Restricted Balances	-	21,983,898	21,983,898	3,198,692	63,882,390	29,890	89,094,870
Committed Balances	-	-	-	3,383,015	-	-	3,383,015
Assigned Balances	1,370,000	-	1,370,000	11,713,107	10,626,036	49,169,309	
Economic Uncertainties	7,992,728	-	7,992,728	-	-	-	7,992,728
Undesignated Amount	13,709,349	(3)	13,709,346	(0)	(0)	15,542,309	102,130,106
Total Fund Balance	23,376,078	21,983,895	45,359,973	18,907,805	74,508,427	64,741,507	203,517,712
Total Liabilities and Fund Balance	\$ 26,637,028	\$ 28,899,818	\$ 55,536,846	\$ 20,094,088	\$ 87,947,982	\$ 67,058,399	\$ 230,637,314

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
2012-2013 UNAUDITED ACTUALS REPORT - DISTRICT SUMMARY
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

Schedule 2

	GENERAL FUND			SPECIAL REVENUE FUNDS Schedule 4	CAPITAL OUTLAY FUNDS Schedule 6	OTHER FUNDS Schedule 8	DISTRICT TOTALS
	UNRESTRICTED	RESTRICTED	TOTAL				
REVENUES							
Revenue Limit Sources	\$ 142,740,063	\$ 7,217,808	\$ 149,957,871	\$ -	\$ -	\$ -	\$ 149,957,871
Federal Revenues	12,038	25,612,673	25,624,711	13,214,494	-	3,947,748	42,786,953
Other State Revenues	27,716,115	33,183,325	60,899,441	3,957,626	19,417,798	603,384	84,878,249
Other Local Revenues	3,186,704	18,887,191	22,073,894	1,594,466	3,369,684	70,900,750	97,938,794
Total Revenues	173,654,920	84,900,997	258,555,917	18,766,587	22,787,482	75,451,882	375,561,868
EXPENDITURES							
Certificated Salaries	71,816,022	33,501,890	105,317,912	2,407,425	-	-	107,725,337
Classified Salaries	20,940,857	20,593,811	41,534,667	6,073,566	1,063,870	74,988	48,747,091
Employee Benefits	40,424,011	20,993,919	61,417,930	2,899,059	413,708	37,155	64,767,852
Book and Supplies	2,940,633	6,440,254	9,380,887	6,474,079	1,947,143	755	17,802,864
Services and Other Operating Expenditures	8,579,322	37,185,018	45,764,340	808,272	6,977,789	19,817,342	73,367,743
Capital Outlay	259,875	272,845	532,720	234,310	67,796,251	-	68,563,281
Other Outgo	1,187,364	-	1,187,364	-	-	53,255,505	54,442,869
Direct/Indirect Support Costs	(1,401,891)	874,694	(527,197)	527,197	-	-	-
Total Expenditures	144,746,192	119,862,431	264,608,623	19,423,908	78,198,760	73,185,745	435,417,036
INCREASE OF (DECREASE) IN FUND BALANCE RESULTING FROM OPERATIONS	28,908,728	(34,961,433)	(6,052,706)	(657,321)	(55,411,279)	2,266,137	(59,855,169)
OTHER FINANCING SOURCES AND (USES)							
Interfund Transfers In	3,796,819	-	3,796,819	1,945,654	-	-	5,742,472
Interfund Transfers Out	1,815,654	-	1,815,654	2,874,235	130,000	922,584	5,742,472
Other Sources	-	-	-	-	-	-	-
Other Uses	-	-	-	-	-	-	-
Contributions To Restricted Programs	(30,889,893)	30,889,893	-	-	-	-	-
Total Other Financing Sources and Uses	(28,908,727)	30,889,893	1,981,165	(928,581)	(130,000)	(922,584)	-
NET CHANGE IN FUND BALANCE	0	(4,071,541)	(4,071,540)	(1,585,903)	(55,541,279)	1,343,553	(59,855,169)
BEGINNING FUND BALANCE JULY 1, 2012	23,376,077	26,055,436	49,431,513	20,493,708	130,049,705	63,397,954	263,372,881
Other Restatements	-	-	-	-	-	-	-
ADJUSTED BEGINNING FUND BALANCE	23,376,077	26,055,436	49,431,513	20,493,708	130,049,705	63,397,954	263,372,881
ENDING FUND BALANCE JUNE 30, 2013	\$ 23,376,078	\$ 21,983,895	\$ 45,359,973	\$ 18,907,805	\$ 74,508,427	\$ 64,741,507	\$ 203,517,712

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
2012-2013 UNAUDITED ACTUALS REPORT - SPECIAL REVENUE FUNDS
BALANCE SHEET AND COMPONENTS OF ENDING FUND BALANCE

