



KERN HIGH SCHOOL DISTRICT

5801 Sundale Avenue
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(661) 827-3154 FAX: (661) 827-3301

BOARD OF TRUSTEES

Regular Meeting
August 4, 2008

OFFICIAL MINUTES

PRELIMINARY

Call to Order

The August 4, 2008 Regular Meeting of the Board of Trustees of the Kern High School District was called to order at 6:26 p.m. by Board President, J. Bryan Batey, in Conference Room 'A' of the Administrative and Support Services Office, Kern High School District, 5801 Sundale Avenue, Bakersfield.

Members Present:

J. Bryan Batey, President
Joel Heinrichs, Vice President
Ken Mettler, Clerk
Bob J. Hampton, Member (*Attended Open Session Only*)
Chad Vegas, Member

Member(s) Absent:

None

Administrative Staff Member(s) Present:

Donald E. Carter, Superintendent
Dennis Scott, Associate Superintendent, Business
William R. Jones, Assistant Superintendent, Personnel
Joe Thompson, Assistant Superintendent, Instruction
Rebecca A. Shipley, Administrative Assistant to the Board of Trustees and Superintendent

Administrative Staff Member(s) Absent:

None

Adoption of Agenda For Closed Session

Superintendent Carter announced no changes have been made to the Closed Session agenda and asked for Board action to adopt. It was moved by Trustee Hampton, seconded by Trustee Mettler and carried that the agenda for Closed Session be adopted.

Hearing of Citizens on Closed Session Agenda

President Batey asked if any citizen was present who wished to address the Board of Trustees on any item to be considered in Closed Session. Hearing no request to make comments, the Board adjourned to Closed Session at 6:26 p.m.

ADJOURNMENT TO CLOSED SESSION

**Adjournment to
Closed Session**

The following Closed Session agenda items were considered by the Board of Trustees:

Discussion of Student Matters

Student Expulsions and/or Reinstatements Report, 8th Grade Expulsion
Recommendations

Conference with Agency Labor Negotiator, William R. Jones, Regarding Collective
Bargaining Agreements with Employee Groups

Public Administrative Employee Appointment(s):

A. Director of Career Technical Education, Instruction Division

Conference with Legal Counsel – Anticipated Litigation:

Significant exposure to litigation pursuant to Subdivision (b) of
Section 54956.9: One Case

ADJOURNMENT FROM CLOSED SESSION

**Adjournment from
Closed Session**

The Board of Trustees adjourned Closed Session at 7:00 p.m.

RECONVENING IN OPEN SESSION

**Reconvening in
Open Session**

The Board of Trustees reconvened in Regular Session at 7:12 p.m. in the Board Room of the Kern High School District Administrative and Support Services Office.

Flag Salute

Jan Graves, Foothill High School teacher, led the Board of Trustees and members of the audience in the flag salute.

**Adoption of
Final Agenda**

It was moved by Trustee Heinrichs, seconded by Trustee Vegas and carried that the Final Agenda be approved with changes as announced by Superintendent Carter.

**Approval of Minutes
from Regular Board
Meeting of June 23,
2008, and, Special
Board Meetings of
June 23, 2008 and
July 22, 2008**

It was moved by Trustee Hampton, seconded by Trustee Vegas and carried that the minutes from the Regular Meeting of June 23, 2008, and the Special Meetings of June 23, 2008 and July 22, 2008, be approved as mailed.

REPORT FROM CLOSED SESSION

**Report from
Closed Session**

In Closed Session, the Board of Trustees appointed Scott Cole to the position of Director of Career Technical Education in the Instruction Division effective August 5, 2008. Scott Cole has extensive experience with the Kern High School District in the field of technology and

Virtual Enterprise, a school-to-career program. Scott currently serves as the Assistant Principal of Instruction at Liberty High School.

A special Board of Trustees meeting has been scheduled for 8:30 a.m. on Friday, August 15, 2008. The next Regular Board of Trustees meeting is scheduled for **Tuesday**, September 2, 2008. Please note that this meeting will be held on a Tuesday due to the Labor Day Holiday on Monday.

**Student Expulsions
and/or
Reinstatements
Report**

The Board of Trustees received the recommendations from the Kern High School District Pupil Personnel Services Department to uphold the expulsion recommendations for 11 students who were expelled during their 8th grade year, including one (1) student from Panama-Buena Vista School District and ten (10) students from Bakersfield City Elementary School District. The terms of the expulsions call for enrollment in high school in October or December of 2008, or May 27, 2009. It was moved by Trustee Heinrichs, seconded by Trustee Vegas and carried that the recommendations for expulsions be approved as presented.

SUPERINTENDENT'S REPORT

**Recognition of
Shafter High School
Student Anastasia
Jelmini for State
Track
Accomplishments**

Shafter High School student, Anastasia Jelmini, was recognized by Trustees for being a Dual State champion in both the Discus and the Shot Put. This feat has only been accomplished by three other girls, the last of which was in 1998. Miss Jelmini has qualified for the 2008 Olympic Team trials with the 19th best Discus throw in the country by any thrower, including high school, collegiate, or Olympic class. Shafter High School principal, John Davis, reported that "Ana" works exceptionally well in the classrooms and her teachers report she is humble and respectful while on campus. "She is truly an exceptional kid in a lot of ways...and not just in the classroom or the track field."

Anastasia's coach, Matt Godbehere, thanked Trustees for their recognition of the student, and also reported she is "...an exceptional young lady and student." On behalf of the Board of Trustees, Board President Batey and Superintendent Carter presented Anastasia with a framed Certificate of Excellence.

**Recognition of
Foothill High School
Student Dayshan
Ragans for State
Track
Accomplishments**

Foothill High School student, Dashan Ragans, was recognized also for his Dual State Championship first place wins at the State Championship held May 30-31, 2008 in Cerritos, California. Dashan is a four-year varsity letterman and was undefeated throughout the season in both events. He peaked the season with throws of 203 feet 7 inches in the Discus and 63 feet 7.75 inches in the shot. Both throws put him on the all-time lists in the history of the Central Section. Foothill High School principal, Mrs. Brenda Lewis, thanked Trustees for recognizing Dashawn Winston for his accomplishments. She reported her pleasure in getting to know Dashawn, "...a very humble and respectful young man. He has also done well in the classroom." Foothill High School instructor, Arron Reitz, talked to Trustees about the hard work Dashawn has put into the track and field competitions.

On behalf of the Board of Trustees, Board President Batey and Superintendent Carter presented Principal Lewis with a framed Certificate of Excellence to be presented to Dashawn at a later date.

Superintendent's Comments on District Activities

**Superintendent's
Comments on
District Activities**

Superintendent Carter reported that all staff will be officially be back on duty next Wednesday to prepare for the opening of the 2008-2009 school year on August 18, 2008.

COMMUNICATIONS

Communications

No communications were shared with Trustees at the Board meeting. Superintendent Carter reported that all communications received for the Board of Trustees have been forwarded to the Trustees under separate cover.

HEARING OF CITIZENS

Hearing of Citizens

Two requests were submitted to address the Board of Trustees, and both items were held until the related agenda topics were presented to the Board later in the meeting.

