APPROVAL OF CONTRACTS AND GRANTS
March 5-6, 2012

CONSENT CALENDAR
Presentation: Steven Bruckman, Executive Vice Chancellor of Operations

Item 1.2

Issue

This item presents contracts and grants for Board approval.

Background

The Board of Governors Procedures and Standing Orders (Sections 318 and 319) require the Chancellor to receive Board approval before entering into contracts or grants (or amendments of contracts or grants) which are:

- in excess of $100,000; or
- over three years in duration; or
- with respect to consulting services, in excess of $50,000.

Analysis

For each Board meeting, staff prepares a summary of all currently proposed contracts and grants that exceed any of the Board established thresholds. If there are no proposed contracts or grants that exceed the established thresholds, the Board will be so informed at its meeting.

Recommended Action

That the Board of Governors approves entering into the contracts and grants described in the attached summary.
Contracts and Grants

The following are the summaries of contracts and grants that require Board approval pursuant to Standing Orders Nos. 318 and 319, copies of which are attached.

(1) Workforce & Economic Development Division

Reason for Board Approval: Contracts are greater than $100,000
Type of Agreement: Contracts (Economic and Workforce Development/Outgoing funds)
Contractor or Grantee: Los Rios CCD
Contract or Grant No.: F11-0069
Total Project Length: One Year with the possibility of future funding
Amount of Agreement:
   Original Amount: $255,291
   Amendment 1: $125,000
Bid Process: Non-competitive
No. of Proposals Recvd: N/A
No. That Met Min. Score: N/A
Readers: N/A

Purpose: On March 1, 2011, the U.S. Small Business Administration (SBA) announced a nationwide, three year grant opportunity (RPA), to make grants to the States in order to help carry out export programs, increase the number of small businesses that are exporting, and increase the value of exports for those small businesses that are currently exporting. The Chancellor’s Office maintains an Economic and Workforce Development Division, headed by a Vice Chancellor, under whom various statewide programs and initiatives come under. One of the statewide initiatives includes the Centers for International Trade and Development (CITD). Each CITD is hosted by a local community college and provides a variety of programs and services to assist local companies in doing business abroad. The SBA has made a final award in the amount of $2,540,924.00, to be administered by the Chancellor’s Office, to carry out these activities, the activities will commence on September 30, 2012. Projected Funding for Subsequent Years: N/A

(2) Workforce & Economic Development Division

Reason for Board Approval: Contract Exceed $100,000
Type of Agreement: Interagency Agreement (Workforce Development/Outgoing funds)
Contractor or Grantee: California Department of Corrections and Rehabilitation
Contract or Grant No.: R12-0366
Term: July 1, 2012 – June 30, 2013
Amount of Agreement: Up to $600,000
Total Project Length: 12 months (yearly renewal)
Bid Process: N/A to Interagency Agreements
**Purpose:** The Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV) requires a state mandated set aside to serve individuals in state institutions, such as state correctional institutions and institutions that serve individuals with disabilities. The amount must be equal to and not to exceed one percent of Perkins IV funds received by the Chancellor’s Office.

(3) Workforce and Economic Development Division

**Reason for Board Approval:** Grants Exceed $100,000
**RFA Specification No.:** 12-342
**RFA Specification Title:** Career and Technical Education Regional Consortium – North/Far North, Bay/Interior Bay, Center, South Central, LA/Orange, Desert, San Diego/Imperial

**Funding Source:** Carl D. Perkins Career and Technical Education Act
**Type of Agreement:** Grant
**Total Amount Awarded for This Year Funding:** See Below
**Term:** July 1, 2012 – June 30, 2013
**Total Project Length:** 12 months with up to 4 – one year renewals
**Bid Process:** Originally awarded through RFA competitive

**Purpose:** These funds are to support the expansion and improvement of a regional infrastructure designed to serve as a network of educational and economic development services.