Schedule 3

SPECIAL REVENUE FUNDS

	ADULT EDUCATION	CHILD DEVELOPMENT	CAFETERIA	DEFERRED MAINTENANCE	SPECIAL RESERVE	TOTAL SPECIAL REVENUE FUNDS
ASSETS						
Cash in County Treasury	\$ 1,972,754	\$ 610,106	\$ 99,621	\$ 1,303,025	\$ 11,653,665	\$ 15,639,172
Cash in Banks	21,186	-	-	-	-	21,186
Revolving Fund	-	-	-	-	-	-
Cash With Fiscal Agent	-	-	-	-	-	-
Cash Collections Awaiting Deposit	-	-	750	-	-	750
Investments	3,226	-	-	-	9,346	12,572
Accounts Receivable	296,987	4,278	3,498,434	1,005	6,714	3,807,417
Due From Other Funds	-	-	-	-	-	-
Prepaid Expenditures	-	-	-	-	-	-
Stores Inventories	-	-	612,991	-	-	612,991
Total Assets	\$ 2,294,153	\$ 614,384	\$ 4,211,796	\$ 1,304,030	\$ 11,669,725	\$ 20,094,088
LIABILITIES						
Accounts Payable	228,244	64,398	500,707	-	-	793,348
Due to Other Funds	-	-	-	-	-	-
Temporary Loans	-	-	-	-	-	-
Deferred Revenue	-	392,935	-	-	-	392,935
Other Liabilities	-	-	-	-	-	-
Total Liabilities	228,244	457,332	500,707	-	-	1,186,283
FUND BALANCE						
Reserved for Revolving Fund	-	-	-	-	-	-
Reserved for Stores Inventory	-	-	612,991	-	-	612,991
Prepaid Expenditures	-	-	-	-	-	-
Restricted Balances	13,826	113,669	3,071,196	-	-	3,198,692
Committed Balances	2,052,083	-	26,902	1,304,030	-	3,383,015
Assigned Balances	-	43,382	-	-	11,669,725	11,713,107
Economic Uncertainties	-	-	-	-	-	-
Undesignated Amount	-	(0)	(0)	-	-	(0)
Total Fund Balance	2,065,909	157,052	3,711,090	1,304,030	11,669,725	18,907,805
Total Liabilities and Fund Balance	\$ 2,294,153	\$ 614,384	\$ 4,211,796	\$ 1,304,030	\$ 11,669,725	\$ 20,094,088

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
2012-2013 UNAUDITED ACTUALS REPORT - SPECIAL REVENUE FUNDS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

Schedule 4

SPECIAL REVENUE FUNDS

	ADULT EDUCATION	CHILD DEVELOPMENT	CAFETERIA	DEFERRED MAINTENANCE	SPECIAL RESERVE	TOTAL SPECIAL REVENUE FUNDS
REVENUES						
Revenue Limit Sources	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Revenues	364,091	457,811	12,392,592	-	-	13,214,494
Other State Revenues	324,771	1,658,698	883,570	1,090,587	-	3,957,626
Other Local Revenues	421,088	147,244	979,210	5,792	41,132	1,594,466
Total Revenues	1,109,950	2,263,753	14,255,373	1,096,379	41,132	18,766,587
EXPENDITURES						
Certificated Salaries	1,430,646	976,779	-	-	-	2,407,425
Classified Salaries	681,132	647,522	4,744,911	-	-	6,073,566
Employee Benefits	497,168	586,521	1,815,369	-	-	2,899,059
Book and Supplies	63,181	48,650	6,362,248	-	-	6,474,079
Services and Other Operating Expenditures	242,630	30,284	446,013	89,345	-	808,272
Capital Outlay	-	-	234,310	-	-	234,310
Other Outgo	-	-	-	-	-	-
Direct/Indirect Support Costs	46	60,739	466,412	-	-	527,197
Total Expenditures	2,914,804	2,350,496	14,069,263	89,345	-	19,423,908
INCREASE OF (DECREASE) IN FUND BALANCE RESULTING FROM OPERATIONS						
	(1,804,854)	(86,743)	186,110	1,007,034	41,132	(657,321)
OTHER FINANCING SOURCES AND (USES)						
Interfund Transfers In	1,815,654	130,000	-	-	-	1,945,654
Interfund Transfers Out	-	-	-	1,000,000	1,874,235	2,874,235
Other Sources	-	-	-	-	-	-
Other Uses	-	-	-	-	-	-
Contributions To Restricted Programs	-	-	-	-	-	-
Total Other Financing Sources and Uses	1,815,654	130,000	-	(1,000,000)	(1,874,235)	(928,581)
NET CHANGE IN FUND BALANCE	10,799	43,257	186,110	7,034	(1,833,103)	(1,585,903)
BEGINNING FUND BALANCE JULY 1, 2012	2,055,110	113,795	3,524,980	1,296,996	13,502,827	20,493,708
Other Restatements	-	-	-	-	-	-
ADJUSTED BEGINNING FUND BALANCE	2,055,110	113,795	3,524,980	1,296,996	13,502,827	20,493,708
ENDING FUND BALANCE JUNE 30, 2013	\$ 2,065,909	\$ 157,052	\$ 3,711,090	\$ 1,304,030	\$ 11,669,725	\$ 18,907,805

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
2012-2013 UNAUDITED ACTUALS REPORT - CAPITAL PROJECTS FUND
BALANCE SHEET AND COMPONENTS OF ENDING FUND BALANCE

CAPITAL OUTLAY FUNDS

ASSETS

	BUILDING	CAPITAL FACILITIES	COUNTY SCHOOL FACILITIES	SPECIAL RESERVE CAPITAL OUTLAY	TOTAL CAPITAL OUTLAY FUNDS
Cash in County Treasury	\$ 60,748,258	\$ 1,282,952	\$ 9,936,802	\$ 7,132,954	\$ 79,100,965
Cash in Banks	-	-	-	-	-
Revolving Fund	-	-	-	-	-
Cash With Fiscal Agent	6,120,512	-	-	-	6,120,512
Cash Collections Awaiting Deposit	-	-	-	-	-
Investments	1,507,313	1,165,109	-	-	2,672,422
Accounts Receivable	29,724	1,029	9,243	14,087	54,083
Due From Other Funds	-	-	-	-	-
Prepaid Expenditures	-	-	-	-	-
Stores Inventories	-	-	-	-	-
Total Assets	\$ 68,405,806	\$ 2,449,091	\$ 9,946,045	\$ 7,147,041	\$ 87,947,982

