

APPROVAL OF CONTRACTS AND GRANTS

November 13-14, 2012

CONSENT CALENDAR

Presentation: Steven Bruckman, Executive Vice Chancellor for Operations and General Counsel

Item 1.3

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 Numbers 318 and 319, copies of which are attached.

(1) Economic & Workforce Development Division

Reason for Board Approval:	Exceeds \$100,000
Type of Agreement:	Grant (Workforce & Economic Development/outgoing funds)
Contractor or Grantee:	West Valley-Mission CCD/West Valley College
Contract or Grant No.:	12-047-002
Term:	November 15, 2012 — June 30, 2013
Total Project Length:	8 Months
Amount of Agreement:	\$276,600
Bid Process:	Non-Competitive
No. of Proposals Recvd:	N/A
No. That Met Min. Score:	N/A
Readers:	N/A

Purpose: The purpose of the grant is to develop a series of inter-related curricula to prepare instructors with the colleges and across the workforce development spectrum in the theory and practice of Solar Photovoltaic (PV) and Solar Heating and Cooling (SHC) system installation. These training instructors will be able to expand workforce training programs to meet identified demand for solar installers.

(2) Economic & Workforce Development Division

Reason for Board Approval:	Exceeds \$100,000
RFA Specification No.:	12-172
RFA Specification Title:	Youth Entrepreneurship Project
No. of Grants Awarded:	Nine
Total Amount Awarded:	\$1,560,000
Funding Source:	Budget Act or SB 1133
Type of Agreement:	Grant
Contractor or Grantee:	See Below
Contract or Grant No.:	See Below
Term:	November 15, 2012 — May 31, 2014
Total Project Length:	18 Months
Project Year:	Year Four (with up to 6 year annual renewal)
Amount of Agreement:	See Below
Bid Process:	Non-Competitive
No. of Proposals Recvd:	N/A
No. That Met Min. Score:	N/A
Readers:	N/A

Purpose: The purpose of the Youth Entrepreneurship Project grants is to increase awareness of and aspirations to self-employment as a legitimate lifetime career path providing reliable living wages. Supportive activities for the project must increase participant’s business management skills, revitalize interest in career technical education and develop bridges to enable ease of movement between high schools and community colleges.

Grant No.	Grantee (District/College)	Project Year	Award Amount
12-172-048	San Luis Obispo County CCD/Cuesta College	4 th Year	\$125,000
12-172-049	Kern CCD	4 th Year	\$125,000
12-172-050	Napa Valley CCD	4 th Year	\$125,000
12-172-051	Rancho Santiago CCD	4 th Year	\$125,000
12-172-052	Shasta-Tehama-Trinity CCD/Shasta College	4 th Year	\$125,000
12-172-053	Mira Costa CCD	4 th Year	\$125,000
12-172-054	Cabrillo CCD	4 th Year	\$125,000
12-172-055	Rancho Santiago CCD	4 th Year	\$560,000
12-172-056	Feather River CCD	4 th Year	\$125,000

(3) Economic & Workforce Development Division

Reason for Board Approval:	Exceeds \$100,000
Type of Agreement:	Grant (Workforce & Economic Development/outgoing funds)
Contractor or Grantee:	See Below
Contract or Grant No.:	See Below
Term:	November 15, 2012 –January 31, 2014
Total Project Length:	15 Months
Amount of Agreement:	See Below
Bid Process:	Competitive
No. of Proposals Recvd:	41
No. That Met Min. Score:	33
Readers:	13

Purpose: The purpose of Industry Driven Regional Collaborative grants is to meet the demand for new, innovative and emerging growth sectors and should be created for short- or long-term responses customized to the duration of the need. Projects can be catalysts or precursors for future vocational, career and technical education programs in the system. Programs and services provided through Industry Driven Regional Collaborative are strategic responses to the needs identified through statewide and regional environmental scanning processes. The grants focus resources on short-term intensive project for high growth sectors. These grants provide flexibility

for colleges to assess and define their individual project needs in the context of statewide and regional needs.

