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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: [http://www.wccusd.net/board/APM\\_index.shtml](http://www.wccusd.net/board/APM_index.shtml)

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.

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Live television broadcast of regularly scheduled Board meetings is temporarily suspended due to construction at the Richmond KCRT Channel 28 and the City of Hercules Cable Channel 28. The City of Hercules will be adjusting its schedule of rebroadcast 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.

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**E C D**

Comment: The District has received donations as summarized dated September 16, 2009. The estimated values for any non-cash donations (as indicated by an asterisk) are those provided by the donor.

Recommendation: Recommend Approval

Fiscal Impact: As noted per donations summary

**E C W**

Comment: Payroll and Vendor Warrants issued during the month of August, 2009 are summarized.

Total of payroll warrants: \$ 5,219,765  
Total of vendor warrants: \$ 11,925,531

Recommendation: Recommend approval of the payroll and vendor warrant reports

Fiscal Impact: As noted above

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Comment: A substantial Completion Notice has been received for:

Bid J068161, J068115, J068113, J068124, J068151, E068178, E068169, E068175, E068153, J06810, J068118.

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:

- Demo Masters, J068161 Pinole Middle Demolition-Hazmat
- A&E Emaar, J068115 Pinole Middle Utility Installation of Interim Kitchen
- Bay Cities Paving & Grading, J068113 DeAnza HS Utilities, Gymnasium, And Site Work
- Ionian Construction Inc. J068124 Kennedy HS Painting of Exterior Walls
- Trinet Construction, J068151 Dover ES Site Work Phase II
- ERA Construction, E068178 Coronado Elementary Plumbing / Countertops
- Chain Link Fence & Supply, Inc., E068169 Coronado Fence & Gate Replacement
- Streamline Builders, E068175 Coronado Elementary Ceiling Tile Replacement
- WR Forde Associates, E068153 Coronado Elementary Portable Replacement



\$1,676,000; Bay Construction \$1,675,000; BRCO Constructors \$1,659,000; DL Falk Construction \$1,609,000; Evra Construction \$1,570,000; and, JDS Builders Group \$1,570,000. There are two bidders tied as lowest responsive, responsible bidders. They are Evra Construction and JDS Builders Group at \$1,570,000.

Subsequent to the bids, and within the timeframe allowed in the contract documents, a bid protest was received from the second low bidder. The protest raised an issue related to subcontractor listings by the low bidder and alleged that the bid wa

existing paving. The bid documents also included Bid Alternate #1 for the full removal and replacement of all asphalt at the site. Alternate #1 will provide the district with a far superior surface and will more than double the useable life of the playground. The bid analysis proved that the contractor bid amount, which reflects the scope of work represented in the said Bid Alternate, would still be deemed the lowest responsive bid. Staff subsequently directed the Contractor to proceed with the Bid Alternate #1 work. Given the very rapid time frame of the project, it was not possible for staff to return to the Board for a prior approval of this action. By approval of this item, the Board ratifies staff's action to award Bid Alternate #1 and adjusts the contract with O.C Jones, Inc. in the net amount of \$92,000.

Recommendation: Ratify staff action amending approved contract for construction to award Bid Alternate #1

Fiscal Impact: \$92,000. Funded by the Emergency Repair Program.



Comment: The fire alarm system at Kennedy High School has not been upgraded since the original construction of the school. The existing system does not meet current code requirements and lacks a number of important features. The upgrade to the system includes a new head end, heat and smoke detectors, pull stations, and horn/strobe devices. The work involves extensive rewiring which will penetrate existing walls and ceilings where hazardous materials may be present. The scope includes abatement of hazardous materials, monitoring, and air testing/clearance for occupancy.

Powell and Partners Architects prepared plans and specifications for the Kennedy High School Fire Alarm project. The project has been approved by the Division of State Architect. This project has been previously bid; however, due to irregularities, the Board rejected all bids at its meeting on July 29, 2009, and authorized staff to rebid the project.

The District has conducted a new public bid process for the project. Bids were received on August 25, 2009. Five contractors submitted bids. They are as follows: Gold Spring Construction \$810,642; Mike Brown Electric \$717,044; R.A.N. Electric \$688,000; ERA Construction \$637,000; and Emard Electric \$516,500. The lowest responsive, responsible bidder is Emard Electric at \$516,500.