<table>
<thead>
<tr>
<th>Grant No.</th>
<th>Grantee(District/College)</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>12-342-001</td>
<td>Yosemite CCD</td>
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<tr>
<td>12-342-002</td>
<td>Grossmont-Cuyamaca CCD</td>
<td>$150,100</td>
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<td>12-342-004</td>
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<td>Citrus CCD</td>
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<td>12-342-006</td>
<td>Ventura County CCD</td>
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</tr>
<tr>
<td>12-342-007</td>
<td>Riverside CCD</td>
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</tr>
<tr>
<td>12-342-008</td>
<td>Butte-Glenn CCD</td>
<td>$300,200</td>
</tr>
</tbody>
</table>

(4) Workforce and Economic Development Division

**Reason for Board Approval:** Grants Exceed $100,000
**RFA Specification Title:** Career and Technical Education Statewide Collaboratives – Information and Communication Technology, Work Based learning, Agriculture and Natural Resources, Business Education, Family and Consumer Sciences, Health Occupations, Industrial and Technical Education, Public Safety, Career Development, Special Populations, and Non-Traditional Careers

**Funding Source:** Carl D. Perkins Career and Technical Education Act
**Type of Agreement:** Grant
Total Amount Awarded for This Year Funding: See Below

Term: July 1, 2012 — June 30, 2013

Total Project Length: 12 months (yearly renewals)

Bid Process: Originally awarded through RFA competitive

Purpose: These funds are to support the expansion and improvement of statewide collaboratives of educators, students, government and industries whose task is to identify and disseminate programs and services that are considered best practices.

<table>
<thead>
<tr>
<th>Grant No.</th>
<th>Grantee(District/College)</th>
<th>Amount</th>
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<tr>
<td>12-156-001</td>
<td>San Francisco CCD</td>
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<td>12-158-001</td>
<td>State Center CCD</td>
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<td>12-159-001</td>
<td>Coast CCD</td>
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</tr>
<tr>
<td>12-160-001</td>
<td>Mt San Antonio CCD</td>
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<td>12-161-001</td>
<td>Butte-Glenn CCD</td>
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(5) Workforce and Economic Development Division
Reason for Board Approval: Contract Exceed $100,000
Type of Agreement: Contract (Interagency Agreement)
Contract No.: 12-REC-01
Contractor or Grantee: California Department of Education
Total Award Amount: To be determined by federal actions
Term: July 1, 2012 — June 30, 2013
Total Project Length: 12 Months
Bid Process: N/A for Interagency Agreements

Purpose: To support local assistance of Career Technical Education program.

(6) Workforce and Economic Development Division
Reason for Board Approval: Contract Exceed $100,000
Type of Agreement: Contract (Interagency Agreement)
Contract No.: 12-REC-02
Contractor or Grantee: California Department of Education
Total Award Amount: To be determined by federal actions
Term: July 1, 2012 — June 30, 2013
Total Project Length: 12 Months
Bid Process: N/A for Interagency Agreements

Purpose: To support agency administration of Perkins Career Technical Education Act.

(7) Workforce and Economic Development Division
Reason for Board Approval: Grants Exceed $100,000
RFA Specification Title: Assessment, Remediation and Retention for Associate Degree (RN) Nursing Programs

Funding Source: Nursing Education Program

Type of Agreement: Grant

Term: June 1, 2012 — June 30, 2013

Total Project Length: 12 months

Purpose: These funds are offered as augmentations for colleges without nursing program enrollment growth grants. The funds are to be used to build on plans in progress for diagnostic assessment and remedial coursework programs for students desiring to enter the nursing program and to provide support services to students enrolled in the nursing program.

<table>
<thead>
<tr>
<th>Grant No.</th>
<th>Grantee (District/College)</th>
<th>Amount 2010-11</th>
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<tbody>
<tr>
<td>10-107-002</td>
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<td>10-107-003</td>
<td>Los Angeles CCD/East Los Angeles</td>
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<td>12-107-007</td>
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<td>12-107-012</td>
<td>Imperial CCD/Imperial</td>
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</table>

(8) Student Services Division

Reason for Board Approval: Contract Exceed $100,000

Type of Agreement: Contract (Intersegmental Relations/Outgoing funds.)