REPORTS

Reports of District Organizations

**Kern High School
Teachers'
Association**

No report

**Counselors'
Association**

No report

**California School
Employees Assoc.,
Chapter #81**

Absent

**California School
Employees Assoc.,
Chapter #747**

Absent

**Management
Advisory Council**

No report.

**Skilled Trades
Union**

Absent

Supervisory Union

Absent

BOARD OF TRUSTEE REPORTS, INQUIRIES AND/OR ITEMS FOR ACTION

**Board of Trustee
Reports and/or
Inquiries**

No reports.

**Presentation of
Proposal for New
Board Policy
Regarding Policy
#103, Limits of
Board Member
Authority**

Trustee Vegas is requesting that the Board of Trustees approve a proposed change to Board Policy #103, Limits of Board Member Authority:

103 Limits of Board Member Authority

- 103.1.1 The Board of Trustees, as a governing body, has broad but clearly limited powers. The exercise of its authority is restricted to the functions required or permitted by state law, and then only when it acts in a legally constituted meeting.
- 103.1.2 The Board of Trustees is the unit of authority. Apart from the normal function as part of the unit, the Board member has no individual authority. Individually, the Board member may not commit the district to any policy, act, or expenditure. No individual member of the Board, by virtue of holding office, shall exercise any administrative responsibility with respect to the schools, nor, as an individual, command the services of any school employee. Board members who visit schools of their own volition have no more authority than any other citizen. Board members may have authority only in regularly called meetings of the Board of Trustees, or when delegated specific tasks by Board action.
- 103.1.3 *Trustees, as elected representatives of the people, in an effort to promote open, transparent government, shall be afforded the opportunity to observe and access Kern High School District practices, meetings, interviews, instruction, facilities and public records with a courtesy appointment.*
- 103.1.4 A Board member may not serve as a volunteer aide or be an employee in the district. In addition, the Board member cannot do business with the Kern High School District, nor should the Board member have an interest in any contract with the Kern High School District in general.
- 103.1.5 The Board member does not represent any factional segment of the community, but is rather a part of the body which represents and acts for the community as a whole.

Trustee Vegas reported, "This is basically a renewal which was placed in the Administrative Code policy several months ago." He read the proposed additional language and reported this new policy was approved by the Board of Trustees at the September 2007 Regular meeting with an expiration date of June 1, 2008.

SUPERINTENDENT'S OFFICE

No items

INSTRUCTIONAL SERVICES

Report on Western Association for Schools and Colleges (WASC) Term Recommendations for Golden Valley High School, West High School and the Regional Occupational Center

Copies of letters from the Accrediting Commission for Schools/Western Association of Schools and Colleges (WASC) announcing accreditation terms for District high schools were shared with Trustees by Associate Superintendent Thompson.

Golden Valley High School has received a six-year term of accreditation with a midterm review, expiring on June 30, 2014.

West High School has received a six-year term of accreditation with a midterm review, expiring on June 30, 2014.

The Kern High School District's Regional Occupational Centers/Program has also received a six-year term of accreditation, expiring on June 30, 2014.

Courses of Study

Courses of Study for North High School were presented to the Board of Trustees for information only. The courses of study will be on file in the Division of Instruction and available for public inspection until the next regular Board of Trustees meeting, when they will be presented for action to approve.

PERSONNEL SERVICES

Personnel Report

It was moved by Trustee Hampton, seconded by Trustee Vegas and carried that the Personnel Report be approved as presented.

Approval of Additional Post-Retirement Project for the 2008-2009 School Year

In accordance with the 2006-2009 Collective Bargaining Agreement, each prospective post-retirement consultant has submitted a proposal for his/her project. Projects have been reviewed and are recommended for approval by a committee consisting of three Kern High Teachers' Association members and three Kern High School District management employees. Under the guidelines of the Agreement, all projects must be approved by the Board of Trustees before being assigned. It was moved by Trustee Hampton, seconded by Trustee Vegas and unanimously carried to approve the additional post retirement consultant project as presented for the 2008-2009 school year.

PUBLIC HEARING on Laborers Local 220, Skilled Trades Unit D, 2008-2011 Initial Collective Bargaining Agreement Proposal

The Kern High School District presented its Counterproposal to Laborers Local 220, Skilled Trades Unit D, at the Regular Board of Trustees meeting on June 23, 2008. Copies of this proposal have been available at the schools and other work sites. In accordance with District policy and the Education Code, the public shall have an opportunity to express points of view regarding the proposal at a public Board meeting. A Public Hearing was declared open by Board President Batey at 7:31 p.m. No requests to address the Board on the District's Counterproposal to the Laborers Local 220, Skilled Trades Unit D Initial Collective Bargaining Agreement were received, and the Public Hearing was declared closed at 7:32 p.m.

BUSINESS SERVICES

**PUBLIC HEARING
to Receive
Comments
Regarding the
Mitigated Negative
Declaration/Initial
Study for the
Construction and
Operation of a New
Continuation High
School 2004-1**

The 30-day public comment period to receive comments regarding the Mitigated Negative Declaration/Initial Study for the construction and operation of a New Continuation High School 2004-1 officially opened on July 16, 2008. Notices were published in the Bakersfield Californian, and the Study was available at the Beale Memorial Library on Truxtun Avenue. A Public Hearing was declared open by Board President Batey at 7:32 p.m. to receive additional public comments. No requests were received, and Board President Batey declared the Public Hearing closed at 7:33 p.m.

**Adoption of
Resolution
Regarding Offer of
District Land for
Sale (Lease) (Lease
Purchase) to Public
Entities (old Central
Valley Continuation
High School site)**

A Resolution regarding offering District land for sale, lease or lease purchase to public entities was presented by Associate Superintendent Scott. He reported that this proposed Resolution covers the property which previously housed the Central Valley Continuation High School. This process was started a few years ago, however, it was determined that this site would serve the District well as a warehouse facility during the renovation of Shafter High School's Modernization Project. Pursuant to Education Code Section 17464 public properties must first be offered to other public entities. It was moved by Trustee Hampton, seconded by Trustee Mettler and carried with a unanimous vote to adopt a Resolution regarding Offer of District Land for Sale (Lease) (Lease Purchase) to Public Entities (Old Central Valley Continuation High School site).

**HEARING of Bid
Protest for Award of
Bid No. 2125 –
Arvin High School
Modernization 2005:
Cabinetry and
Millwork**

The Hearing of a Bid Protest regarding the Award of Bid No. 2125, Arvin High School Modernization 2005: Cabinetry and Millwork, was submitted by Gary Stolo, Vice President of Sales and Engineering, Stolo Cabinets. The Kern High School District Business Division is recommending that the Board of Trustees award Bid No. 2125 to Lozano Caseworks, Inc. in the total base bid amount of \$511,700.00. The reasons for the appeal from Stolo Cabinets, as stated in their letter dated June 26, 2008, included: 1) Lozano's failure to provide needed documentation, outlining his Experience Modification Rating for the last five years, as well as the companies that he used, may have called into question his qualifications. Has his rate been decreasing or increasing? Will it be higher in 2009?; 2) Lozano's failure to provide a written Safety Program could indicate that they do not have a written safety program and could be a cause of their high EMR. Would the District accept Lozano's bid if they knew that Lozano did not have a written Safety Program? Failure of Lozano to include the written program gave them an unfair competitive advantage; and, 3) Lozano's high EMR will cost the District additional cost in that any change order requests will be higher than Stolo Cabinets, Inc. hourly labor rates for both shop and field, due to higher Workman Compensation rates. The district not being able to review Lozano's rates for the last five years, gives Lozano an unfair competitive advantage.