LIABILITIES

Accounts Payable	12,962,438	6,477	-	470,641	13,439,555
Due to Other Funds	-	-	-	-	-
Temporary Loans	-	-	-	-	-
Deferred Revenue	-	-	-	-	-
Other Liabilities	-	-	-	-	-
Total Liabilities	12,962,438	6,477	-	470,641	13,439,555

FUND BALANCE

Reserved for Revolving Fund	-	-	-	-	-
Reserved for Stores Inventory	-	-	-	-	-
Prepaid Expenditures	-	-	-	-	-
Restricted Balances	52,811,610	-	9,946,045	1,124,735	63,882,390
Committed Balances	-	-	-	-	-
Assigned Balances	2,631,758	2,442,614	-	5,551,664	10,626,036
Economic Uncertainties	-	-	-	-	-
Undesignated Amount	(0)	-	-	-	(0)
Total Fund Balance	55,443,368	2,442,614	9,946,045	6,676,400	74,508,427
Total Liabilities and Fund Balance	\$ 68,405,806	\$ 2,449,091	\$ 9,946,045	\$ 7,147,041	\$ 87,947,982

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
2012-2013 UNAUDITED ACTUALS REPORT - CAPITAL PROJECT FUNDS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

Schedule 6

CAPITAL OUTLAY FUNDS

	BUILDING	CAPITAL FACILITIES	COUNTY SCHOOL FACILITIES	SPECIAL RESERVE CAPITAL OUTLAY	TOTAL CAPITAL OUTLAY FUNDS
REVENUES					
Revenue Limit Sources	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Revenues	-	-	-	-	-
Other State Revenues	454,852	-	18,962,946	-	19,417,798
Other Local Revenues	950,290	1,374,767	68,168	976,459	3,369,684
Total Revenues	1,405,142	1,374,767	19,031,114	976,459	22,787,482
EXPENDITURES					
Certificated Salaries	-	-	-	-	-
Classified Salaries	1,063,870	-	-	-	1,063,870
Employee Benefits	413,708	-	-	-	413,708
Book and Supplies	1,933,831	-	-	13,311	1,947,143
Services and Other Operating Expenditures	5,675,051	236,337	-	1,066,400	6,977,789
Capital Outlay	42,843,303	5,773	24,946,405	770	67,796,251
Other Outgo	-	-	-	-	-
Direct/Indirect Support Costs	-	-	-	-	-
Total Expenditures	51,929,763	242,110	24,946,405	1,080,482	78,198,760
INCREASE OF (DECREASE) IN FUND BALANCE RESULTING FROM OPERATIONS	(50,524,621)	1,132,657	(5,915,292)	(104,023)	(55,411,279)
OTHER FINANCING SOURCES AND (USES)					
Interfund Transfers In	-	-	-	-	-
Interfund Transfers Out	-	-	-	130,000	130,000
Other Sources	-	-	-	-	-
Other Uses	-	-	-	-	-
Contributions To Restricted Programs	-	-	-	-	-
Total Other Financing Sources and Uses	-	-	-	(130,000)	(130,000)
NET CHANGE IN FUND BALANCE	(50,524,621)	1,132,657	(5,915,292)	(234,023)	(55,541,279)
BEGINNING FUND BALANCE JULY 1, 2012	105,967,989	1,309,957	15,861,336	6,910,423	130,049,705
Other Restatements	-	-	-	-	-
ADJUSTED BEGINNING FUND BALANCE	105,967,989	1,309,957	15,861,336	6,910,423	130,049,705
ENDING FUND BALANCE JUNE 30, 2013	\$ 55,443,368	\$ 2,442,614	\$ 9,946,045	\$ 6,676,400	\$ 74,508,427

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
2012-2013 UNAUDITED ACTUALS REPORT - OTHER FUNDS
BALANCE SHEET AND COMPONENTS OF ENDING FUND BALANCE

Schedule 7

OTHER FUNDS

	BOND INTEREST AND REDEMPTION	DEBT SERVICE COMPONENT UNIT (COPs)	DEBT SERVICE	SELF INSURANCE	RETIREE BENEFITS	TOTAL OTHER FUNDS
ASSETS						
Cash in County Treasury	\$ 48,106,428	\$ -	\$ -	\$ 3,996,777	\$ 6,683,851	\$ 58,787,056
Cash in Banks	-	-	-	-	-	-
Revolving Fund	-	-	-	-	-	-
Cash With Fiscal Agent	-	1,042,373	-	1,958	-	1,044,331
Cash Collections Awaiting Deposit	-	-	-	-	-	-
Investments	-	-	-	-	7,196,979	7,196,979
Accounts Receivable	19,948	-	560	2,231	7,294	30,033
Due From Other Funds	-	-	-	-	-	-
Stores Inventories	-	-	-	-	-	-
Prepaid Expenditures	-	-	-	-	-	-
Total Assets	\$ 48,126,376	\$ 1,042,373	\$ 560	\$ 4,000,965	\$ 13,888,124	\$ 67,058,399
LIABILITIES						
Accounts Payable	-	-	-	1,802,350	14,541	1,816,891
Due to Other Funds	1	-	-	-	-	1
Temporary Loans	-	-	-	-	-	-
Deferred Revenue	-	-	-	-	-	-
Other Liabilities	-	-	-	500,000	-	500,000
Total Liabilities	1	-	-	2,302,350	14,541	2,316,892
FUND BALANCE						
Reserved for Revolving Fund	-	-	-	-	-	-
Reserved for Stores Inventory	-	-	-	-	-	-
Prepaid Expenditures	-	-	-	-	-	-
Restricted Balances	-	-	-	-	29,890	29,890
Committed Balances	-	-	-	-	-	-
Assigned Balances	48,126,375	1,042,373	560	-	-	49,169,309
Economic Uncertainties	-	-	-	-	-	-
Undesignated Amount	(0)	-	-	1,698,615	13,843,693	15,542,309
Total Fund Balance	48,126,375	1,042,373	560	1,698,615	13,873,583	64,741,507
Total Liabilities and Fund Balance	\$ 48,126,376	\$ 1,042,373	\$ 560	\$ 4,000,965	\$ 13,888,124	\$ 67,058,399

