





The Board of Governors of the California Community Colleges

PRESENTED TO THE BOARD OF GOVERNORS

DATE: July 17, 2017

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:	 Eloy Ortiz Oakley, Chancellor	Action	X
		Information	

ISSUE: This item presents contracts and grants to the Board of Governors 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 July 2017 agenda.

ANALYSIS: This item provides summaries of contracts and grants recommended for board approval. In addition, Standing Order Numbers 318 and 319 which govern board action on contracts and grants are included for reference. Below is an overview of the contracts and grants contained in this item:

- Item 1 is an Interjurisdictional Exchange contract, non-competitive, for the services of Laura Hope to serve as the Executive Vice Chancellor for Educational Services.
- Item 2 is a contract amendment, non-competitive, to provide digital course content to inmates under the jurisdiction of the Department of Corrections and Rehabilitation.
- Item 3 is a new grant, issued through a competitive process, for specialized training implemented under the Institutional Effectiveness Partnership Initiative.
- Item 4 is a new contract, issued through a competitive process, for the Student Senate for California Community Colleges Spring 2018 General Assembly.
- Item 5 is an interagency agreement, non-competitive, for the adult education block grant under the administration of the California Community Colleges Chancellor's Office and the State Department of Education.
- Item 6 is a new grant, issued through a competitive process, for the Technical Assistance Provider: Centers of Excellence for Labor Market Research.
- Item 7 consists of renewal grants, originally through competitive process, for the Clean Energy Workforce Program Grant to fund eligible projects to create jobs in California improving energy efficiency and expanding clean energy generation through renewables.
- Item 8 is a new contract for an Interjurisdictional Exchange with Long Beach CCD to assist in the implementation of the Strong Workforce Program.

(1) Academic Affairs Division

Reason for Board Approval: Exceeds \$100,000
Type of Agreement: Contract (Academic Affairs/Interjurisdictional Exchange/outgoing funds)
Contractor: Chaffey CCD
Contract No.: C17-0035
Term: August 1, 2017 – July 31, 2018
Total Project Length: 12 Month
Amount of Agreement: \$232,392

Purpose: The contract is for the services of Laura Hope to serve as the Executive Vice Chancellor of the Educational Services Division. Ms. Hope will provide leadership and direction over instructional and student support programs to advance the student success agenda of the Chancellor and Board of Governors including the new Guided Pathways initiative.

(2) Academic Affairs Division

Reason for Board Approval: Exceeds \$100,000
Type of Agreement: Contract (Academic Affairs/Digital Course Content /outgoing funds)
Contractor: Allan Hancock Joint CCD
Contract No.: C16-0055
Term: Original Term: July 1, 2016 – June 30, 2017
Am. 1: Extended to December 31, 2018
Total Project Length: 2 Years 6 Months
Amount of Agreement: Original Amount: \$3,000,000
Am. 1: \$3,000,000
Total: \$6,000,000
Bid Process: Non-Competitive

Purpose: This contract will restore inmates under the jurisdiction of the Department of Corrections and Rehabilitation who are enrolled in one or more California community college courses. The provision of this digital course content will to enable community college districts to provide face-to-face instruction to incarcerated adults.

(3) Institutional Effectiveness Division

Reason for Board Approval: Grant exceeds \$100,000
Type of Agreement: Grant (Institutional Effectiveness/Specialized Training/Guided Pathways/outgoing funds)
Grantee: Chabot-Las Positas CCD
Grant No.: 17-020-001
Term: July 1, 2017 – June 30, 2020 up to \$20,000,000
July 1, 2017 – June 30, 2022 up to \$15,000,000
Total Project Length: Up to 5 years, with yearly renewals
Project Year: Year One of Five (with up to 4 year annual renewals)
Amount of Agreement: Up to \$ 35,000,000
Bid Process: Competitive
RFA Specification No.: 17-020

RFA Specification Title: IEPI Specialized Training
No. of Grants Awarded: One
Total Amount Awarded: Up to \$35,000,000
No. of Proposals Rcvd: Two
No. That Met Min. Score: Two
Readers: Three

Purpose: The 2017-18 State Budget appropriates \$20,000,000 for the continued, ongoing specialized training activities implemented under the Institutional Effectiveness Partnership Initiative. The Institutional Effectiveness division will rely on a partner community college district to serve in the role of fiscal agent in 2017-18, in order to help support the specialized training component of Institutional Effectiveness Partnership Initiative (IEPI). The fiscal agent will support IEPI sponsored efforts to identify, develop and disseminate effective professional, administrative, and educational practices across the system. The goal of these efforts is to improve student achievement and community college operations, and provide system leadership training to improve coordination planning and implementation of statewide initiatives.

In addition, the 2017-18 State Budget appropriates \$15,000,000, augmenting the \$20,000,000, for capacity building and professional development to support the Guided Pathways program. Guided Pathways entail a systemic approach to community college reform intended to increase the number of students who successfully achieve their educational goals. Implementing Guided Pathways requires an institution-wide transformation process that will require a multi-year vision and implementation by each college. This will include work to: develop key principles, common understandings and working definitions; adapt, create and refine tools and resource materials; and document and learn from promising practices, processes, and strategies developed by California community colleges, districts, and the system. In addition, the project will develop, deliver and continue to refine a series of webinars; workshops, including regional, action-oriented workshops; and more intensive, capacity-building supports to colleges that can support the launch, rollout and implementation of the Guided Pathways initiative throughout the state over time.