Contract No.: C11-0357

Term: June 1, 2012 — June 30, 2013

Contractor or Grantee: Regents of the University of California, Office of the President (Project ASSIST)

Total Award Amount: Up to $440,000.00

Total Project Length: 13 Months
Bid Process: Noncompetitive (Educational entities are exempt from competitive bidding.)

Purpose: Provide for the funding to support the California community college’s portion of ongoing expenses of the ASSIST articulation program utilized by students, advisors, administrators, and faculty of California’s three higher education segments.

**9) Student Services Division**

**Reason for Board Approval:** Grand Total Exceeds $100,000

**Type of Agreement:** Grant (Student Services/Financial Aid/Outgoing funds)

**Contractor or Grantee:** San Joaquin Delta CCD

**Contract or Grant No.:** C12-0352

**Term:** July 1, 2012 – December 31, 2013

**Total Project Length:** 18 months (yearly renewals)

**Amount of Agreement:** Not to exceed $500,000

**Bid Process:** The Board of Governors has granted an exemption from competitive processes for this grant

- **No. of Proposals Recvd:** N/A
- **No. That Met Min. Score:** N/A
- **Readers:** N/A

**Purpose:** Pursuant to Education Code Section 76300 (i)(2), the Board of Governors is authorized to allocate to the community colleges an amount equal to 2 percent of the enrollment fees waived. On July 9, 2001, the Board of Governors approved the use of the Chancellor’s Office Student Financial Assistance Program Unit of up to 3 percent of each college’s allocation to fund consultation with the financial aid community and to fund special projects of vital interest to the colleges. The Board delegates the coordination of these functions to a district, and awards this grant to support activities such as consultation, regional and state coordination, training, and development of strategic financial aid initiatives.

**Projected Funding for Subsequent Years:** N/A

**10) Student Services Division**

**Reason for Board Approval:** Grand Total Exceeds $100,000

**Type of Agreement:** Grant (Student Services/Matriculation/Outgoing funds)

**Contractor or Grantee:** Pasadena CCD

**Contract or Grant No.:** C12-0352

**Term:** July 1, 2012 – January 31, 2014

**Total Project Length:** 18 months (yearly renewals)

**Amount of Agreement:** Not to exceed $575,000

**Bid Process:** The Board of Governors has granted an exemption from competitive processes for this grant

- **No. of Proposals Recvd:** N/A
- **No. That Met Min. Score:** N/A
- **Readers:** N/A
Purpose: Pursuant to Education Code Section 782196(d) authorizing the Board of Governors to designate up to five percent of the funds appropriated for the Matriculation Program for administrative support of Matriculation Programs operated by the community college districts. Pursuant to Education Code 70901(d), the Board delegates the coordination of these functions to a district and awards this contract to support activities of regional and state coordination, in-service and technical assistance, consultation, program oversight, and special programs. Given the severity of the budget reductions on the Matriculation program services statewide, funding will be targeted to convene stakeholder workgroups to identify through research and evaluate effective and cost-efficient models for the provision of Matriculation services, including counseling and advising, orientations, and other services that support student success that can be shared and/or replicated in the community colleges.

(11) Student Services Division
Reason for Board Approval: Contract is in excess of $100,000
Type of Agreement: Contract (Student Services/EOPS PEAP/outgoing funds)
Contractor or Grantee: Pasadena Area CCD
Contract or Grant No.: C12-0353
Term: July 1, 2012 – October 31, 2013
Total Project Length: One Year (up to four annual renewals)
Amount of Agreement: Up to $150,000
Bid Process: Originally awarded through RFA competitive bid

Purpose: Pursuant to Education Code section 69648.5, the contract provides funding and technical assistance to support program activities and conduct evaluations for Extended Opportunity Programs and Services (EOPS) programs operated by districts. The contract renewal will allow the contractor to: 1) provide services as the fiscal agent for the Program Evaluation and Accountability Project (PEAP) of the EOPS program; 2) be responsible for payments of travel claims, consultant invoices, and facility invoices to conduct evaluation activities, training and communications; and 3) process reconciliation of PEAP expenditures for the EOPS and CARE programs.