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
2012-2013 UNAUDITED ACTUALS REPORT - OTHER FUNDS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

Schedule 8

OTHER FUNDS

	BOND INTEREST AND REDEMPTION	DEBT SERVICE COMPONENT UNIT (COPs)	DEBT SERVICE	SELF INSURANCE	RETIREE BENEFITS	TOTAL OTHER FUNDS
REVENUES						
Revenue Limit Sources	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Revenues	3,947,748	-	-	-	-	3,947,748
Other State Revenues	603,384	-	-	-	-	603,384
Other Local Revenues	50,036,406	-	2,771	1,759,442	19,102,132	70,900,750
Total Revenues	54,587,538	-	2,771	1,759,442	19,102,132	75,451,882
EXPENDITURES						
Certificated Salaries	-	-	-	-	-	-
Classified Salaries	-	-	-	74,988	-	74,988
Employee Benefits	-	-	-	37,155	-	37,155
Book and Supplies	-	-	-	755	-	755
Services and Other Operating Expenditures	-	-	-	1,768,918	18,048,424	19,817,342
Capital Outlay	-	-	-	-	-	-
Other Outgo	53,255,505	-	-	-	-	53,255,505
Direct/Indirect Support Costs	-	-	-	-	-	-
Total Expenditures	53,255,505	-	-	1,881,816	18,048,424	73,185,745
INCREASE OF (DECREASE) IN FUND BALANCE RESULTING FROM OPERATIONS	1,332,033	-	2,771	(122,375)	1,053,708	2,266,137
OTHER FINANCING SOURCES AND (USES)						
Interfund Transfers In	-	-	-	-	-	-
Interfund Transfers Out	-	-	922,584	-	-	922,584
Other Sources	-	-	-	-	-	-
Other Uses	-	-	-	-	-	-
Contributions To Restricted Programs	-	-	-	-	-	-
Total Other Financing Sources and Uses	-	-	(922,584)	-	-	(922,584)
NET CHANGE IN FUND BALANCE	1,332,033	-	(919,813)	(122,375)	1,053,708	1,343,553
BEGINNING FUND BALANCE JULY 1, 2012	46,794,342	1,042,373	920,373	1,820,990	12,819,875	63,397,954
Other Restatements	-	-	-	-	-	-
ADJUSTED BEGINNING FUND BALANCE	46,794,342	1,042,373	920,373	1,820,990	12,819,875	63,397,954
ENDING FUND BALANCE JUNE 30, 2013	\$ 48,126,375	\$ 1,042,373	\$ 560	\$ 1,698,615	\$ 13,873,583	\$ 64,741,507

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 11, 2013
From: Bill Fay **Agenda Item:** G.1
Associate Superintendent for Operations
Subject: Project Status Report

Background Information:

The following are provided for review of Facilities Planning and construction in the District's Bond Program and for information regarding individual projects:

- Engineering Officer's Report
- Construction Status Reports

Recommendation: For information only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

PROJECT STATUS REPORT

De Anza High School - Replacement Campus

Period Ending: 8/31/2013

Scope: Replacement Campus

Construction Status:

Architect: DLM Architects
 Project Manager: Marc Alojepan, SGI Construction Management
 Project Engineer: Verna Van, SGI Construction Management
 Contractor: Wright Contracting Inc.
 Inspector: Steve Cayson
 WCCUSD Mgr: Ferdinand Vergeire

Contract Status:

Notice to Proceed:	05/17/2010		
		Original	Approved
Construction Schedule (days):	1,080	171	1,308
Original Completion Date:	05/01/2013		
Projected Completion:	12/15/2013		

Buildings:

Building 1	Administration & Library
Building 2 & 3	Theater & Arts/Delta School
Building 4	Special Education
Building 5	Science
Building 6 & 7	Classrooms
Building 8	Gymnasium
Building 9	Cafeteria
Building 11, 12, & 13...	Lobby, Breezeway, & Entrance Structure/Portico

Progress This Period:

- All Buildings -- Furniture Installation Punch-list
- Coordination of Training for Staff
- Construction of Temporary Parking Lot
- Traffic Signage and Striping Punch-list
- Hazardous Material Abatement -- Existing Campus
- Demolition of Existing Building 400, Cafeteria, and Temporary Portables
- Implementation of SWPPP Standards at Existing Building 300 & 400

Anticipated Progress Next Period:

- Coordination of Training for Staff
- Continuation of Hazardous Material Abatement -- Existing Campus
- Demolition of Existing Building 100, 200, 300
- Continuation of SWPPP Standards at Soil Stockpile

Schedule Assessment/Update:

Construction Duration (Calendar Days):	1,308
Construction Calendar Days Elapsed:	1,198
Construction Calendar Days Remaining:	110
Percent of Contract Calendar Days Elapsed:	91%
Percent of Construction Completed:	88%

Percentage of Work Done	88%	Total Project
--------------------------------	------------	----------------------

Milestone 1: New Construction	100%
Milestone 2: Commissioning	100%
Milestone 3: Furniture & Move-In	100%
Milestone 4: Demo of (E) School	25%

Proposed Changes:

General Comment:

Demolition and Abatement of Existing School Campus is on going.