(4) Student Services & Special Programs Division

Reason for Board Approval: Contract to exceed \$100,000
Type of Agreement: Contract (Student Services/Hotel/Conference Center Contract/outgoing funds)
Contractor: Ontario Convention Center
Contract No.: C17-0008
Term: May 2, 2018 – May 6, 2018
Total Project Length: 5 days
Project Year: 2018
Amount of Agreement: \$150,000
Bid Process: Competitively bid through an RFP Process
Request for Proposal No.: 17-0008
Request for Proposal Title: SCCC Spring 2018 General Assembly
No. of Proposals Rcvd: Two
No. That Met Min. Score: Two
Readers: One

Purpose: Student Senate for California Community Colleges Spring 2018 General Assembly

Projected Funding for Subsequent Years: Registration fees will be collected to cover all expenses.

(5) Workforce and Economic Development Division

Reason for Board Approval: Exceeds \$100,000
Type of Agreement: Contract (Interagency Agreement) (Adult Education Block Grant; Assembly Bill 104)
Contractor: California Department of Education
Contract No.: C17-0036
Term: July 1, 2017 – June 30, 2019
Total Project Length: Two years
Amount of Agreement: \$373,758,942
Purpose: Assembly Bill (AB) 104, Section 39 (Chapter 13, Statutes of 2015) established the Adult Education Block Grant under the administration of the California Community Colleges Chancellor's Office and the State Department of Education. The Governor's Budget appropriated \$500 million in funding for this program. The Adult Education Block Grant legislation specifies that funds allocated to consortia, where the fund administrators are K-12 districts or County Offices of Education shall be distributed by the California Department of Education. The California Community Colleges Chancellor's Office will transfer these funds to the California Department of Education through an interagency agreement. The remaining funds will be distributed by the Chancellor's Office to community college districts that are fund administrators of the consortia.

(6) Workforce and Economic Development Division

Reason for Board Approval: Exceeds \$100,000
Type of Agreement: Grant (WEDD/SWP/SB1402/Outgoing funds) (San Diego Region Only)
Grantee: MiraCosta CCD
Contract or Grant No.: 17-305-005
Term: July 18, 2017 — June 30, 2018
Total Project Length: 12-Month
Project Year: Year One
Amount of Agreement: Up to \$200,000
Bid Process: Originally awarded through Competitive Bid
Purpose: The purpose of the Technical Assistance Provider: Centers of Excellence for Labor Market Research (CoE), San Diego Region only, is to fund a full-time Director with the regional Center for Excellence, who serve the state's community colleges by providing data and research support for labor market analysis, demand and supply information, program development tools, environmental scans, and customized reports that inform the board and community of local colleges. The grant identifies a regional fiscal agent to house the technical assistance provider.

(7) Workforce and Economic Development Division

Reason for Board Approval: Exceeds \$100,000
Type of Agreement: Grant (Prop 39-Clean Energy Workforce Program Grant/Outgoing Funds)
Grantee: See Below

Grant No.: See Below
Term: July 18, 2017 — February 28, 2019
Total Project Length: Up to 5 years with yearly renewals
Project Year: Year Four and Five of Five
Amount of Agreement: \$ 8,324,188
Bid Process: Originally awarded through Competitive Bid
Purpose: The purpose of the Clean Energy Workforce Program Grant is to fund eligible projects to create jobs in California improving energy efficiency and expanding clean energy generation through renewables. Current funding provides for the allocation of available funds to public school facilities, university and college facilities, and other public buildings, as well as job training and workforce development and public-private partnerships, for eligible projects associated with energy related building commissioning and re-commissioning. More than 5,000 students completed degrees, certificates, or industry certifications in year two of Prop 39 grant funding. Year three completion data is not yet available.

Grant Number	Grantee (District/College)	Amount
17-177-001	Grossmont-Cuyamaca CCD	\$ 1,582,110
17-177-002	Kern CCD	\$ 2,015,518
17-177-003	Los Angeles CCD	\$ 3,176,374
17-177-004	Mendocino-Lake CCD	\$ 1,550,186

(8) Workforce and Economic Development Division

Reason for Board Approval: Exceeds \$50,000.
Type of Agreement: Contract (Interjurisdictional Exchange/Outgoing Funds)
Contractor or Grantee: Long Beach CCD
Contract or Grant No.: C17-0072
Term: July 17, 2017 – June 30, 2018
Total Project Length: 11.5 months
Amount of Agreement: Up to \$149,128.31
Bid Process: N/A
Purpose: To fill a highly specialized position using an IJE to oversee the implementation of the Strong Workforce Program. This position requires the provision of leadership and technical assistance to all 113 colleges and 72 districts. It also involves working with college Administration. The IJE bring field expertise and capacity to serve the colleges. The duties will include consultation, leadership, facilitation and technical assistance in the design, coordination, execution, continuous improvement and evaluation of activities and functions related to the implementation of the Strong Workforce recommendations.

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.