(12) Student Services Division
Reason for Board Approval: Contract Total Exceeds $100,000
Type of Agreement: Contract (Student Services/CalWORKs/Outgoing Funds)
Contractor or Grantee: Riverside CCD
Contract or Grant No.: C12-0031
Term: July 1, 2012 – June 30, 2013
Total Project Length: 12 months (yearly renewals)
Amount of Agreement: up to $150,000
Bid Process: No bid process with local community college district

Purpose: To continue a CalWORKs set-aside to fund system wide CalWORKs-related technical assistance and support projects.
(13) Student Services Division
Reason for Board Approval: Contract Total Exceeds $100,000
Type of Agreement: Contract (Student Services/DSPS/Outgoing funds)
Contract or Grant No.: 12-345-01
Contractor or Grantee: Yosemite CCD
Term: July 1, 2012 - June 30, 2013
Total Project Length: yearly 12 month renewal)
Amount of Agreement: (up to) $1,000,000.00

Actual project amount will be determined by the Chancellor’s Office and is subject to change depending on the availability of funding and authorized and budgeted amounts for DSPS categorical program and COLA.

Bid Process: Exempt from competitive bid process pursuant to Standing Order 319(d)(2)

Purpose: Implement designated DSPS special projects and regional, state and federal coordination, pursuant to Education Code section 84850 (e).

(14) Student Services Division
Reason for Board Approval: Grant Total Exceeds $100,000
RFA Specification No.: 09-0344
RFA Specification Title: High Tech Center Training Unit (HTCTU)
Total Amount Awarded: Up to $1,039,179.00 per year
Type of Agreement: Grant (Student Services/DSPS/Outgoing funds)
Contractor or Grantee: Foothill-De Anza CCD
Contract or Grant No.: 12-344-001
Term: July 1, 2012 – June 30, 2013
Total Project Length: up to Five years
Project Year: Year Four
Amount of Agreement: (up to) $1,000,000.00

Actual project amount will be determined by the Chancellor’s Office and is subject to change depending on the availability of funding and authorized and budgeted amounts for DSPS categorical program and COLA.

Bid Process: Originally awarded through RFA competitive bid

Purpose: The High Tech Center Training Unit (HTCTU) provides training for DSPS and other community college faculty, staff, and administrators in selecting and using assistive technologies, technical services, systemwide dissemination of information on assistive technologies, and testing and evaluation of new and emerging assistive technologies for students with disabilities. The
HTCTU also provides statewide coordination and consultative services for the distance education, web design, and production of Alternate Media using assistive technology applications.

**Student Services Division**

**Reason for Board Approval:** Grant Total Exceeds $100,000  
**Total Amount Awarded:** Up to $1,000,000 per year  
**Type of Agreement:** Grant (Student Services/ATPC/DSPS/Outgoing funds)  
**Contractor or Grantee:** San Bernardino CCD  
**Contract or Grant No.:** 12-289-001  
**Term:** July 1, 2012 – June 30, 2013  
**Total Project Length:** up to Five years  
**Project Year:** Year Two  
**Amount of Agreement:** (up to) $1,500,000.00  
Actual project amount will be determined by the Chancellor’s Office and is subject to change depending on the availability of funding and authorized and budgeted amounts for DSPS categorical program and COLA.

**Bid Process:** Originally awarded through RFA competitive bid

**Purpose:** The Alternate Text Production Center (ATPC) provides a coordinated system wide approach to the timely and efficient production of printed information in alternate media (such as Braille, large print, electronic text) format. The ATPC uses advanced networking, electronic document management and state-of-the-art format conversion technologies to provide high quality alternate media of required and essential instructional materials, “on-demand” non-instructional community college materials, and other special projects for the Chancellor’s Office and the California community colleges districts.