Progress Photos: 8/31/2013



De Anza HS - Demolition of Existing Campus - Cafeteria



De Anza HS - Demolition of Existing Campus - Cafeteria



De Anza HS - Demolition of Existing Campus - Building 400

PROJECT STATUS REPORT

Gompers and LPS Richmond Schools - New Construction

Period Ending: 8/26/2013

Scope: New Construction

Construction Status:

Architect: HMC Architects
 Project Manager: Gregory Smith, SGI Construction Management
 Project Engineer: Gaile Suarez, SGI Construction Management
 Contractor: Lathrop Construction Associates
 Inspector: Roy Moreno
 WCCUSD Mgr: Andrew Mixer

Contract Status:

Notice to Proceed:	08/20/2012		
		Original	Approved
Construction Schedule (days):	1,090		
Original Completion Date:	08/15/2015		
Projected Completion:	08/15/2015		

Buildings:

Building A	Leadership Public Schools
Building B	Shared Gymnasium
Building C	Gompers High School

Progress This Period:

- Building A - Steel topping out ceremony took place early August. Exterior walls started with architectural concrete and metal studs. Starter mechanical & electrical Rough-In work.
- Building B - All concrete floors have been poured.
- Building C - Under slab electrical and plumbing are ready for concrete. Metal decking is on the roof. Steel welding is in progress.

Anticipated Progress Next Period:

- Building A - Metal stud framing, architectural concrete walls, stair installation, rough mechanical, electrical, and plumbing continues.
- Building B - Stair installation, roofing over gym and overhead MEP.
- Building C - Pour remaining concrete floors

Schedule Assessment/Update:

Construction Duration (Calendar Days):	1,090
Construction Calendar Days Elapsed:	371
Construction Calendar Days Remaining:	719
Percent of Contract Calendar Days Elapsed:	34%
Percent of Construction Completed:	34%

Percentage of Work Done **34%** **Total Project**

Proposed Changes:

General Comment:

Progress Photos: 8/26/2013



Building A - metal stud framing



Building B - gym slab



Building C - underslab electrical

PROJECT STATUS REPORT

Grant Elementary - Fire Alarm Modernization

Period Ending: 8/22/2013

Scope: Installation of new fire alarm system and demolition of existing fire alarm system.

Construction Status:

Architect: Hamilton+Aitken Architects
 Project Manager: Toby Black, SGI Construction Management
 Project Engineer:
 Contractor: BBJ Electric
 Inspector: Kris Gilbert
 WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed: 6/17/2013

	Original	Approved	Projected
Construction Schedule (days):	150	150	106
Original Completion Date:	11/14/2013		
Projected Completion:	10/1/2013		

Buildings:

Mobilization	Equipment, Materials, Containers
Rough-in	Layout, pulling of cable, device installation
Abatement	Buildings and Portables
Demolition	Existing Fire Alarm System
Completion	Fire Alarm Testing & Training

Progress This Period:

- Hazmat Abatement in the Multipurpose Building
- Pull Cabling throughout the School
- Install devices and fire alarm panel
- Pre-testing

Anticipated Progress Next Period:

- Final testing
- Demolition of existing fire alarm system
- Close out

Schedule Assessment/Update:

Construction Duration (Calendar Days):	150
Construction Calendar Days Elapsed:	66
Construction Calendar Days Remaining:	84
Percent of Contract Calendar Days Elapsed:	44%
Percent of Construction Completed:	96%

Percentage of Work Done **96 %** **Total Project**

Mobilization	100%
Rough-in	95%
Abatement	100%
Demolition	0%

Proposed Changes:

Installation of additional heat detectors not shown on the addendum per ASI#1.

General Comment:

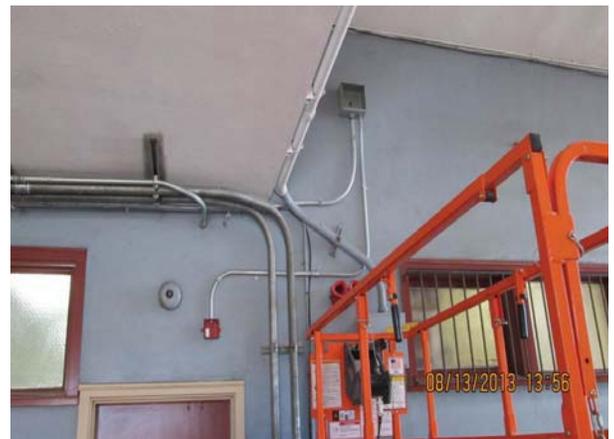
Progress Photos: 8/22/2013



New Fire Alarm Panel Box in Administration Office



New Access Panel and Device Boxes in MPR



New Junction Box and Device Box outside of Admin. Bldg.

