



The Board of Governors of the California Community Colleges

PRESENTED TO THE BOARD OF GOVERNORS
 DATE: January 13-14, 2014

SUBJECT: Approval of Contracts and Grants		Item Number: 1.2	
		Attachment: No	
CATEGORY:	Executive	TYPE OF BOARD CONSIDERATION:	
Recommended By:	 Steven Bruckman, Executive Vice Chancellor	Consent/Routine	X
		First Reading	
Approved for Consideration:	 Brice W. Harris, Chancellor	Action	
		Information	

ISSUE: This item presents contracts and grants for approval.

BACKGROUND: The Procedures and Standing Orders of the Board of Governors (Sections 318 and 319) require the chancellor to receive board approval before entering into contract 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.

For each board meeting, staff prepares a summary of all currently proposed contracts and grants that exceed any of the 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: It is recommended that the Board of Governors approve entering into the contracts and grants described in the January 2014 agenda.

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 and Economic Development Division

Reason for Board Approval: Exceeds \$100,000
Grant Title: Career Technical Education-Career Advancement Academy
Type of Agreement: Grant (Outgoing Funds)
Contractor or Grantee: See below
Contract or Grant No.: See below
Term: January 31, 2014 – February 29, 2016
Total Project Length: Two years
Amount of Agreement: See detail below

Purpose: The Career Advancement Academies establish pipelines to college and high-wage careers for low-income young adults who face academic and personal barriers to post-secondary education and employment. Career Advancement Academies increase foundational skills in reading, writing and math while enrolling students in career technical training programs that lead to careers or higher education opportunities in high-demand Career Technical Education industry sectors. The Career Advancement Academies are aligned with the Doing What Matters initiative to prepare students to advance California’s economic growth and global competitiveness while simultaneously advancing the state's interests in an educated citizenry. The objectives of the Career Advancement Academies Phase III investment will be to build capacity and support the sustainability and institutionalization of successful practices.

Grant No.	Contractor or Grantee	Agreement Amount
13-091-001	Contra Costa CCD	\$ 750,000
13-091-002	El Camino CCD	\$1,050,000
13-091-003	San Mateo CCD	\$1,450,000
13-091-004	West Hills CCD	\$ 750,000

(2) Workforce and Economic Development Division

Reason for Board Approval: Exceeds \$100,000
Type of Agreement: Grant (Senate Bill 70 Governor’s Career Pathways Project/Outgoing Funds)
Contractor or Grantee: Santa Clarita CCD/College of the Canyons
Contract or Grant No.: 13-322-001
Term: Orig. term: July 1, 2013 — June 30, 2014
Am. 1: Extend through June 30, 2015
Total Project Length: Two Years
Amount of Agreement: Original Amount: \$237,000
Am. 1: \$471,000
Am. 2: \$113,000
Total Amount: \$821,000

Purpose: This grant supports the Governor’s Career Education Pathways Initiative by providing professional development opportunities for college faculty and deans to attend a leadership development institute and build learning communities with K-12 instructors to exchange information. Additionally the grant provides support for professional development, coordination and communication of accountability strategies, and training for newly funded sector navigators who are working with colleges to design certificate programs, articulation agreements, dual enrollment, and other strategies that impact the successful transition of students through pathways.

(3) Workforce and Economic Development Division

Reason for Board Approval: Exceeds \$100,000
Grant Title: SB 1070 Career Technical Education Pathways Program
Type of Agreement: Grant
Contractor or Grantee: See below
Contract or Grant No.: See Below
Term: January 15, 2014 – December 31, 2016
Total Project Length: 23.5 months
Amount of Agreement: See Below

Purpose: The purpose of this grant is to support consortia within regions to develop and implement sustainable policies and infrastructure that result in the measurable and successful transition of career technical education students from high schools to postsecondary education and careers. Existing career pathways, articulation agreements, dual enrollment and credit earned in courses are foundational strategies. Activities will build long-term and locally sustainable infrastructure that is supported by the districts within the region. Applicants will demonstrate a comprehensive consortium and regional collaboration to create new pathways or course sequences that begin with preparation, continue with high school level courses that combine rigorous

academics with career education, and are articulated with local community college and four-year public postsecondary educational institutions, with meaningful involvement from regional industry and labor organizations, professional trade associations, and local workforce boards.

Grant No.	Contractor or Grantee	Agreement Amount
13-164-004	Coast CCD	\$1,979,492
13-164-011	Contra Costa CCD	\$1,839,884
13-164-006	Feather River CCD	\$1,139,891
13-164-007	Foothill-DeAnza CCD	\$1,839,884
13-164-001	Grossmont-Cuyamaca CCD	\$1,457,952
13-164-002	Kern CCD	\$1,704,945
13-164-010	Los Angeles CCD	\$1,614,769
13-164-009	Los Rios CCD	\$1,139,891
13-164-008	Mt. San Jacinto CCD	\$1,474,251
13-164-005	Rio Hondo CCD	\$1,614,769
13-164-003	Santa Clarita CCD	\$1,294,215