In the Board meeting, Board President Batey called for the Hearing to begin and asked Mr. Stolo or a representative from Stolo Cabinets to come to the podium and present their protest. Board President Batey repeated his request several times, however, no one was present in the Board meeting and the Hearing was not held.

**Award of Bid No.
2125 – Arvin High
School
Modernization 2005:
Cabinetry and
Millwork to Lozano
Caseworks, Inc.**

It was moved by Trustee Hampton, seconded by Trustee Vegas and carried with a unanimous vote that Bid No. 2125, Arvin High School Modernization 2005: Cabinetry and Millwork, be awarded to Lozano Caseworks, Inc. in the total base bid amount of \$511,700.00.

**Rescind Approval
for Settlement
Agreement and
Release of Claims
Between the Kern
High School District
and Continental
Labor Staffing
Resources**

A Settlement Agreement and Release of Claims between the Kern High School District and Continental Labor Staffing Resources was approved by the Board of Trustees at the Special Board Meeting held on July 22, 2008 with a unanimous (5 yes, 0 no/absent) vote. Board President Batey reported that Trustee Mettler indicated after the Special Board of Trustees meeting that he had really intended to vote against the Settlement Agreement, and Trustee Mettler had requested that the action by the governing board on July 22, 2008 be rescinded. Board President Batey announced it is not the Board of Trustees' intention to bring items back for re-consideration once they have been approved by the governing board; however, he had agreed to have this item posted on the agenda for this one time because he believed that Trustee Mettler had been confused when the item was presented for approval as part of the Administrative Report on July 22, 2008. Board President Batey called for action to rescind approval on the Settlement Agreement. It was moved by Trustee Mettler that the Board of Trustees rescind approval for the Settlement Agreement and Release of Claims between the Kern High School District and Continental Labor Staffing Resources. The motion was seconded by Trustee Vegas and carried with a four (4) yes, one (1) no (Trustee Hampton) vote.

**Approval for
Settlement
Agreement and
Release of Claims
Between the Kern
High School District
and Continental
Labor Staffing
Resources**

The same Settlement Agreement and Release of Claims between the Kern High School District and Continental Labor Staffing Resources was presented for approval once again. It was moved by Trustee Heinrichs, seconded by Trustee Hampton and carried with a four (4) yes, one (1) no (Trustee Mettler) vote to approve the Settlement Agreement and Release of Claims as presented.

**Approval of
Resolution to
Approve
Subordination of
Tax Increment
Payments from the
Arvin Community
Redevelopment
Agency**

A Resolution to approve subordination of tax increment payments from the Arvin Community Redevelopment Agency was presented for approval by Associate Superintendent Scott. A letter dated July 9, 2008 requesting approval by the Kern High School District Board of Trustees was received from Alan Christensen, Executive Director, of the Arvin Community Redevelopment Agency. It was moved by Trustee Heinrichs and seconded by Trustee Hampton to approve the Resolution as presented. Board President Batey asked Associate Superintendent Scott to briefly review the intent of the resolution. Associate Superintendent Scott reported the Arvin Community Redevelopment Agency is preparing to offer some bonds later this Fall. By agreeing to a subordination agreement, it means that if there are insufficient amounts to pay through to the bond holders, the bond holders have first claim to the funds from the Redevelopment Agency. As with other public agencies, Kern High School District would be second in line for payment. Associate Superintendent Scott commented that, for Kern High School District to not approve the Subordination agreement, would mean that the District would have to look at their assumptions and their bond repayment calculations and determine those to be insufficient. Trustee Mettler asked how

much funding the Kern High School District would lose by approving this agreement? Associate Superintendent Scott responded that the Kern High School District would receive some of the bond funds unless there becomes a problem with the repayment. "All we are agreeing to (with this Agreement) is that the bond holders become first in line." Trustee Mettler asked, "So we (Kern High School District) give up our proportionate share of the incremental increase in the property taxes due to the redevelopment agency." Associate Superintendent Scott confirmed that statement stating, "We get about \$60,000 annually from the variety of redevelopment agencies that flow through our District." He also indicated that some funds go into capital improvement and some go into the general budget. Associate Superintendent Scott invited Chris Burger of Schools Legal Service to come to the podium and give additional information on the resolution.

Mr. Burger reported it is not a surety that the Kern High School District would lose money on this resolution. The consultant for the Arvin Community Redevelopment Agency has indicated that there are sufficient funds to both repay the bond holders and make the pass through payments. "So, only if their projections are off-base development does not occur as they anticipate over the next 35 years, would you stand a chance of losing the pass through funding."

Board President Batey called for the vote on the motion. The motion carried with a unanimous vote to approve the Resolution as presented.

**Approval of Request
by Davis Moreno
Construction, Inc.,
Awardee for Bid No.
1610 – District
Office Records
Retention Facility to
Authorize the
Substitution of Sub-
Contractor**

(File Note: This item was listed as Item #4 under the Administrative Report, Business Division, but was pulled to be a regular item on the Agenda by Associate Superintendent Scott before the Board of Trustees considered action on the entire Administrative Report.)

Staff is recommending approval of a request by Davis Moreno Construction, Inc. to authorize the substitution of a sub-contractor for Bid #1610 – District Office Records Retention Facility. This request is being presented for Board approval due to failure to respond and/or refusal by the current sub-contractor, Hard Rock Construction, Inc., to perform their sub-contracted work. Davis Moreno Construction, Inc. has requested Board approval to utilize E & J Excavating for asphalt paving, and Davis Moreno Construction, Inc. for the remaining portion of site grading and earthwork for this project.

Cody Bennett with Hard Rock Construction, Inc. reported he was at the Board meeting to exhaust his last administrative remedy to remain as the subcontractor for Bid No. 1610. He stated his belief that the staff recommendation "...is incorrect with regard to this situation and that his sub-contract with the prime contractor is valid." He referred to Section 4107(3), and reported the qualifier (in the Public Contracts Code) for remedy or removal of a subcontractor is when the subcontractor fails or refuses to perform his/her subcontract. "In relationship to the progress of your project out to the East and our performance, we have 100% of the earthwork on or ahead of schedule. We actually completed that before we were under written contract with Davis Moreno to expedite the project for the District. We have worked with the District on other smaller projects and seem to maintain a good business atmosphere and relationship with the District. In, on or about November 27, 2007, we entered into a subcontract agreement with Davis Moreno Construction. It was an agreement that they proposed, however, that I personally amended. And I believe that the District staff recommendation to substitute us is in error due to the verbage that was omitted in that subcontract, whereas our rights to perform and our remedy for scheduling and disputes are fully in tack. I would request that this Board refer this item back to staff for re-examination."