PROJECT STATUS REPORT

Grant Elementary - Restroom Renovations

Period Ending: 8/23/2013

Scope: Remodel of 4 existing restrooms

Construction Status:

Architect: Hamilton+Aitken Architects
 Project Manager: Toby Black, SGI Construction Management
 Project Engineer:
 Contractor: AM Woo Construction
 Inspector: Kris Gilbert
 WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed: 6/24/2013

	Original	Approved	Projected
Construction Schedule (days):	120	120	85
Original Completion Date:	10/23/2013		
Projected Completion:	9/16/2013		

Buildings:

Mobilization	Equipment, Materials, Containers
Start-Up	Preperation, removal of fixtures & accessories, installa...
Abatement	N/A
Demolition	Existing flooring and finishes
Completion	installation of new tile, flooring, new accessories

Progress This Period:

- Installation of grout in all restrooms
- Installation of new epoxy flooring in all restrooms
- Installation of new hand dryers in all restrooms
- Re-install all fixtures and accessories

Anticipated Progress Next Period:

- Punch list
- Close out

Schedule Assessment/Update:

Construction Duration (Calendar Days):	120
Construction Calendar Days Elapsed:	52
Construction Calendar Days Remaining:	68
Percent of Contract Calendar Days Elapsed:	43%
Percent of Construction Completed:	99%

Percentage of Work Done	99 %	Total Project
Mobilization		100%
Start-Up		99%
Abatement		N/A
Demolition		100%
Completion		99%

Proposed Changes:

General Comment:

Progress Photos: 8/23/2013



Girl's Restroom 404



Boy's Restroom 402



Girl's Restroom 524

PROJECT STATUS REPORT

Helms Middle School - Sports Field and Landscaping

Period Ending: 8/27/2013

Scope: Sports Field and Landscaping Project

Construction Status:

Architect: Baker Vilar Architects
 Project Manager: Hector DeLeon, SGI Construction Management
 Project Engineer: Maria Zupo, SGI Construction Management
 Contractor: Robert A. Bothman, Inc.
 Inspector: Brad Williamson
 WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed:	1/7/2013		
	Original	Approved	Projected
Construction Schedule (days):	395	0	455
Original Completion Date:	02/06/2014		
Projected Completion:	5/12/2014		

Buildings:

Building 1	Boys & Girls Restrooms
Building 2	Storage Building
Building 2	Community Center Pad Prep.

Progress This Period:

- Perimeter drain and curb around the track have been completed.
- All the rough plumbing and electrical are in place for the Restroom and Storage buildings.
- Both slabs are ready to be poured.
- The irrigation system is approximately 80% complete.
- Electrical conduits for the pedestrian lights and the future field lights are complete.

Anticipated Progress Next Period:

- Asphalt paving will be placed on the track and the western parking lot.
- Construction of the storage and restroom building walls will be underway.
- Weather permitting, the track coating will be applied.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	395
Construction Calendar Days Elapsed:	234
Construction Calendar Days Remaining:	161
Percent of Contract Calendar Days Elapsed:	59%
Percent of Construction Completed:	45 %

Percentage of Work Done 45% Total Project

Retaining Walls	96%	8%
Non-Expansive Fill	100%	10%
Import Soil	98%	10%
Community Center Bldg. Pad	100%	10%
Track & Field Prep	60%	15%
West & North Parking lot	35%	10%
Concrete Curbs & Flatwork	20%	15%

Proposed Changes:

There are changes to the communication underground conduits to accommodate the future field lights, security cameras, the school bell and intercom systems. The irrigation system was changed to create a loop system, which will tie into the new school campus.

General Comment:

Work is proceeding at a good pace. The contractor is moving quickly on the preparation of the track and field to get both the track coating and the synthetic carpet down before the fall weather.

Progress Photos: 8/27/2013



Perimeter drain, hose reel and AB placed on track



Electrical light footing and tree wells in place



Storage Building moment frame up with formwork for slab

PROJECT STATUS REPORT

Lake Elementary - Fire Alarm Modernization

Period Ending: 8/22/2013

Scope: Installation of new fire alarm system and demolition of existing fire alarm system.

Construction Status:

Architect: Hamilton+Aitken Architects
 Project Manager: Toby Black, SGI Construction Management
 Project Engineer:
 Contractor: BBJ Electric
 Inspector: Kris Gilbert
 WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed: 6/17/2013

	Original	Approved	Projected
Construction Schedule (days):	150	150	106
Original Completion Date:	11/14/2013		
Projected Completion:	10/1/2013		

Buildings:

Mobilization	Equipment, Materials, Containers
Rough-in	Layout, installation, cable pulling, device installation
Abatement	Buildings and Portables
Demolition	Existing Fire Alarm System
Completion	Fire Alarm Testing & Training

Progress This Period:

- Install Devices
- Programming New Fire Alarm Panel
- Pre-testing of new fire alarm system

Anticipated Progress Next Period:

- Final testing of new fire alarm system
- Demolition of existing fire alarm system
- Close out

Schedule Assessment/Update:

Construction Duration (Calendar Days):	150
Construction Calendar Days Elapsed:	66
Construction Calendar Days Remaining:	84
Percent of Contract Calendar Days Elapsed:	44%
Percent of Construction Completed:	96%

Percentage of Work Done	96 %	Total Project
Mobilization		100%
Rough-in		96%
Abatement		100%
Demolition		0%

Proposed Changes:

Installing 36" of new underground conduit to replace blocked conduit between the MPR and the Library.