Subsequent to the bids, and within the timeframe allowed in the contract documents, a bid protest was received from the second low bidder. The protest raised an issue related to subcontractor listings by the low bidder and alleged that the bid was non-responsive. The District received a response to the allegations from the low bidder. The protest and response, along with all bid documents, were reviewed by legal counsel and it was determined that none of the allegations constituted grounds to declare the low bidder non-responsive. The protesting bidder has agreed not to press the protest further. Therefore the lowest responsive, responsible bidder remains Emard Electric at \$516,500.

Recommendation: Award contract to the lowest responsive, responsible bidder

Fiscal Impact: \$516,500. Funded from the Measure J Bond.



Comment: The next step in completing the full renovation of Pinole Middle School, in accordance with the Board's approved Master Plan, is to begin renovations and modernization of the original main







**D B**

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  
Bayside Parent Teacher Association  
Citizens’ Bond Oversight Committee  
Community Budget Advisory Committee  
Facilities Subcommittee  
Ivy League Connection  
Safety Committee  
Special Education Citizens Advisory Committee  
Youth Commission

Public Employees Local 1  
School Supervisors Association  
United Teachers of Richmond  
West Contra Costa Administrators Association

\* **D B**


Comment: In an ongoing effort to provide health education and services to the students of West Contra Costa Unified School District, Health Center coordinators will report on the programs and services that are currently being offered.

Recommendation


Our thoughts go out to the family and friends in the loss of their loved one.


Recommendation: For Information Only

Fiscal Impact: None

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

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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.  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.

E 

Comment: Dr. Habash has requested to speak about rights for children in special education.

Fiscal Impact: None

\* E [redacted] [redacted] [redacted]

Comment: Education Code Section 42132 specifies that school district governing boards shall adopt a resolution identifying their annual appropriations limit for the preceding fiscal year, known as the Gann Limit. It establishes limits on allowable growth in government spending.

Recommendation: Staff requests board adoption of the 2008-09 and 2009-10 annual appropriations.

Fiscal Impact: None

\* F [redacted] [redacted] [redacted]

Comment: District and SSA Collective bargaining proposals were sunshined for the 2008-09 year. Tentative Agreement has been reached with representatives of the SSA. A copy of the Tentative Agreement is provided. The SSA has ratified the Agreement. It is now presented to the Board of Education for ratification.

School districts are required to publicly disclose the provisions of all collective bargaining agreements before they ratify an agreement. This ensures that the public is aware of the details associated with a tentative collective bargaining agreement before it becomes binding on the district. A summary of the savings associated with the agreement is provided. This summary has also been provided to the County Office of Education.

The Board will receive public comment on the proposed contract changes and salary adjustments before the Board votes to ratify the Agreement.

We want to take this occasion to thank the representatives of both groups for their time and effort in reaching this accord.

Recommendation: Recommend that the Board of Education ratify the Tentative Agreement between the West Contra Costa Unified School District and the SSA

Fiscal Impact: Savings of \$263,631 estimated for the 2009-10 budget

\* F [redacted] [redacted] [redacted]

Comment: District and WCCAA Collective bargaining proposals were sunshined for the 2008-09 year. Tentative Agreement has been reached with representatives of the WCCAA. A copy of the Tentative Agreement is provided. The WCCAA has ratified the Agreement. It is now presented to the Board of Education for ratification.

School districts are required to publicly disclose the provisions of all collective bargaining agreements before they ratify an agreement. This ensures that the public is aware of the details associated with a tentative collective bargaining agreement before it becomes binding on the district. A summary of the

savings associated with the agreement is provided. This summary has also been provided to the County Office of Education.

The Board will receive public comment on the proposed contract changes and salary adjustments before the Board votes to ratify the Agreement.

We want to take this occasion to thank the representatives of both groups for their time and effort in reaching this accord.

Recommendation: Recommend that the Board of Education ratify the Tentative Agreement between the West Contra Costa Unified School District and the WCCAA

WCCUSD Board of Education  
Meeting Agenda – September 16, 2009



c. Unrepresented Employees

- Confidential and Management

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(Government Code Section 54957)

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(Education Code Section 35146)

a. Expulsions

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(Government Code Section 54957)

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