**Student Services Division**

**Reason for Board Approval:** Grant Total Exceeds $100,000  
**RFA Specification No.:** 08-0346  
**Type of Agreement:** Grant (Student Services/DSPS/Outgoing funds)  
**Contractor or Grantee:** Santa Clarita CCD  
**Contract or Grant No.:** 12-346-001  
**Term:** July 1, 2012 – June 30, 2013  
**Total Project Length:** up to Five years  
**Project Year:** Year Five  
**Amount of Agreement:** (up to) $500,000.00  
Actual project amount will be determined by the Chancellor’s Office and is subject to change depending on the availability of funding and authorized and budgeted
amounts for DSPS categorical program and COLA.

**Bid Process:**
Originally awarded through RFA competitive bid

**Purpose:** Provide funding for live and off-line captioning and transcription services to ensure the accessible delivery of distance education courses.
318. Contracts.
   (a) Except as provided in subsection (b), whenever the power to contract is invested in
       the Board, or when, in the judgment of the Chancellor, such contracts are expressly or impliedly
       authorized to fulfill responsibilities or authorities vested in the Office of the Chancellor, the
       Chancellor is authorized in the name of the Board of Governors to
       enter into such contracts.
   (b) The Chancellor shall secure Board approval before entering into any contract:
       (1) In excess of $100,000; or
       (2) Over three years in duration; or
       (3) With respect to consulting services, in excess of $50,000.
       The requirement for Board approval shall apply to any amendment of a contract which
       results in the original contract exceeding the specified limits, as well as the amendment of a
       contract where the amendment itself exceeds the specified limits. Under circumstances when the
       need to contract was not foreseeable, and when delaying approval of the contract until the next
       Board meeting would jeopardize the contract or frustrate its purpose, the Chancellor shall have the
       authority to enter into contracts in excess of the limits specified in this subsection. Before entering
       into such contracts, however, the Chancellor shall consult with the President of the Board.
   (c) In securing the approval of contracts by the Board pursuant to subsection (b), the
       Chancellor shall apply the following procedures:
       (1) In determining the nature, extent and need for any such contract, the Chancellor
           shall provide a summary of the Request for Proposal (RFP), Invitation for Bid (IFB), or other
           summary of the purpose and need for a contract to the Board of Governors prior to publicly
           releasing any such RFP or IFB, or prior to making any informal commitment to contract. The
           Chancellor may proceed with the release of the RFP, IFB, or other contract negotiations, unless the
           Board President, with or without the advice of any appropriate Board Committee designated by the
           President, directs the Chancellor to withhold action within a 10 day period from the date the
           summary is provided.
       (2) In developing language for such contracts, the Chancellor shall include a provision
           which allows any aggrieved bidder on an RFP or IFB to protest the awarding of a contract to the
           Chancellor. The Chancellor shall inform the Board of any such protests, including the results of such
           protests. This remedy shall be in addition to the bidder’s right to protest the matter to the
           Department of General Services.
       (3) The Chancellor shall ensure that each panel of evaluators who score proposals is
           made up of staff from more than one division in the Chancellor’s Office, including outside
           evaluators as appropriate; and the Chancellor shall take such other steps as necessary to ensure
           that evaluations and scoring are objective and fair.
       (4) In requesting approval of said contracts, the Chancellor shall, at the time of
           distributing each regular meeting agenda to the Board of Governors, include a summary of
           contracts for Board approval. The summary for each contract shall indicate: the purpose of
           the contract; the amount of the contract; the time for performance of the contract, including whether it
           was advertised as a multi-year contract; the number of proposals received or whether the contract
           is a sole source contract; the number of proposals which met the minimum score for cost opening;
           and the party awarded the contract.
The provisions of subparagraphs (1) through (3) above shall not apply to interagency agreements with other state agencies, and other agreements necessary for the agency to receive public funds.

(d) The authorization contained in subsection (a) includes agreements, leases, contracts, and other documents, including but not limited to: service agreements, insurance agreements, fiscal, budgetary, and personnel documents, travel requests, contracts for the purchase of apparatus, furniture, equipment, supplies and books, as well as contracts entered into as necessary to receive federal funds allocated to the California Community Colleges, all within the limits of fiscal ability and sound budgetary controls and subject to such policies as may be established by the Board. (EC § 70901(b)(5).)