Steve Abston, of Davis Moreno Construction, reported he felt this was a fairly straight forward issue "...at least from the standpoint of the Board and their decision on this. The Public Contracts Code , Section 4107, which I presume most of you have discussed if not read, is put in place for a very specific reason and I'll just read from it because it is fairly straight forward. The preamble to this section says, "The legislature finds that the practices of bid shopping and bid peddling in connection with construction, alteration and repair of public improvements often result in poor quality of material and workmanship to the detriment of the public. The point here is that the whole reason for having the chapter cited as subletting and subcontracting fair practices act is specifically to preclude a general contractor from listing a subcontractor and then going and peddling that price to get a cheaper contractor to come and do that scope of work. Davis Moreno is in no way attempting to do that. In fact, we have directed Hard Rock to perform their subcontracted scope of work and, due to what they say are problems with their scheduling, they are unable to perform the work in a manner that is consistent with our project and our schedule. In the hearing which we held with the District representatives, which is what the recommendation is based on, they confirmed once again to the District that they were unable to perform any work on the project until September, which is unacceptable to us and the project for which we have contracted with you to perform. So we are proceeding with work by others. If there is monies left over after we hire somebody else to perform the work on behalf of Hard Rock, if there is money left over in Hard Rock's account, they will be given that money. We are not trying to pocket anything. We are not trying to make any money on this. So, the purpose of the subletting and subcontracting fair practices act really is not subverted by our attempting to get somebody else to perform the work, simply in accordance with the prime contractor's requirement with the District and that is to be done as soon as possible, as with this case before September, if possible. There is, fortunately for us, there is quite a bit of case law on this point, um from which I could read and read. But, very simply said, that we as the general contractor, under contract with you to control the ways and methods on our project in order to facilitate the rapid and efficient prosecution of the work. And, that unless we are doing something under-handed by trying to profit by the removal of the sub-contractor, then the Board is, for lack of better term, obligated to grant the request if we can prove one of the nine reasons exist for requesting a substitution. And, in this event, you have a subcontractor who has confirmed to both us and your representative members of the District, that they are unable to perform until a complete unacceptable timeframe."

Board President Batey asked Mr. Abston, "In an ideal world, when were they scheduled to arrive on the job and when did you anticipate they would be finished?" Mr. Abston replied, "We first gave them notice in this instance towards the end of June that we needed them to perform their work, or complete their work, on July 13. So it was two weeks verbal notice. On the first of July, we sent them written notice. On the seventh of July we gave them, once again, written notice that they were to be on the job by the 14th of July or we would be forced to replace them by someone else. So it was essentially two weeks notice to come to the job and do their work.

Trustee Mettler asked Mr. Abston if his schedule had been impacted already? Mr. Abston replied, "Our schedule has been impacted due to several unfortunate circumstances. The answer, unfortunately, is yes." Trustee Mettler asked if the schedule had been impacted by the actions by Hard Rock at this point? Mr. Abston replied, "Has it been impacted? Yes. I would say yes, because we would have liked to have done the work before we actually did it."

Associate Superintendent Scott reported, “Last week in a meeting with both firms, Woody Colvard, our Director of Facilities Planning address Hard Rock with the question, Can you start this project tomorrow? Are you ready to start the project? And, their reply was that they could not start that part of the project until September. And that is the basis of our recommendation.”

Trustee Mettler asked if the site grading had started? Mr. Abston responded, “Yes.” Trustee Mettler asked, “Is this grading all related to the pavement work, or is it more than that? Mr. Abston replied, “Yes, actually Hard Rock performed roughly two-thirds of their contracted work quite some time ago as he suggested and in a fairly timely manner. In fact we have no complaints about that. We got to a point on the job where we were ready for them to do finish grading and paving, and he was unable to perform.”

Board President Batey invited Chris Berger, Legal Counsel with Schools Legal Service, to the podium to add anything to the discussion or give any clarity. Mr. Berger stated, “I don’t think I could add any clarity. I will tell you that there very well may be claims between between the two entities. There is a claim of detrimental relapse on the schedule indicating that Hard Rock need not perform until September, they took other jobs in the meantime. The schedule is now accelerated and their people are tied up on other jobs and can’t perform. That is basically my understanding of the situation. As between you, as the District Board, you only have a contract with Davis Moreno. The various claims they may have against each other are not your issue and so I think the issue has been laid out for you. The staff recommendation is based on Hard Rock admitted inability to perform right now.”

Board President Batey asked if Trustees had any additional questions for Counsel Berger? No questions were submitted. It was moved by Trustee Hampton, seconded by Trustee Vegas and carried with a unanimous vote of Five (5) yes, Zero no, abstain or absent vote, to approve the request from Davis Moreno Construction, Inc. to substitute a subcontractor on Bid No. 1610 – District Office Records Retention Facility. The request includes a substitution of E & J Excavating for asphalt paving and Davis Moreno Construction, Inc. for the remaining portion of site grading and earthwork.

ADMINISTRATIVE REPORT

Items required by law and/or items in accordance with the District Administrative Code and/or the Education Code

Administrative Report

It was moved by Trustee Vegas, seconded by Trustee Heinrichs that all items on the Administrative Report (with the exception of #4 on the Business Division Administrative Report, which was acted upon separately) be approved as presented.

Superintendent’s Office

No items.

Instructional Services

1. Approval of the courses of study on the attached list. These courses of study have been on file in the Office of Instruction and available for public inspection since the last board meeting.
2. Approval of 2008-09 Consolidated Application for funding Categorical Aid Programs – Part I. The Consolidated Application is used to distribute categorical funds from state and federal programs. Part I of the application is used to document participation in the various programs. This part of the application also provides assurances that the Kern High School District will comply with the legal requirements of each program. (Copy of application under separate cover.)
3. Authorize the Manager of Special Education to approve the Individual Service Contract and Master Contract for nonpublic, nonsectarian school agency service with “Colorado Boys Ranch” for the purpose of providing special education and related services to individual students with exceptional needs under the authorization of Education Code sections 56157 and 56365-56366.7. (Copy of contract provided under separate cover.)
4. Authorize the Manager of Special Education to approve the Individual Service Contract and Master Contract for nonpublic, nonsectarian school agency service with “Heritage Schools” for the purpose of providing special education and related services to individual students with exceptional needs under the authorization of Education Code sections 56157 and 56365-56366.7. (Copy of contract provided under separate cover.)
5. Authorize the Manager of Special Education to approve the Individual Service Agreement for Nonpublic, Nonsectarian School Agency Services with Heritage Schools, Inc. for the purpose of providing special education and related services to individual with exceptional needs under the authorization of Education Code Sections 56157 and 56265-56366.7 for two (2) students.
6. Authorize the Manager of Special Education to approve the Individual Service Agreement for Nonpublic, Nonsectarian School Agency Services with Valley Achievement Center for the purpose of providing special education and related services to individual with exceptional needs under the authorization of Education Code Sections 56157 and 56265-56366.7 for five (5) students.
7. Approval of Memorandum of Understanding (MOU) between Kern High School District (KHSD) and the University of LaVerne to implement the Intern Program. The purpose of this MOU is to form a partnership to coordinate services as part of the KHSD Beginning Teacher (BTSA)/ Intern Program, serving single subject, and special education interns.
8. Approval of Memorandum of Understanding (MOU) between Kern High School District (KHSD) and National University of Bakersfield. The purpose of this MOU is to form a partnership to coordinate services as part of the KHSD Beginning Teacher (BTSA) /Intern Program serving single subject, and special education interns.
9. Approval of Memorandum of Understanding (MOU) between Kern High School District (KHSD) and University of Phoenix in Bakersfield. The purpose of this MOU is

to form a partnership to coordinate services as part of the KHSD Beginning Teacher (BTSA)/Intern Program serving single subject, and special education interns.

