



# The Board of Governors of the California Community Colleges

PRESENTED TO THE BOARD OF GOVERNORS

DATE: September 21, 2015

SUBJECT: Approval of Contracts and Grants		Item Number: 2.1	
		Attachment: No	
CATEGORY:	Executive	TYPE OF BOARD CONSIDERATION:	
Recommended By:	 Erik Skinner, Deputy Chancellor	Consent/Routine	
		First Reading	
Approved for Consideration:	 Brice W. Harris, Chancellor	Action	X
		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 September 2015 agenda.

**ANALYSIS:** Summaries of contracts and grants recommended for board approval are provided in this item. In addition, Standing Order Numbers 318 and 319 which govern board action on contracts and grants are included for reference.

- Item 1 is a new contract, issued through a competitive process, to support the design and development of career exploration videos that will be used in conjunction with the Salary Surfer website.
- Item 2 is a new contract to secure hotel space for the Student Success and Support Program/Student Equity Conference organized by the Chancellor’s Office. Registration fees will cover the cost of the contract.
- Item 3 is a renewal of a grant previously approved by the Board to support the Transfer Guarantee to Historically Black Colleges and Universities (HBCU) program. This grant was initially issued through a competitive process and presented to the Board.
- Item 4 is a renewal and augmentation of a grant that will fund data-related technical assistance to the Workforce and Economic Development Division related to an online accountability system used to manage grants. This grant was initially issued through a competitive process and presented to the Board.
- Item 5 is a new contract (inter-agency agreement) that will allow the Chancellor’s Office to receive \$250,000 from the Energy Commission to plan and implement an alternative fuels and advanced vehicle technology apprenticeship training program.

**(1) Communications Division**

<b>Reason for Board Approval:</b>	Contract Total Exceeds \$100,000
<b>Type of Agreement:</b>	Contract (SB1070/Prop 98 Funds/Outgoing funds)
<b>Contractor or Grantee:</b>	Coast Community College District
<b>Contract or Grant No.:</b>	15-0032
<b>Term:</b>	September 22, 2015 – June 30, 2017
<b>Total Project Length:</b>	21 months
<b>Amount of Agreement:</b>	\$600,000
<b>Bid Process:</b>	Competitive RFP
<b>No. of Proposals Recvd:</b>	Two
<b>No. That Met Min. Score:</b>	One
<b>Readers:</b>	Paul Feist and Paige Marlatt Dorr

**Purpose:** The California Community Colleges Chancellor’s Office issued a Request for Proposal (RFP) to obtain the services of a fiscal agent for the Salary Surfer Video Project. The fiscal agent is responsible for working with the California Community Colleges Chancellor’s Office to implement vendor contracts and the payment of invoices to the full-service professional agency, and any subcontractors, selected jointly by the Chancellor’s Office and fiscal agent to manage the Salary Surfer Video Project.

Salary Surfer is a dynamic website that helps students and their families make important decisions about investing their time and money in pursuing a college education. The site provides comparative

information about the earnings of recent graduates who received an award in a specific program area at a California community college. This brings awareness to career opportunities available to California community college students in a familiar and user-friendly format. Engaging videos will showcase real people talking about their careers and jobs to motivate students to take action, choose career paths and achieve their educational goals. The website uses the aggregated earnings of graduates from a five-year period to provide an estimate on the potential wages to be earned both two and five years after receiving a certificate or associate degree in certain disciplines.

The video project will involve a multi-disciplinary full-service professional agency providing a wide range of services including, but not limited to, project management, coordination of schedules and communications with all students/former students participating in the videos, script writing, location scouting, filming, video editing, travel coordination, and ensuring ADA/508 compliance of all end products. Hard costs could include, but are not limited to music licenses, travel expenses, talent fees/stipends and residuals, studio rentals, equipment rentals, wardrobe, and props.

One-time funds totaling up to \$600,000 from the SB 1070 Career Technical Education Pathways Program (FY 2013) will fund the design and development of between 150 and 180 short videos (one to two minutes each). These funds must be contracted with a community college district, who will act as the fiscal agent for this project. The district will hire or designate a project manager with experience in advertising and/or video production to work jointly with the Chancellor's Office and oversee the day-to-day activities related to the video production, contract management, billing and budget tracking. The fiscal agent contract would be for a period of up to two years with an anticipated start date of September 22, 2015 (pending approval by the Board of Governors of the California Community Colleges) and a maximum end date of June 30, 2017. The fiscal agent for this project will receive an administrative fee of eight (8) percent of the total available budget.

**(2) Student Services Division**

**Reason for Board Approval:** Contract Total Exceeds \$100,000  
**Type of Agreement:** Contract (Hotel/Student Services/Outgoing funds)  
**Contractor or Grantee:** Doubletree by Hilton Sacramento  
**Contract or Grant No.:** 15-0014  
**Term:** March 12, 2016 to March 17, 2016  
**Total Project Length:** 5 days  
**Amount of Agreement:** Not to exceed \$140,000  
**Bid Process:** RFP  
**No. of Proposals Recvd:** 1  
**Purpose:** Student Equity/SSSP Conference  
**Projected Funding for Subsequent Years:** Registration fees will be collected to cover all expenses.