General Comment:

Progress Photos: 8/22/2013



New Fire Alarm Panel Box in Admin. Bldg. as of 8/6/13



New Horn strobe and Smoke Detector in Kindergarten Bldg.



New Smoke Detector, Horn strobe, and J-box in Storage Room

PROJECT STATUS REPORT

Lake Elementary - Restroom Renovations

Period Ending: 8/22/2013

Scope: Remodel of 4 existing restrooms

Construction Status:

Architect: Hamilton+Aitken Architects
 Project Manager: Toby Black, SGI Construction Management
 Project Engineer:
 Contractor: AM Woo Construction
 Inspector: Kris Gilbert
 WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed: 6/24/2013

	Original	Approved	Projected
Construction Schedule (days):	120	120	85
Original Completion Date:	10/23/2013		
Projected Completion:	9/16/2013		

Buildings:

Mobilization	Equipment, Materials, Containers
Start-Up	Preparation, removal of fixtures & accessories
Abatement	N/A
Demolition	Existing flooring and finishes
Completion	installation of new tile, flooring, new accessories

Progress This Period:

- Installation of grout in all restrooms
- Installation of new hand dryers in all restrooms
- Installation of new window glazing in two restrooms
- Re-install existing cleaned accessories and fixtures

Anticipated Progress Next Period:

- Punch list
- Closeout

Schedule Assessment/Update:

Construction Duration (Calendar Days):	120
Construction Calendar Days Elapsed:	52
Construction Calendar Days Remaining:	68
Percent of Contract Calendar Days Elapsed:	43%
Percent of Construction Completed:	99%

Percentage of Work Done	99 %	Total Project
Mobilization		100%
Start-Up		99%
Abatement		N/A
Demolition		100%
Completion		99%

Proposed Changes:

General Comment:

Progress Photos: 8/22/2013



Boy's Restroom 22



Girl's Restroom 21



Girl's Restroom 21

PROJECT STATUS REPORT

Nystrom Elementary - Abatement & Selective Demolition

Period Ending: 8/27/2013

Scope: Abatement and selective interior demo of main two-story building and full demo of kindergarten building, multi-purpose room and boiler room

Construction Status:

Architect: Andrew Butt, Interactive Resources
 Project Manager: Eddie Law, SGI Construction Management
 Project Engineer: Verna Van, SGI Construction Management
 Contractor: Performance Abatement Services
 Inspector: Mark Eriksen
 WCCUSD Mgr: Andrew Mixer

Contract Status:

Notice to Proceed: 5/13/2013

	Original	Approved	Projected
Construction Schedule (days):	185	0	0
Original Completion Date:	11/14/2013		
Projected Completion:	11/14/2013		

Buildings:

Building A Main Classroom Building & Boiler Room
 Building B Kindergarten Classroom Building
 Building D Multi-Use Building

Progress This Period:

- Boiler Room - Demolished, debris off-hauled and graded with crushed concrete
- Multi-Use Room - Graded with crushed concrete
- Elevator Tower - Back-filled and compacted
- Main Classroom Building - Abatement completed and cleared by hygienist. Selective demo on-going and off-haul of debris.
- Lead paint removal from historical wood trims on-going.

Anticipated Progress Next Period:

- Main Classroom Buildings - Selective demo and off-haul of debris. Final clean.
- Punch walk

Schedule Assessment/Update:

Construction Duration (Calendar Days):	185
Construction Calendar Days Elapsed:	106
Construction Calendar Days Remaining:	79
Percent of Contract Calendar Days Elapsed:	57%
Percent of Construction Completed:	82 %

Percentage of Work Done **82 %** **Total Project**

Proposed Changes:

General Comment:

Hard demolition completed - there will be no noise nor dust that will impact school in session.

Progress Photos: 8/27/2013



Boiler Room Demolition



Grade Demolished Multi-Use Area



Lead Paint Removal of Historical Wood Trims

PROJECT STATUS REPORT

Ohlone Elementary School - West Campus

Period Ending: 8/27/2013

Scope: Ground up Construction of 2 buildings, landscaping and play grounds. Phase I & II.

Construction Status:

Architect: Powell & Partners
 Project Manager: Sonya Perkins, SGI Construction Management
 Project Engineer: Paul Orr, SGI Construction Management
 Contractor: Zovich & Sons Construction Company
 Inspector: Mark Eriksen
 WCCUSD Mgr: Ferdinand Fergeire

Contract Status:

Notice to Proceed: 08/01/2011

	Original	Approved	Projected
Construction Schedule (days):	720		1,151
Original Completion Date:	7/20/2013		
Projected Completion:	3/20/2014		

Buildings:

Bldg. A New Construction- 2 Story Bldg. / Admin & Classrooms
 Bldg. B Classrooms & Restrooms

Progress This Period:

- Building A:
- Technology trim, scratch & brown coat Canopy 3, poured 2nd floor restrooms, install tile in LVL 1 restrooms, expansion joint installation, sunshades installation continues, install railings at stair wells, interior painting, pull ext. cables, install light fixtures, utility pad poured, switchgear installed in preparation for PG&E next week to power up building.
- Building B:
- Install downspouts to tie into SD, sunshades installation continues, interior painting & install light fixtures. Site work/rough & finish grading/form curbs, underground irrigation installation, retaining wall footings poured (S), and fence layouts. Removal of counter flashing for resin repairs, floor prepping, install tile in restrooms, metal roofing continues.