10. Approval of Memorandum of Understanding (MOU) between Kern High School District (KHSD) and Point Loma Nazarene University in Bakersfield. The purpose of this MOU is to form a partnership to coordinate services as part of the KHSD Beginning Teacher (BTSA)/Intern Program serving single subject, and special education interns.
11. Approval of agreement between Kern High School District and California Department of Education for the Kern Resource Center standard agreement. The project involves the development of a statewide Program of Study model, the revision and/or development and alignment of content standards, the maintenance of statewide workgroups in health services and public services and the provision of services, products and technical assistance on a local as well as a statewide basis. (Copy of agreement under separate cover.)
12. Approval of the following short term consultants:
 - **Explore Learning** to conduct training to West High School Staff members on Subscription/Gizmos, a program to be used for Science and Math with the use of the Smart Boards. *Funding Source: Categorical/Quality Education Investment Act (QEIA)*
 - **School Innovations and Advocacy, Inc.** to provide training to Kern High School district Principals for the edPlan Online service. This training will feature: Assessment, Enrollment, and SARC data updated as released by the California Department of Education. *Funding Source: Categorical/Title I – Staff Development*
 - **Alice Valenti, Robert Reader, Robert Machado** to participate in activities pertaining to and relevant to career pathway development activities for Health Science and Medical Technology and/or Public Services Industry Sector . They will also participate in activities pertaining to professional development and roll-out strategies for Career Technical Education (CTE) Standards and Framework. *Funding Source: Categorical/Special Projects (CTE)*
 - **Robert Ransome** to participate in Career Technical Education (CTE) activities pertaining to and relevant to CTE Standards and Framework development, and for model programs of study development for the health Science and Medical Technology and/or Public Services Industry Sector for the state of California as delineated in the Perkins State Plan. These activities are a contractual agreement with the California Department of Education's High School Initiatives and Career Education Office and are funded solely through Carl D. Perkins funds. *Funding Source: Categorical/Health Careers Consortium*
 - **The Parent Institute for Quality Education** to provide a parent training course at Arvin High School. This training is designed to develop skills and techniques that will enable parents to address the educational needs of their school aged children. *Funding Source: Categorical/Quality Education Investment Act (QEIA)*

- **Sopris West Inc.** to provide training to Kern High School District teachers for the Language! 3rd Edition curriculum. All teachers who are scheduled to teach literacy must receive training. *Funding Source: Categorical/Title I*

13. Approval of the following out of area trips:

- **Liberty High School** Volleyball Team to travel to Las Vegas, Nevada to participate in volleyball tournament to be held on September 18-20, 2008.
- **West High School** Drama/Theater students to travel to Cedar City, Utah to participate in the Shakespeare Festival to be held October 5-8, 2008.

All of the necessary information (itinerary, travel arrangements, cost, etc.) have been provided in accordance with District Extra-Trip guidelines.

Personnel Services

1. Receipt of Information on Bakersfield Adult School's services restoration recommendation of part-time hours to a certificated, adult hourly (Auto Shop) employee for the 2008-2009 school year. For the period 2007-2008, the Kern High School District's contract with the County of Kern to operate the Lerdo Auto Shop Program was for 30 hours per week. This year, due to the budget constraints, the Bakersfield Adult School is able to only restore 24 hours per week.

Business Services

1. Authorization to enter into an agreement between Kern High School District/Bakersfield Adult School and Harmony Court. The proposed agreement will provide an off-site facility for conducting Adult Education classes. Term of agreement is July 1, 2008 to June 30, 2010.
2. Authorization to extend Request for Proposal (RFP) No. 1647 – DSA Approved Inspectors for Mira Monte High School, Independence High School, Arvin High School Modernization 2005, East Bakersfield High School Modernization 2005, Bakersfield Adult School Annex, Various District-wide Portable Classroom Projects, and Various District-wide Projects as Determined by 2004 Bond for the third year of a potential five year contract with the following firms:
 - a. Nick Bankston
 - b. David Marcus dba Central Valley Inspection Services
 - c. M. Dwight Grimes dba Construction Inspection Services
 - d. Kent McCoy dba JNS Inspection Service, Inc.
 - e. Brandon Leach dba Leach Group Inc.
 - f. John Leach dba Leach and Leach Construction Inspection
 - g. Derick Mitchell dba Mitchell Inspections
 - h. Fred Rodriguez
 - i. Stephen White Inspection

3. Authorization to enter into a one-year Sole Source Agreement with Hall Ambulance Services, Inc. to provide stand-by ambulance service to the Kern High School District (with the exception of Kern Valley School). Hall Ambulance Services is the only licensed franchisee to provide ambulance services in the Kern High School District area. It would be futile and unavailing to comply with competitive bidding statutes for this contract.
4. *[#4 related to approval request by Davis Moreno Construction, Inc. awarded for Bid No. 1610 – District Office Records Retention Facility to authorize the substitution of subcontractor. Item moved to a regular agenda item. Please refer to Page #9530 of these official minutes for additional information.]*
5. Approval of Food Service Agreements for the school year 2008-2009 with Blake School District, Buttonwillow Union, Di Giorgio, General Shafter, Hot Springs (Johnsondale Elementary School), and Linns Valley-Poso Flat School Districts. The charge for meals provided has been increased by ten percent to cover all Kern High School District costs to prepare and deliver the meals.
6. Approval of Amendment No. 1 to Workforce Investment Act (WIA) Personal/Professional and Contractual Services Agreement between Kern High School District/Bakersfield Adult School and County of Kern. The proposed amendment will increase fees and extend existing agreement to support Vocational Nurse, Nursing Assist, and Medical Assistant training programs to December 31, 2008.
7. Quarterly Report of Investments. (Under Separate Cover)
8. Approval of Change Order No. 14 for Bid No. 1749 – Shafter High School Growth Expansion Modernization and New Cafeteria: Electrical, Communications, Fire Alarm and Detection Systems – Buildings 100, 200, 300, 400, 600, 700, 800, 900, 1000, 1100 and 1200: (Growth):

Contractor:	A-C Electric Company
Original Contract Amount:	\$ 845,245.00
Adjusted Contract Amount:	\$ 862,953.51
This <u>Increase</u> :	\$ 991.00
New Total:	\$ 863,944.51
Increase of 1 calendar day to February 8, 2008	
9. Approval of Change Order No. 7 for Bid No. 1758 – Shafter High School Growth Expansion, Modernization and New Cafeteria: Lath & Plaster – Buildings 100, 200, 300, 400, 600, 700, 800, 900, 1000, 1100, and 1200: (Modernization):

Contractor:	Frye Construction, Inc.
Original Contract Amount:	\$ 338,415.15
Adjusted Contract Amount:	\$ 422,682.31
This <u>Increase</u> :	\$ 3,796.11
New Total:	\$ 426,478.42
Increase of 4 calendar days to February 15, 2008	

10. Approval of Change Order No. 4 for Bid No. 1766 – Shafter High School Growth Expansion Modernization and New Cafeteria: Floor Covering - Buildings 100, 200, 300, 400, 600, 700, 800, 900, 1000, 1100, and 1200 (Growth):