**(3) Student Services Division**

**Reason for Board Approval:** Grant total exceeds \$100,000  
**Grant Title:** Transfer Guarantee to HBCUs Program  
**Funding Sources:** Transfer Education and Articulation, and Student Equity Funds  
**Type of Agreement:** Grant  
**Grantee:** El Camino CCD  
**Grant No.:** 15-292-001

**Term:** July 1, 2015 – June 30, 2016  
**Total Project Length:** 12 months  
**Project Year:** Year 2 of 2  
**Amount of Agreement:** \$185,000  
**Bid Process:** Originally competitive

**Purpose:** The primary goal of the Transfer Guarantee to Historically Black Colleges and Universities (HBCU) program is to provide a simplified, guaranteed transfer pathway for community college students to participating HBCU institutions. The primary objective of the first year of this grant was to develop and establish Memorandums of Understanding between the Chancellor’s Office and selected HBCUs, which culminated in partnerships with a select group of nine HBCUs. The MOUs facilitate the transfer of California Community College students who wish to complete their baccalaureate degree at a HBCU, including the effective transfer of California Community college coursework. The HBCU Transfer Admission Guarantee Program allows students who have completed an Associate Degree in Transfer (AA-T/AS-T), or similar transfer -level associate degree, to be admitted to an HBCU with junior status and full acceptance of transferrable units. Each MOU additionally provides a guarantee for non-degreed transfer prepared students wishing to transfer with 30 or more transferrable units to be admitted to an HBCU with advance standing. The primary objective of this second year is to establish an information campaign that promotes program awareness among students and counselors, as well as educate students and counselors on the program’s components. Additionally, HBCUs beyond the initial nine expressing interest to participate will be evaluated for possible inclusion into the program.

#### **(4) Workforce and Economic Development Division**

**Reason for Board Approval:** Exceeds \$100,000  
**Type of Agreement:** Grant (WEDD/Senate Bill 858/Carl D. Perkins Title IB/Senate Bill 1402/ Outgoing Funds)  
**Contractor or Grantee:** Butte-Glenn Community College District  
**Contract or Grant No.:** 15-181-001  
**Term:** July 1, 2015 – June 30, 2016  
**Total Project Length:** Up to 5 Years with yearly renewals  
**Project Year:** Year Two of Five  
**Amount of Agreement:**  
Original Amount: \$ 700,000  
Am. 1 Amount: \$ 400,000  
Total Amount: \$ 1,100,000  
**Bid Process:** Originally awarded by Competitive Bid

**Purpose:** For the past three years, the Workforce and Economic Development Division has invested in an online accountability system to manage nearly \$740 million in grants. The objectives of this grant will focus on data-related technical assistance in support of this system, including accountability, research, evaluation and toolkits for division programs. This augmentation will fund the following:

- Statewide accountability dashboard development, supporting the implementation and further development of the LaunchBoard, the statewide Career Technical Education (CTE) dashboard, as well as providing guidance on ways to better gather and integrate data on CTE and workforce success.
- Procure and implement contracts for Field Integration of the Accountability Dashboard, including communications and training on CTE Data Systems.

- Monitor implementation of federal Workforce Innovation and Opportunity Act (WIOA) accountability and the impact on California’s community colleges.
- Program evaluation of the effectiveness of the Doing What Matters for Jobs and the Economy framework in achieving the specific program goals and objectives, resulting in an annual report with specific conclusions and recommendations for strategies to improve effectiveness.
- System innovation and tool development to create new systems as well as improve existing systems, including but not limited to: mobile applications, system integration, usability testing, user interface development, programming, application development, quality control, and crowdsourcing of process development.
- Provide input into the implementation of workforce accountability provisions in WED initiatives.

**(5) Workforce and Economic Development Division**

<b>Reason for Board Approval:</b>	Exceeds \$100,000
<b>Type of Agreement:</b>	Contract (Interagency Agreement/Incoming Funds)
<b>Contractor or Grantee:</b>	California Energy Commission (CEC)
<b>Contract or Grant No.:</b>	15-REC-04
<b>Term:</b>	Sept. 15, 2015 – Sept. 28, 2018
<b>Total Project Length:</b>	Three Years, One Month
<b>Project Year:</b>	Year One
<b>Amount of Agreement:</b>	\$250,000
<b>Bid Process:</b>	Exempt for Interagency Agreement

**Purpose:** The purpose of this contract is to receive \$250,000 from the Energy Commission to plan and implement an alternative fuels and advanced vehicle technology apprenticeship training program. Currently, there is a lack of trained individuals to service the growing alternative fuels market within the state. This contract will provide training funds to California’s community colleges. The funding will include, but not be limited to, classroom training and online training through the state’s community college system. It will also incorporate training from in-state businesses participating with the community colleges in clean fuels and advanced transportation technologies. This training will increase the number of individuals able to repair and maintain alternatively fueled vehicles for California’s growing clean vehicles market.

## 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.