(4) Workforce and Economic Development Division

Reason for Board Approval: Exceed \$100,000
Type of Agreement: Grant
Contractor or Grantee: Riverside Community College District
Contract or Grant No.: 13-151-007
Term: Orig. term: July 1, 2013 — June 30, 2014
 Am. 1: Extend through Dec. 31, 2014
 18 months
Total Project Length:
Amount of Agreement: Original Amount: \$372,500
 Am. 1: \$200,000
 Total Amount: \$572,500

Purpose: The Global Trade and Logistics Sector Navigator leads statewide efforts in identifying opportunities and establishing collaborative systems and structures that involve the California Community Colleges Chancellor’s Office, regional colleges, and industry partners. The initial grant supports the efforts of the global trade sector navigator to integrate resources to design and deliver workforce training and business development services into statewide and regional projects that

advance and sustain California’s economic growth and jobs through global trade. The amended grant supports the Global Trade and Logistics sector by providing professional development opportunities for college faculty in agriculture and manufacturing to participate in global trade activities; develop and align industry specific global trade model curriculum in partnership with business and employers; and provide leadership for the integration of global trade in the sectors of Agriculture and Manufacturing within the California Community Colleges.

(5) Workforce and Economic Development Division

Reason for Board Approval: Exceeds \$100,000
Type of Agreement: Interagency Agreement Career and Technical Education (Institutions – UCD/ Proposition 39 Clean Energy Workforce Grant)
Contractor or Grantee: University of California, Davis - Energy Efficiency Center
Contract or Grant No.: C13-0059
Term: January 31, 2014 — March 31, 2015
Total Project Length: 14 months
Amount of Agreement: Up to \$150,000

Purpose: This grant will provide professional development for community college instructors in Title 24 Energy Efficiency updates and requirements so that curriculum in electrical, HVAC and other energy related courses is consistent statewide. The UC Davis Energy Efficiency Center operates in partnership with the Investor Owned Utilities and is the leader in this area in California. Funding awarded to the UC Davis Energy Efficiency Center will assist the California Community Colleges in achieving student success goals through collaboration that defines student learning outcomes for energy efficiency and align with industry standards and statewide employer workforce needs; provide energy efficiency expertise to inform community colleges' curriculum; develop a statewide experts network to evolve and sustain energy efficiency program alignment with employer workforce needs; guide development of career pathways, including articulation from K-12 to community college to UC and CSU Systems; and provide expertise and connections in developing work-based learning, such as internships, on-campus facilities training, and learn-and-earn programs.

(6) Workforce and Economic Development Division

Reason for Board Approval: Exceeds \$100,000
Type of Agreement: Interagency Agreement Career and Technical Education (Institutions – EDD/Proposition 39 Clean Energy Jobs Act)
Contractor or Grantee: California Employment Development Department
Contract or Grant No.: C13-0058
Term: January 31, 2014 — March 31, 2015
Total Project Length: 14 months
Amount of Agreement: Up to \$200,000

Purpose: The Proposition 39 Clean Energy Workforce Request for Application released in December 2013 requires participating California community college certificate recipients in energy-related programs to register in the California Employment Development CalJOBS system. The purpose of this funding is to develop a portal for registration and tracking of California community college energy certificate recipients in energy related employment.

(7) Workforce and Economic Development Division

Reason for Board Approval:	Exceeds \$100,000
RFA Specification No.:	13-158 and 13-159
RFA Specification Title:	Deputy Sector Navigator
No. of Grants Awarded:	Two
Total Amount Awarded:	See Below
Funding Source:	Economic and Workforce Development and Senate Bill 1070
Type of Agreement:	Grant
Contractor or Grantee:	See Below
Contract or Grant No.:	See Below
Term:	Jan. 16, 2014 — Dec. 31, 2014
Total Project Length:	11 months, 15 days
Amount of Agreement:	See Below
Bid Process:	Competitive bid
No. of Proposals Recvd:	Four
No. That Met Min. Score:	Four
Readers:	Six

Purpose: The deputy sector navigator grants fund regional sector experts to develop effective sector partnerships with employers, regional consortium, community colleges, high schools, ROPs, workforce investment boards, and other regional organizations to ensure a skilled workforce in support of the regional economy and industry sector. The funding supports activities to establish career pathways for the regional community into those regional economies. The grantees will support and improve regional workforce training within the sector for entry level and incumbent workers and coordinate with employers on curriculum and certificate development, and program alignment. Additionally the deputy sector navigators will collaborate with regional partners to offer contract education, credit, and non-credit training. It was a requirement of the Chancellor’s Office that the applications match one of the priority or emergent sectors chosen by the region in which the applicant applied, and the fiscal agent is one of the districts within that region. The allocated funding for deputy sector navigator grants was determined by this regional selection.

Deputy sector navigator grants were not initially funded for the Greater Sacramento Region in the sectors for Information and Communication Technologies (ICT)/Digital Media and Small Business. The grants were released again for application in October 2013.

Greater Sacramento Deputy Sector Navigators		
Grant Number	Grantee (District/College)	Award Amount
ICT/Digital Media		
13-158-012	Sierra CCD	\$300,000
Small Business		
13-159-015	Yuba CCD	\$300,000

STANDING ORDERS NOS. 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.