Grant No.	Grantee (District/College)	Amount
12-326-201	Peralta CCD/Laney College	\$129,283
12-326-202	Los Angeles CCD/Los Angeles Harbor College	\$339,992
12-326-203	San Bernardino CCD	\$350,000
12-326-204	Rio Hondo CCD	\$213,069
12-326-205	Grossmont-Cuyamaca CCD/Cuyamaca College	\$272,621
12-326-207	Allan Hancock CCD	\$227,468
12-326-208	San Diego CCD/San Diego Miramar College	\$178,724
12-326-209	Grossmont-Cuyamaca CCD/Cuyamaca College	\$250,841

(4) Economic & Workforce Development Division

Reason for Board Approval:

Exceeds \$100,000

Type of Agreement:

Grant (Workforce & Economic Development/outgoing funds)

Contractor or Grantee:

See Below

Contract or Grant No.:

See Below

Term:

November 15, 2012 –January 31, 2014

Total Project Length:

15 Months

Amount of Agreement:

See Below

Bid Process:

Competitive

No. of Proposals Recvd:

26

No. That Met Min. Score:

23

Readers:

8

Purpose: The purpose of Responsive Training Fund is to enable colleges to provide short-term, intensive training for incumbent workers in identified Strategic Priority Areas as well as other local impact sectors. Training may be offered to managers/administrators, as well as rank and file.

Grant No.	Grantee (District/College)	Amount
12-332-080	Santa Clarita CCD/Santa Clarita College	\$239,553
12-332-081	San Bernardino CCD	\$298,636
12-332-082	Cerritos CCD/Cerritos College	\$316,497

12-332-083	West Hills CCD/West Hills College	\$207,800
12-332-084	Los Angeles CCD/Los Angeles Valley College	\$223,466
12-332-085	Foothill-DeAnza CCD/Foothill College	\$356,228
12-332-086	Los Angeles CCD/Los Angeles Valley College	\$308,324
12-332-087	Napa Valley CCD	\$113,650
12-332-088	North Orange County CCD	\$300,000
12-332-089	Riverside CCD	\$204,256
12-332-090	Sequoias CCD/College of the Sequoias	\$256,147
12-332-091	Merced CCD/Merced College	\$224,956
12-332-092	North Orange County CCD/School of Continuing Education	\$300,000

(5) Economic & Workforce Development Division

Reason for Board Approval:

Exceeds \$100,000

Type of Agreement:

Grant (Workforce & Economic Development/outgoing funds)

Contractor or Grantee:

See Below

Contract or Grant No.:

See Below

Term:

November 15, 2012 –January 31, 2014

Total Project Length:

15 Months

Amount of Agreement:

See Below

Bid Process:

Competitive

No. of Proposals Recvd:

9

No. That Met Min. Score:

7

Readers:

3

Purpose: The purpose of the Job Development Incentive Training Fund grants is to provide training on a no-cost or low-cost basis to participating employers who create employment opportunities at the acceptable wage level for attainment of self-sufficiency or a “living wage” for both welfare recipients and the “working poor.” These grants provide funds to local community colleges for flexible, short-term, “design it yourself” local projects to meet the needs identified in the regional plans or high growth industry sector. These projects depend on strong partnerships with state and local economic development entities, workforce development agencies, community-based organizations, especially the private sector.

Grant No.	Grantee (District/College)	Amount
12-336-081	San Bernardino CCD	\$219,494

12-336-082	Long Beach CCD/Long Beach City College	\$220,000
12-336-083	North Orange County CCD/School of Continuing Education	\$220,000

(6) Economic & Workforce Development Division

Reason for Board Approval: Exceeds \$100,000
Type of Agreement: Grant (Governor’s CTE Pathways Program)
Contractor or Grantee: South Orange County CCD/Saddleback College
Contract or Grant No.: 12-129-001
Term: November 15, 2012 –January 31, 2014
Total Project Length: 15 Months
Amount of Agreement: \$250,000
Bid Process: Pilot
No. of Proposals Recvd: N/A
No. That Met Min. Score: N/A
Readers: N/A

Purpose: The Health Career “Boot Camp” pilot grant will develop an innovative health career readiness program that will focus on foundational skills such as basic skills, critical thinking, and study skills that are critical to student success in allied health education programs. The project is intended to be adapted by other community colleges and Regional Occupational Programs throughout the state.

Grant No.	Grantee (District/College)	Amount
12-129-001	South Orange County CCD/Saddleback College	\$250,000

(7) Economic & Workforce Development Division

Reason for Board Approval: Contracts are greater than \$100,000
Type of Agreement: Contracts (Workforce & Economic Development/outgoing funds)
Contractor or Grantee: See chart below
Contract or Grant No.: See chart below
Term: October 1, 2012 – Sept. 30, 2013
Total Project Length: One Year with the possibility of future funding
Amount of Agreement: See chart below
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, 3 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 state Chancellor’s Office maintains an Economic & 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. Each CITD is hosted by a local community college and provides a variety of programs & services to assist local companies in doing business abroad. The SBA has made an award in the amount of \$1,623,637.00, to be administered by the Chancellor’s Office, to carry out these activities, with the expectation of activities commencing in October 2012.