Anticipated Progress Next Period:

- Prepare for PG&E to power up the buildings, complete stucco on Canopy #3, metal roof installation continues, resin coating repairs continues, site work/finish grading, retaining wall, start interior finishes (flooring, cabinets, wall panels, ceiling tiles, plumbing fixtures,) commissioning/power/hvac, irrigation installation continues & off- haul dirt.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	1,064
Construction Calendar Days Elapsed:	618
Construction Calendar Days Remaining:	446
Percent of Contract Calendar Days Elapsed:	58%
Percent of Construction Completed:	67%

Percentage of Work Done **67%** **Total Project**

Proposed Changes:

General Comment:

Overall the project is progressing.

Progress Photos: 8/27/2013



Building B Restroom Mortar Installation



Building B Sunshade Installation



Utility Yard Pad Pour

PROJECT STATUS REPORT

Peres Elementary School - Modernization

Period Ending: 8/27/2013

Scope: The modernization project consists of renovating nine (9) existing buildings to bring the entire school to current structural and architectural standards.

Construction Status:

Architect: Craig Durand, HY Architects
 Project Manager: Rod Sias, SGI Construction Management
 Project Engineer:
 Contractor: Cal-Pacific Construction, Inc.
 Inspector: Kris Gilbert
 WCCUSD Mgr: Andrew Mixer

Contract Status:

Notice to Proceed:	8/2/2012		
	Original	Approved	Projected
Construction Schedule (days):	78		225
Original Completion Date:	10/19/2012		
Projected Completion:	3/10/2013		

Buildings:

Renovation of existing buildings.

Progress This Period:

- Modernization Punchlist – IN PROGRESS.
- DSA Closeout – IN PROGRESS.

Anticipated Progress Next Period:

Schedule Assessment/Update:

Construction Duration (Calendar Days):	225
Construction Calendar Days Elapsed:	368
Construction Calendar Days Remaining:	-143
Percent of Contract Calendar Days Elapsed:	163%
Percent of Construction Completed:	99%

Percentage of Work Done	99%	Total Project
--------------------------------	------------	----------------------

Building B - Administration	99%	5%
Building D -Multi-purpose room-	99%	5%
Restrooms - F1, F2, I1 (B & G)	99%	30%
New Canopy	99%	30%
Site Work/Asphalt/Tree Removal	99%	10%
Exterior Painting	99%	20%

Proposed Changes:

General Comment:

General Contractor & District are reviewing and negotiating Time Extension request related to the Canopy delivery.

Progress Photos: 8/27/2013



Restroom Punchlist - IN PROGRESS



Canopy Punchlist - IN PROGRESS



Tree Replacement Punchlist - IN PROGRESS

PROJECT STATUS REPORT

Portola Middle School - New Campus

Period Ending: 8/31/2013

Scope: New Campus Project

Construction Status:

Architect: HY Architects
 Project Manager: Jose Chapa, SGI Construction Management
 Project Engineer: Rene Barrera, SGI Construction Management
 Contractor: Arntz, Builders, Inc.
 Inspector: Steve Cayson
 WCCUSD Mgr: Ferdie Vergeire

Contract Status:

Notice to Proceed: 5/13/2013
Original Approved Projected
 Construction Schedule (days): 960
 Original Completion Date: 12/29/2015
 Projected Completion: 12/29/2015

Buildings:

Progress This Period:

- Grading cuts for Site Hardscape on Zone 3 - 70% .
- Interior Demolition of Bldgs A&C 1st floor 100%.
- Lowering of Building A Basement Slab & Footings 60%.
- Hardscape Demolition 100%.
- Grade Cut for Building D floor slab 50%
- Installation of Main RWL North Line 60%.

Anticipated Progress Next Period:

- Installation of Sanitary Sewer & Water Line on zone 1.
- Frame Interior Walls on Building A.
- Roof Blocking and Shear Walls Bldg. A.
- Exterior concrete basement wall pour.
- Trench and Install of SD line south of Bldg. D.
- Stake and grade cut on Zone 2.
- Rebar and Concrete on Basement Columns Bldg. A..

Schedule Assessment/Update:

Construction Duration (Calendar Days): 960
 Construction Calendar Days Elapsed: 106
 Construction Calendar Days Remaining: 854
 Percent of Contract Calendar Days Elapsed: 11%
 Percent of Construction Completed: 12%

Percentage of Work Done 12% Total Project

Abatement	100%
Site Demolition	100%
Site Grading	35%
Utilities (SD,SS,W,G, FW)	5%
Bldg A	3%

Proposed Changes:

AOR released CCDs 1 - 4 Addressing Utility connectivity to Building Structures not explicitly shown on Contract Documents.

General Comment:

Encroachment to Castro Park has concluded for this period, Sodding activities are currently underway.

Progress Photos: 8/31/2013



Lowering of Building A Basement Slab & Footings 30%.



Hardscape Demolition 90%.



Installation of Main RWL 10%.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 11, 2013

From: Sheri Gamba *AG*
Associate Superintendent Business Services

Agenda Item: G.2

Subject: Bond Finance – Bond Sale Planning and Review of Outstanding Bonds and Refunding Analysis

Background Information:

Dave Olsen of KNN Public Finance will review the plan for an October bond sale which will consist of issuance under both Measure D 2010 and Measure E 2012. Mr. Olson will also present the Board with information on the current outstanding bonds with an analysis of potential refunding opportunities. Refunding opportunities identified to be within the Board's parameters will be highlighted.

Recommendation: For Discussion

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____