319. Grants.

(a) Except as provided in subsection (b), whenever the power to enter into a grant is invested in the Board, or when, in the judgment of the Chancellor, a grant is expressly or impliedly authorized to fulfill responsibilities or authorities vested in the Office of the Chancellor, the Chancellor shall have the authority to enter into such grants.

(b) The Chancellor shall secure Board approval before entering into any grant:

(1) In excess of $100,000; or

(2) Over three years in duration; or

The requirement for Board approval shall apply to any amendment of a grant which results in the original grant exceeding the specified limits, as well as the amendment of a grant where the amendment itself exceeds the specified limits. Under circumstances when the need to enter into a grant was not foreseeable, and when delaying approval of the grant until the next Board meeting would jeopardize the grant or frustrate its purpose, the Chancellor shall have the authority to enter into grants in excess of the limits specified in this subsection. Before entering into such grants, however, the Chancellor shall consult with the President of the Board.

(c) Prior to submitting grants to the Board for approval pursuant to subsection (b), the Chancellor shall either:

(1) present to the Board for its review and approval an expenditure plan outlining the nature, extent and need for any such grants; or

(2) provide a summary of the Request for Application (RFA) or other summary of the purpose and need for a grant to the Board of Governors prior to publicly releasing any such RFA or prior to making any informal commitment to award a grant. The Chancellor may proceed with the release of the RFA unless the Board President, with or without the advice of any appropriate Board Committee designated by the President, directs the Chancellor to withhold action within a 10 day period from the date the summary is provided.

(d) All grants awarded by the Board of Governors or the Chancellor on or after January 1, 1996, shall be awarded through competitive processes or through allocation formulas reviewed and approved by the Board of Governors, except that:

(1) Grants may be awarded competitively within regions.

(2) Grants for regional or statewide coordination activities for the Extended Opportunity Programs and Services (EOPS), Disabled Students Programs and Services (DSPS), Matriculation, and Economic Development programs need not be competitively bid.

(3) Where there are conditions beyond the control of the Chancellor which limit competition, such as matching fund requirements or other agencies being required to select
grantees, the Chancellor, in consultation with the President of the Board and the Chairperson of the appropriate committee, shall have authority to award grants without competition.

(e) Panels evaluating or scoring grant proposals will include or be comprised of outside readers as appropriate and will be comprised so as to assure objectivity and prevent conflicts of interest. In the event that outside readers are not used, the evaluation panel shall be comprised of staff from more than one division in the Chancellor’s Office. The Chancellor shall ensure that readers are appropriately trained with respect to the process for review of grant applications.

(f) Grants for the performance of functions which are ongoing in nature will be awarded in cycles of between one and five years in length. In advertising a grant for an ongoing function, district personnel will be apprised of the length of the cycle and the funding anticipated to be available for the duration of the project; provided however, that nothing in this Section shall be construed to preclude subsequent adjustment of actual funding levels to reflect unforeseen circumstances. Districts shall be further informed that continuance of the grant will depend on year-to-year funding, and continued satisfactory performance. The Chancellor shall have the authority to exempt grants described in Subsection (d)(2) or those awarded under the Mathematics, Engineering, and Science Achievement (MESA) program, the Middle College High School program, or the Puente project from the duration limitations imposed by this paragraph.

(g) A district which, prior to January 1, 1996, has been awarded a grant on a non-competitive basis for the performance of an ongoing function may continue to be awarded that grant, at the discretion of the Chancellor, for a period of up to three additional fiscal years. Retention of the grant shall depend on continued availability of funds and satisfactory performance. At the conclusion of the term, the grant for the ongoing function shall be awarded on a competitive basis.

(h) To the extent that a grantee contracts with a private or public entity to perform certain parts of the grant, the grantee shall be required to disclose the intended purpose and amount of such subcontracting, shall agree to follow locally applicable competitive bidding processes in doing such subcontracting, and shall agree to name the subcontractors chosen.

(i) The procedures specified above shall not apply to grants which are distributed on an allocation formula basis which has been reviewed and approved by the Board of Governors.