

APPROVAL OF CONTRACTS AND GRANTS

2.2

CONSENT CALENDAR

Presentation: Barbara Krabbenhoft, Director
Internal Operations

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:

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.

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 approve 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) Academic Affairs Division

Reason for Board Approval:	Grant is over \$100,000
RFA Specification No.:	08-0094
RFA Specification Title:	English as a Second Language/Basic Skills Professional Development grant
Funding Source:	2008-09 California State Budget
Type of Agreement:	Grant
Total Amount Available Under RFA	\$1,600,000/year
Total Number of Awards Under RFA	1
Total Amount Awarded Under RFA	1
Grantee:	Los Angeles Community College District
Grant No.:	08-094-001
Term:	1-14-09 to 12-31-09 (First year of project)
Total Project Length:	Up to 5 Years
Amount of Agreement:	\$1,600,000/year
Bid Process:	Competitive
No. of Proposals Recvd:	1
No. That Met Min. Score:	1
Readers:	There were a total of 6 readers, 2 internal and 4 external

Purpose: This grant will support follow-up activities initiated in 2007-08 and expand on certain activities in several ways:

1. Provide local, regional, and/or statewide workshops, which may focus on alignment of noncredit with credit curriculum; integration of instruction and student services; implementation of culturally responsive instructional and student services strategies; and, implementation of strategies found to be effective for students transitioning from high school and strategies that are most effective for diverse student populations. In addition, develop and implement local technical assistance/workshops tailored to the specific needs of the individual colleges, which may include, but are not limited to, assistance with preparation of Action and Expenditure Plans and integration of student equity plans with Action Plans.
2. Assist colleges with establishing benchmarks to demonstrate increased ESL/basic skills student success and with implementing appropriate outcomes assessment components, as well as data collection procedures.
3. Expand the current web page and electronic information sharing strategies for building a knowledge base and providing valuable information regarding effective practices.

In addition to expanding on activities initiated in 2007-08, this grant will fund the initial infrastructure required for implementing a permanent professional development resource network/center designed to assist administrators, faculty and staff in substantially improving the success rates of students enrolled in developmental courses/programs, to increase their persistence in college, and to increase their success in coursework in other disciplines.

Further, the network/center would arrange for annual summer leadership institutes designed to provide training for faculty, administrators, and staff leaders. Institutes could be organized as one, two, or three week intensive residential summer programs. As an advanced professional training program, an institute should assist practitioners in expanding their knowledge of developmental education and in improving their own developmental or learning assistance programs and services. Participants should be practitioners and others involved with serving developmental education students including student services faculty and staff and faculty across disciplines.

It is anticipated that the professional development resource network/center will be expanded through the grant beyond the initial infrastructure funded during the 2008-09 grant period. After 2008-09, increasing responsibility for professional development would be shifted to the resource network/center.

Projected Funding for Subsequent Years Projected funding is \$1,600,000 per year for the next 4 years after the initial year. Total projected funding over 5 years is \$8,000,000

(2) Student Services Division

Reason for Board Approval:	Contract Total Exceeds \$100,000
Type of Agreement:	Contract
Contractor or Grantee:	Santa Barbara Community College District
Contract or Grant No.:	08-0104
Term:	Original Term: 7-1-08 to 6-30-09
Total Project Length:	Five years
Amount of Agreement:	Original Amount: \$2,442,440
	Amendment No. 1: <u>357,560</u>
	Total Amount: \$2,800,000
Bid Process:	Solicitation of Interest-Only districts eligible to apply
No. of Proposals Recvd:	One
No. That Met Min. Score:	One
Readers:	Three

Purpose: The existing contract requires an amendment to encumber total amount of funds appropriated for the Statewide Financial Aid Media Campaign. Approval from the Board was secured based on the proposed budget amount of \$2.4 million. After the budget was signed, the amount was restored to \$2.8 million. This amendment will serve to encumber the additional

\$357,560 into the contract with Santa Barbara Community College District. This District serves as fiscal agent for implementation of the icanaffordcollege.com campaign. 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.

Projected Funding for Subsequent Years FY 2009-10 - \$2.8 million anticipated.

(3) Executive Office

Reason for Board Approval:	Grant Total Exceeds \$100,000
Type of Agreement:	Grant (Executive/outgoing funds)
Contractor or Grantee:	Yosemite Community College District
Contract or Grant No.:	06-0026
Term:	Original grant term: 6-29-07to 7-31-08 Amendment No. 1: Extend to 7-31-09 Amendment No. 2: Extend to 12-31-09
Total Project Length:	3 years
Amount of Agreement:	Original Amount: \$86,750 Amendment No. 1: 9,043 Amendment No. 2: <u>57,709</u> Total Award: \$153,502
Bid Process:	Competitive
No. of Proposals Recvd:	None
No. That Met Min. Score:	None
Readers:	None

Purpose: The original grant and amendment one had the following purposes: review and incorporate from various projected representation (availability) data sources that are appropriate, acceptable, and legally defensible. Develop and provide updated projected representation (availability) data by the following monitored groups: men, women, American Indians or Alaskan natives, Asians or Pacific Islanders, Black/African-Americans, Hispanics/Latinos, Whites, and persons with disabilities in the following categories: executive/administrative/managerial, faculty (in various disciplines) and other instructional staff, part-time faculty, professional non-faculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance. Review and update the faculty discipline areas as needed and appropriate. Develop reports, instructions, forms, materials, conduct training workshops, and provide technical assistance Provide funds to the Association of Chief Human/Equal Employment Opportunity Officers to train practioners on the adopted projected representation (availability) data as district's work on their Equal Employment Opportunity Plans.