Contractor:	Donald M. Hoover Co.
Original Contract Amount:	\$ 30,168.00
Adjusted Contract Amount:	\$ 32,582.00
This <u>Increase</u> :	\$ 366.00
New Total:	\$ 32,948.00

Increase of 1 calendar day to December 13, 2007

11. Approval of Change Order No. 1 for Bid No. 2226 – North High School Sewer Line Relocation:

Contractor:	Kern Pacific Construction Co.
Original Contract Amount:	\$ 147,340.20
Adjusted Contract Amount:	\$ 0.00
This <u>Increase</u> :	\$ 6,812.29
New Total:	\$ 154,152.49

Increase of 2 calendar days to July 22, 2008

12. Approval of Change Order No. 2 for Bid No. 2226 – North High School Sewer Line Relocation:

Contractor:	Kern Pacific Construction Co.
Original Contract Amount:	\$ 147,340.20
Adjusted Contract Amount:	\$ 154,152.49
This <u>Increase</u> :	\$ 9,730.79
New Total:	\$ 163,883.28

Increase of 2 calendar days to July 24, 2008

13. Approval of Change Order No. 1 for Bid No. 2265 – Installation of Carpeting in Classrooms at Ridgeview, Liberty, and Centennial High Schools:

Contractor:	Metro-Floors, Inc.
Original Contract Amount:	\$ 399,192.00
Adjusted Contract Amount:	\$ 0.00
This <u>Increase</u> :	\$ 13,200.00
New Total:	\$ 412,392.00

14. Approval of Professional Services Supplemental Authorization (PSSA) No. 1 for Request for Proposal No. 2602 – Environmental Services (CEQA) for A New Continuation High School 2004-1:

Engineer:	Quad Knopf
This <u>Decrease</u> :	(\$5,300.00)

15. Ratification of Award of Bid No. 2279 – Arvin High School Portable Classrooms 2008: Electrical to Leo Black Electric, Inc. in the total base bid amount of \$110,000.00. The District received one other bid as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Performance Energy Inc. dba Performance Electric	\$113,482.70

16. Award of Rebid No. 1906 – East Bakersfield High School Modernization 2005: Ornamental Fencing, Chain Link Fencing and Wire Mesh Partitions to Rudnick Fence Co. in the total base bid amount of \$184,000.00. The District received no other bids.
17. Award of Bid No. 1907 – East Bakersfield High School Modernization 2005: Landscape and Irrigation to Rudy’s Landscape and Irrigation Design in the total base bid amount of \$255,620.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Elite Landscaping, Inc.	\$367,000.00
Kern Sprinkler Landscaping, Inc.	\$446,945.00
Nish-Ko, Inc.	\$477,172.00

18. Award of Rebid No. 1910 – East Bakersfield High School Modernization 2005: Structural Steel and Metal Fabrications Shollenbarger-Borello, Inc. dba Golden State Steel in the total base bid amount of \$1,728,000.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Steelcon, Inc.	\$2,100,800.00
Kern Steel Fabrication, Inc.	\$2,273,000.00

19. The District received no bids for Rebid No. 1911 – East Bakersfield High School Modernization 2005: Exterior Sun Control Devices. Pursuant to California Uniform Public Construction Cost Accounting Commission Code Section 22038, request authorization to negotiate a contract with a contractor to perform the services required.
20. Award of Bid No. 1912 – East Bakersfield High School Modernization 2005: Rough Carpentry to Cuyamaca Construction, Inc. in the total base bid amount of \$308,000.00. The District received one other bid as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Piper & DeVries, Inc. dba Omega Construction	\$435,000.00

21. Award of Bid No. 1914 – East Bakersfield High School Modernization 2005: Architectural Woodwork and Casework to Park & Company, Inc. dba J. Alexander Company in the total base bid amount of \$175,130.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Stolo Cabinets, Inc.	\$180,000.00
Lozano Caseworks, Inc.	\$194,800.00
Kings Cabinet Systems	Bid found to be non-responsive

22. Award of Bid No. 1915 – East Bakersfield High School Modernization 2005: Building Insulation to Insulcom in the total base bid amount of \$142,436.00. The District received no other bids.

23. Award of Bid No. 1916 – East Bakersfield High School Modernization 2005: Roofing and Roof Accessories to Garcia Roofing, Inc. in the total base bid amount of \$386,180.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Graham Prewett, Inc.	\$394,000.00
Best Contracting Services	\$453,800.00
Waterproofing Experts, Inc.	Bid found to be non-responsive

24. Reject all bids received for Bid No. 1917 – East Bakersfield High School Modernization 2005: Overhead Coiling Door(s) and Loading Dock Equipment. Staff will review and redefine the scope of work for the project. Authorization to resolicit quotes for the project at a future date.

25. Award of Bid No. 1918 – East Bakersfield High School Modernization 2005: Aluminum Storefront, Curtain Wall, Glass and Glazing to Kern Glass & Aluminum Company in the total base bid amount of \$584,280.00. The District received no other bids.

26. Award of Bid No. 1920 – East Bakersfield High School Modernization 2005: Gypsum Drywall and Metal Stud Framing to Frye Construction, Inc. in the total base bid amount of \$1,702,955.00. The District received no other bids.

27. Award of Bid No. 1921 – East Bakersfield High School Modernization 2005: Ceramic Tile to Visalia Ceramic Tile, Inc. in the total base bid amount of \$112,680.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Hudson Tile, Inc.	\$137,000.00
Gregory Tile, Inc.	Bid found to be non-responsive
Tidrick Tile, Inc.	Bid found to be non-responsive

28. Award of Bid No. 1922 – East Bakersfield High School Modernization 2005: Acoustical Ceilings to Western Building Materials Co. in the total base bid amount of \$135,422.00. The District received one other bid as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Elljay Acoustics, Inc.	Bid found to be non-responsive

29. Reject all bids for Bid No. 1923 – East Bakersfield High School Modernization 2005: Finish Flooring. Staff will review and redefine the scope of work for the project. Authorization to resolicit bids for the project at a future date.

30. Award of Bid No. 1924 – East Bakersfield High School Modernization 2005: Painting and Damproofing to Wm. B. Saleh Co. in the total base bid amount of \$171,707.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Prime Painting Contractors	\$181,280.00
C.T. Georgiou Painting Co.	\$266,000.00

Nike Construction Co.	\$269,000.00
Everlast Painting Co.	Withdrew bid due to clerical error

31. Award of Bid No. 1925 – East Bakersfield High School Modernization 2005: Architectural Specialties to James E. Thompson, Inc. dba JTS Construction in the total base bid amount of \$155,100.00. The District received no other bids.
32. The District received no bids for Bid No. 1926 – East Bakersfield High School Modernization 2005: Playfield Equipment and Structures. Staff will review and redefine the scope of work for the project. Authorization to resolicit bids for the project at a future date.
33. The District received no bids for Bid No. 1927 – East Bakersfield High School Modernization 2005: Hydraulic Elevators. Staff will review and redefine the scope of work for the project. Authorization to resolicit bids for the project at a future date.
34. Award of Bid No. 1928 – East Bakersfield High School Modernization 2005: Plumbing and Site Utilities to Taft Plumbing Co., Inc. in the total base bid amount of \$771,126.00. The District received one other bid as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
HPS Mechanical, Inc.	\$1,024,879.00