Projected Funding for Subsequent Years: N/A

Grant No.	Grantee (District/College)	Amount
12-0053	El Camino CCD	\$138,471
12-0055	Los Rios CCD	\$164,250
12-0057	Riverside CCD	\$142,980
12-0058	State Center CCD	\$289,260
12-0061	Los Angeles Chamber of Commerce	\$173,410

(8) Economic & Workforce Development Division

Reason for Board Approval: Exceeds \$100,000

Type of Agreement: Contract (Workforce & Economic Development/Perkins 1B Leadership Funds/outgoing funds)

Contractor or Grantee: Coast CCD – Golden West College

Contract or Grant No.: 12-155-001

Term: Original Term: August 1, 2012 – January 30, 2013
Amendment 1: Extend to June 30, 2013

Total Project Length: 11 months

Amount of Agreement: Original Amount: \$ 99,671.00
Amendment 1: \$ 85,000.00
Total Amount: \$184,671.00

Bid Process: Non-competitive

Purpose: The purpose of the grant is to provide a field liaison to the Chancellor’s Office Economic and Workforce Division to evaluate and disseminate models and best practices in the area of career technical education enrollment management, data and evaluation accountability in support of regionalized Carl D. Perkins planning and student success. The liaison will work with the leaders from the field and the team from the Chancellor’s Office to make recommendations for a data infrastructure that will provide ongoing, integrated, and current data of CTE Perkins, EWD, and SB

1070 programs and students based upon a set of common metrics that include academic and employment outcomes. Additionally the contractor will engage in the Division’s high level system redesign to advance the state’s economic growth and global competitiveness through the development of education, training, and services that meet the needs of the state’s regional economies. This grant is an augmentation to grant #12-155-001

(9) Economic & Workforce Development Division

Reason for Board Approval: Award over \$100,000
Type of Agreement: Federal PHCAST Grant FY 2012-13
Contractor or Grantee: See Below
Contract or Grant No.: See Below
Term: Sept. 30, 2012 – Sept. 29, 2013
Total Project Length: Year three of three year program/grant
Amount of Agreement: \$745,139

Purpose: US Department of Health and Human Services, Affordable Care Act Personal and Home Care Aide State Training (PHCAST) Program awarded funding for three years to develop to A California Partnership for Standards-Based Personal Care Training and Certification to address the growing need for qualified personal and home care aides (PHCA). The grants dollars are supporting the development of a standardized, competency-based curriculum, as well as outreach, recruitment, and placement activities, the partners will positively impact the communities we serve by increasing the number of certified PHCAs across the state. The PHCAs are among those direct car workers that play a vital role in job creation and economic growth, particularly in low-income communities. Trained PHCAs will help meet the challenge of serving the older and disabled patients with very complex health care needs which outpaces the supply of health care provides equipped with the knowledge and skills to adequately care for them.

Grant No.	Grantee (District/College)	Amount
F12-0041	Mt. San Antonio CCD	\$124,337.00
F12-0043	Pasadena Area CCD	\$116,175.00
F12-0046	IHSS Consortium/Training Academy for Personal Caregivers and Assistants (TAPCA)	\$134,065.00

(10) Student Services Division

Reason for Board Approval: Exceeds \$100,000
Type of Agreement: Contract (Student Services/Financial Aid/Outgoing funds)
Contractor or Grantee: Riverside CCD
Contract or Grant No.: 12-0040
Term: July 1, 2012 – December 31, 2013
Total Project Length: 18 Months (yearly renewals)
Amount of Agreement: Not to exceed \$550,000

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

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 by 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 contract to support activities such as consultation, regional and state coordination, training, and development of strategic financial aid initiatives.

(11) Communications Division

Reason for Board Approval: Contract Total Exceeds \$100,000

Type of Agreement: Contact (Media Campaign/Outgoing Funds)

Contractor or Grantee: Santa Barbara CCD

Contract or Grant No.: C12-0104

Term: January 1, 2013 – December 31, 2013

Total Project Length: One year (yearly renewals)

Amount of Agreement: Up to \$2,800,000.00

Bid Process: Noncompetitive (Educational entities are exempt from competitive bidding.)

No. of Proposals Recvd: N/A

No. of Proposals Funded: N/A

Purpose: Santa Barbara CCD serves as the fiscal agent for implementation of Statewide Financial Aid Media Campaign (icanaffordcollege.com). The district shall subcontract for all aspects of the media campaign's implementation and coordination. The purpose of the campaign is to implement a media campaign to promote the availability of student financial aid and encourage students to enroll and attend one of the 110 community colleges.

Standing Orders Numbers 318 and 319 of the Board of Governors

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.