The purpose of amendment two is to provide funds to the Association of Chief Human Resources Officers and Equal Employment Opportunity (EEO) Officers (ACHRO/EEO) for: 1) travel reimbursement and training to readers to assist the System Office to evaluate district EEO Plans; 2) support the annual the ACHRO/EEO training institute; 3) support one day fly in/drive in EEO training; and, 4) provide travel reimbursement for members who participate in the title 5 EEO

4 Item 2.2

review and other System Office EEO committees such as EEO and Diversity and Availability Data.

(4) Economic Development & Workforce Prep Division

Reason for Board Approval: Grant Total Exceeds \$100,000
Type of Agreement: Grant – Career Technical Education/Outgoing funds
RFA Specification No. 08-0107
RFA Specification Title: Enrollment Growth and Retention Program Allocation - Associate Degree Nursing Registered Nursing (RN) Programs
Funding Source: Enrollment Growth and Retention/Attrition Reduction for Associate Degree Nursing
Contractor or Grantee: See Below
Contract or Grant No.: See Below
Term: 3-1-09 to 5-30-10
Total Project Length: Funds will be awarded for a period of 14 months
Amount of Agreement: See Below

Purpose: In order to address the nursing shortage, these 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.

Grant Number	District	College	Final FY 2008-09
08-107-05	San Francisco CCD	City College of San Francisco	\$145,249
08-107-06	Sequoias CCD	College of Sequoias	\$166,370
08-107-07	Foothill- De Anza CCD	DeAnza College	\$113,361
08-107-08	Grossmont – Cuyamaca CCD	Grossmont College	\$131,997
		TOTAL	\$556,977

(5) Economic Development and Workforce Prep Division

Reason for Board Approval: Grant Total Exceeds \$100,000
RFA Specification No. 07-0111
RFA Specification Title: Associate Degree Nursing to Bachelor’s or Master’s Degree Nursing Collaborative Grant
Funding Source: Nursing Education Funds
Type of Agreement: Grant
Contractor or Grantee: See Below
Contract or Grant No.: See Below
Term: 6-26-08 to 4-30-10
Total Project Length: Funds will be awarded for a period of 22 months
Amount of Agreement: See below

Purpose: To develop an Associate Degree Nursing to Bachelor’s Degree Nursing/Master’s Degree Nursing collaborative and curriculum to assist students at the community colleges to articulate to and complete upper level degrees at universities.

Grant Number	District	College	Final FY 2007-08	Final FY 2008-09	Total
07-111-01	Napa Valley CCD	Napa Valley College	\$100,000	\$50,000	\$150,000
07-111-02	Santa Monica CCD	Santa Monica College	\$100,000	\$50,000	\$150,000
07-111-03	Santa Clarita	College of the Canyons	\$99,988	\$50,000	\$149,988
				TOTAL	\$449,988

(6) Economic Development & Workforce Prep Division

Reason for Board Approval: Grant Total Exceeds \$100,000
RFA Specification No. 08-0111
RFA Specification Title: Associate Degree Nursing to Bachelor’s or Master’s Degree Nursing Collaborative Grant
Funding Source: Nursing Education Funds
Type of Agreement: Grant
Contractor or Grantee: See Below
Contract or Grant No.: See Below
Term: 1-14-09 to 2-28-11
Total Project Length: Funds will be awarded for a period of 25 months
Amount of Agreement: See below

Purpose: To develop an Associate Degree Nursing to Bachelor’s Degree Nursing/Master’s Degree Nursing collaborative and curriculum to assist students at the community colleges to articulate to and complete upper level degrees at universities.

Grant Number	District	College	Total FY 2008-09
08-111-04	San Francisco CCD	San Francisco	\$150,000
08-111-05	San Jose/Evergreen CCD	San Jose Evergreen Valley	\$150,000
		TOTAL	\$300,000

(7) Economic Development and Workforce Prep Division

Reason for Board Approval: Grant Total Exceeds \$100,000
Type of Agreement: Grant – Career Technical Education/Outgoing funds
RFA Specification No.: 08-0123
RFA Specification Title: Health Occupation Preparation and Education Program (HOPE)
Funding Source: Career Technical Education/Economic Development Pathways
Contractor or Grantee: See Below
Contract or Grant No.: See Below
Term: June 29, 2009 – June 30, 2010
Total Project Length: One year
Amount of Agreement See Below

Purpose: The purpose is to develop a comprehensive student support program to promote and retain prospective nursing and allied health students. The intent of this project is to pilot test a community college-based student learning community whose purpose is to provide a supportive and nurturing environment for students interested in pursuing community college allied health programs across the spectrum of potential career preparation areas.

Grant Number	District	College	Total FY 2008-09
08-123-01	Sonoma County CCD	Santa Rosa Junior College	\$333,333
08-123-02	Los Rios CCD	Sacramento City College	\$333,334
08-123-03	Chaffey CCD	Chaffey College	\$333,333
		TOTAL	\$1,000,000

**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.