35. Award of Bid No. 1929 – East Bakersfield High School Modernization 2005: Fire Sprinkler System to CMA Fire Protection dba RLH Fire Protection in the total base bid amount of \$178,900.00. The District received one other bid as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Cosco Fire Protection	\$206,600.00

36. Award of Bid No. 1930 – East Bakersfield High School Modernization 2005: HVAC, Sheet Metal, Louvers and Metal Wall Panels to Southern Air Conditioning, Inc. in the total base bid amount of \$2,667,000.00. The District received one other bid as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Circulating Air, Inc.	\$3,040,000.00

37. Award of Bid No. 1931 – East Bakersfield High School Modernization 2005: Electrical, Communications and Fire Alarm to A-C Electric Company in the total base bid amount of \$1,888,000.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Turnupseed Electric Service, Inc.	\$1,918,696.00
Performance Energy Inc. dba Performance Electric	\$1,964,482.29

38. Award of Bid No. 1932 – East Bakersfield High School Modernization 2005: Site Demolition – Phase 1 to Concrete Cutting Unlimited, Inc. in the total base bid amount of \$85,000.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Wise Engineering, Inc.	\$98,500.00
Valley Tree & Construction	\$118,000.00
Housley Excavation Demolition	Bid found to be non-responsive

39. Award of Bid No. 1933 – East Bakersfield High School Modernization 2005: Earthwork and Grading – Phase 1 to Valley Tree & Construction in the total base bid amount of \$296,000.00. The District received one other bid as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
The Aleco Corporation	\$362,360.00

40. Award of Bid No. 1936 – East Bakersfield High School Modernization 2005: Site Concrete to James E. Thompson, Inc. dba JTS Construction in the total base bid amount of \$598,750.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Concentric Engineering & Concrete Construction, Inc.	\$654,088.00
Tumblin Company	\$797,000.00
Lockwood General Engineering, Inc.	\$953,698.00
Colombo Construction Co., Inc.	\$1,438,945.00

41. Award of Bid No. 1937 – East Bakersfield High School Modernization 2005: Building Concrete to Tumblin Company in the total base bid amount of \$997,000.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Concentric Engineering & Concrete Construction, Inc.	\$1,269,299.00
James E. Thompson, Inc. dba JTS Construction	\$1,288,000.00
Colombo Construction Co., Inc.	\$1,535,178.00
Santa Clarita Concrete	Bid found to be non-responsive

42. Award of Rebid No. 2106 – Arvin High School Modernization 2005: Concrete to Klassen Corporation in the total base bid amount of \$1,289,000.00. The District received one other bid as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Medford Construction, Inc.	\$1,355,000.00

43. Award of Bid No. 2109 – Arvin High School Modernization 2005: Lath, Plaster, Drywall, Doors, and Frames to Frye Construction Inc. in the total base bid amount of \$1,144,000.00. The District received no other bids.

44. Award of Rebid No. 2110 – Arvin High School Modernization 2005: Earthwork to Steve Etchison Backhoe Service in the total base bid amount of \$94,500.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
The Aleco Corporation	\$124,000.00
Gilliam & Sons, Inc.	Bid found to be non-responsive

45. Award of Bid No. 2112 – Arvin High School Modernization 2005: Storefront Window Glazing to Kern Glass & Aluminum Co. the total base bid amount of \$485,500.00. The District received no other bids.
46. The District received no bids for Rebid No. 2115 – Arvin High School Modernization 2005: Asphaltic Concrete Paving. Pursuant to California Uniform Public Construction Cost Accounting Commission Code Section 22038, request authorization to negotiate a contract with a contractor to perform the services required.
47. Award of Bid No. 2116 – Arvin High School Modernization 2005: Metal Lockers and Theatre Equipment to Sierra School Equipment Co. in the total base bid of \$771,200.00. The District received no other bids.
48. The District received no bids for Rebid No. 2117 – Arvin High School Modernization 2005: Fire Extinguisher Cabinets. Pursuant to California Uniform Public Construction Cost Accounting Commission Code Section 22038, request authorization to negotiate a contract with a contractor to perform the services required.
49. Award of Rebid No. 2118 – Arvin High School Modernization 2005: Markerboards and Tackboards to ABC School Equipment, Inc. in the total base bid amount of \$26,000.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Fresno Shelfrac Specialities Inc. Dbas Shelco Industries	\$27,500.00
KD Specialty Contractors Inc.	\$34,995.00
MG Custom Interiors, Inc.	\$50,876.00

50. Award of Bid No. 2119 – Arvin High School Modernization 2005: Painting to Everlast Painting Co. in the total base bid amount of \$126,000.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Wm. B. Saleh Co.	\$166,117.00
Elite Painting & Wallcovering, Inc.	\$215,000.00
C.T. Georgiou Painting Co.	\$237,000.00
Prime Painting Contractors, Inc.	\$241,020.00
Nike Construction Co.	\$317,000.00
Terry Thomas Painting	Bid found to be non-responsive

51. Award of Bid No. 2120 – Arvin High School Modernization 2005: Roofing and Waterproofing to Garcia Roofing, Inc. in the total base bid amount of \$74,000.00. The District received one other bid as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Waterproofing Experts, Inc.	\$79,500.00

52. Award of Bid No. 2121 – Arvin High School Modernization 2005: Ceramic Tile to Visalia Ceramic Tile, Inc. in the total base bid amount of \$188,215.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Gregory Tile Inc.	\$233,930.00
J. Dean Ballard and Sons Tile and Marble Co.	\$293,811.00

53. Award of Bid No. 2122 – Arvin High School Modernization 2005: Insulation to Alcal Arcade dba Insulcom in the total base bid amount of \$64,700.00. The District received no other bids.

54. The District received no bids for Rebid No. 2123 – Arvin High School Modernization 2005: Overhead Coiling Doors. Pursuant to California Uniform Public Construction Cost Accounting Commission Code Section 22038, request authorization to negotiate a contract with a contractor to perform the services required.

55. Award of Bid No. 2124 – Arvin High School Modernization 2005: Acoustical Ceiling Tile to Western Building Materials Co. in the total bid amount of \$170,706.00, which includes Base Bid and additive Alternate No. 1. The District received no other bids.

56. Award of Bid No. 2126 – Arvin High School Modernization 2005: Mobile Storage to Systems Concepts, Inc. in the total base bid amount of \$169,778.00. The District received no other bids.

57. Award of Rebid No. 2127 – Arvin High School Modernization 2005: Clay Masonry to Dorfmeier Masonry, Inc. in the total base bid amount of \$84,200.00. The District received no other bids

58. Award of Bid No. 2128 – Arvin High School Modernization 2005: Flooring to Donald M. Hoover Company in the total base bid amount of \$100,555.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Moore Flooring, Inc.	\$114,900.00
San Joaquin Interiors, Inc.	Bid found to be non-responsive

59. Award of Bid No. 2129 – Arvin High School Modernization 2005: Toilet Partitions to Robert B. Moss, Jr. in the total base bid amount of \$102,202.00. The District received one other bid as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Fresno Shelfrac Specialties	\$109,900.00

60. Award of Rebid No. 2130 – Arvin High School Modernization 2005: Plumbing to HPS Mechanical, Inc. in the total base bid amount of \$1,463,401.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Taft Plumbing Co., Inc.	\$1,614,697.00
Bear State Plumbing, Inc.	\$1,630,000.00

61. Award of Bid No. 2134 – Arvin High School Modernization 2005: Commissioning of Systems to American Air Balance Co., Inc. in the total base bid amount of \$128,975.00. The District received no other bids.
62. The District received no bids for Bid No. 2135 – Arvin High School Modernization 2005: Window Coverings. Staff will review and redefine the scope of work for the project. Authorization to resolicit bids for the project at a future date.
63. Award of Bid No. 2136 – Arvin High School Modernization 2005: Doors, Frames, and Hardware to Frye Construction Inc. in the total base bid amount of \$440,000.00. The District received other bids as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Kern Glass & Aluminum Company	\$646,580.00
Klassen Corporation	\$541,000.00
James E. Thompson, Inc. dba JTS Construction	Bid found to be non-responsive

- ~~64. Reject all bids for Bid No. 2266 – District wide Annual Contract for Interior Painting. Staff will review and redefine the scope of work for the project. Authorization to re-solicit bids for this project at a future date.~~
- ~~65. Reject all bids for Bid No. 2267 – District wide Annual Contract for Exterior and Specialty Painting. Staff will review and redefine the scope of work for the project. Authorization to re-solicit bids for this project at a future date.~~
66. Award of Request for Quote (RFQ) No. 2273 – District-wide Purchase of Food and Supplies to the following:

<u>VENDOR</u>	<u>AMOUNT</u>	<u>ITEMS AWARDED</u>
A & R Wholesale Distributors, Inc.	\$44,917.80	Jalapeno Peppers, Light Brown Sugar, Applesauce Grade A, Pineapple Tidbits in Juice, Grade A, Tomato Paste Fancy Grade A, Graham Cracker, Animal Snacker Cookie.
Bake Mark USA	\$3,848.60	Frozen Whole Eggs, White Granulated Sugar.
Campus Foods	\$29,970.00	Cheese Sauce.
Fresno Produce, Inc.	\$11,095.00	Deli Sheet Paper, Fruit Cocktail in Light Syrup.

Galland's Food Service	\$13,513.3545	Gallon Can Liner, Polypropylene Fork Cutlery
Gold Star Foods	\$191,543.30	Fat Free Italian Dressing Cup, Ketchup, Mayonnaise, Mustard, Mayonnaise Packets, Taco Sauce Packets, Chicken Corn Dog, 100% Frozen Grape Juice, 6" Individually Wrapped Pizza, Cereal Bulk-Cinnamon Toast Twist, 8x8x3 and 5x5x2.75 Hinge Clear Lid Container.
Jordano's Food Service	\$32,330.00	Canned Ravioli, Mustard Packets, 22 oz. Bowl with Clear Lid Dome, Bean and Cheese Burrito 5.75 oz. individually wrapped, Frozen Mixed Vegetables Fancy Grade.
Newport Farms	\$695,693.50	Light Mayonnaise, Syrup packet, Bean and Cheese Burrito 7 oz. individually wrapped, Whole Grain Bean and Cheese Burrito 5 oz. Individually wrapped, Red Beef & Bean Burrito 5.75 oz. unwrapped, Red Chicken & Cheese Burrito 5.75 oz. unwrapped, Whole Wheat Dough Ball, Hot Pocket - Pepperoni Pizza, Ham & Cheese – 4 oz. individually wrapped, Grill Cheese, Peanut Butter and Jelly Bar, Chocolate and Orange Sherbet individual cups, Frozen Corn Kernels Vegetable Fancy Grade, Frozen Peas and Diced Carrots Vegetable Fancy Grade, Non-fat Sour Cream, Low-fat Yogurt various flavors, All Beef precooked Hamburger, Pizza Wedge 5.4 oz. unwrapped, Whole Grain Breakfast Pizza individually wrapped, Breakfast Bar – Apple Oatmeal, Cranberry – 2 oz. individually-wrapped, Chocolate Chip Raw Cookie Dough, Muffin – Sweet Potato and Chocolate Chip, Double Chocolate Chip – 2.5 oz. individually wrapped, Chocolate Chip Bar 2 oz. individually wrapped, Powdered Mini Donuts,

		Low-fat Brownie, Pan Dulce, Whole Wheat Breakfast Bar, Biscuit, Graham Cookie – Apple Cinnamon, Chocolate Bear, Tropical Treat, Cookie - Sports Bite, Polka Dot Cookie with M&M’s, Snickerdoodle, Reduced Fat Chocolate Chip, and Frozen Whole Wheat Dinner Roll Dough.
P&R Paper Supply Co.	\$21,659.00	Clear Freezer Storage Bag with twist tie, Synthetic Small, Medium, and Large Glove – powder free – no latex, and Wrapped Cutlery – Fork, Napkin, and Straw.
School Lunch Products	\$105,813.00	Honey Roasted Sunflower Seeds individually wrapped, Uncrustable Peanut Butter and Jelly Sandwich individually wrapped, Turkey Pepperoni Pizza Strip, 12 inch Flour Tortilla Wrap – Chili Flavor, Tomato Basil Flavor, And Pesto Garlic Flavor, and Whole Grain Honey Bun individually wrapped.
Sysco Food Service	\$122,031.25	Pan Release Aerosol, Soy Sauce packet, Sanitizing Tablets with test strip, Pepperoni Pizza Stuffed Sandwich Pocket individually wrapped, Chocolate Pudding Cup, Turkey Ham, Fully-cooked Turkey Breast, Turkey Roast, and Waffle Stix.
Valley Food Service	\$31,331.36	Diced Peaches in Light Syrup Grade A, Seasoned Potato Wedge Cut, Tater Tots Potato, and Chocolate Mini Donuts.

The District received one other bid from ASR Food Distributors, Inc.

67. Award of Bid No. 2275 – Arvin High School Gymnasium Windows and Roofing to Icon Construction Company in the total base bid amount of \$928,888.00. The District received one other bid as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
S. C. Anderson, Inc.	\$1,120,000.00

68. Award of Request for Quote (RFQ) No. 2276 – District-wide Purchase of Fresh Produce to the following:

<u>VENDOR</u>	<u>AMOUNT</u>	<u>ITEMS AWARDED</u>
Alpha Wholesale Produce, Inc.	\$11,060.00	Banana, petite, condition A USFC peel.
ASR Food Distributors, Inc.	\$53,760.00	Red Delicious, Gala, Fuji, Pink Lady, Jonathan, Winesap, McIntosh and Granny Smith Apples, US Fancy Grade.
Fresno Produce, Inc.	\$10,631.25	Kiwifruit – U.S. No. 1 Grade. Fresh Navel Oranges – U. S. No. 1 Grade. Fresh Pears – U.S. No. 1 Grade, any summer or winter variety except Keiffer. Fresh Red or Green Seedless Grapes – U.S. No 1 Grade. Fresh Cucumber – U.S. Fancy Grade.
Sysco Food Service	\$7,711.00	Fresh Tomatoes – U.S. Fancy Grade. Fresh White Russet Potatoes – U.S. No. 1 Standard

ADJOURNMENT

Adjournment

President Batey adjourned the Regular Meeting of August 4, 2008 at 8:05 p.m.

J. Bryan Batey, President

Ken Mettler, Clerk

JBB/KM:bs