





The Board of Governors of the California Community Colleges

PRESENTED TO THE BOARD OF GOVERNORS
DATE: January 16, 2018

SUBJECT: Approval of Contracts and Grants		Item Number: 2.1	
		Attachment: No	
CATEGORY:	Executive	TYPE OF BOARD CONSIDERATION:	
Recommended By:	 Paul Feist, Vice 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 January 2018 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 amendment to extend the term of a grant to implement the Institutional Effectiveness and Technical Assistance Program.
- Item 2 is an amendment to extend the term.
- Item 3 is a new grant, non-competitive, to act as a fiscal agent to support capacity building initiatives, programming, leadership and coordination in support of implementation of the Strong Workforce Program.
- Item 4 is a new grant, non-competitive, to act as a fiscal agent to provide flexible mini-grants to build capacity within the system to deliver on career pathways in demand by the labor market.
- Item 5 is a new grant, non-competitive, to act as a fiscal agent to provide mini-grants to build capacity within the system to realize workforce/economic development strategies in distressed economic areas.
- Items 6 and 7 are new interagency agreements with California Department of Education to support agency local assistance and administration to support the objective of the Carl D. Perkins Career Technical Education Act.
- Item 8 is a renewal contract, non-competitive, using Carl D. Perkins Career and Technical Education Act set-aside funds to serve individuals in state institutions.
- Item 9 is a renewal grant, non-competitive, using Carl D. Perkins Career and Technical Education Act set-aside funds to serve individuals seeking employment in non-traditional careers.
- Item 10 consists of new grants, issued through a competitive process, for the California Apprenticeship Initiative and support new and innovative pre-apprenticeship programs in priority and emerging industry sectors that specifically target underserved populations.
- Item 11 is a renewal grant, issued through a competitive process, for the Clean Energy Workforce Program to fund eligible projects through renewables.
- Item 12 consists of new grants, issued through a competitive process, allocating Clean Energy Workforce Program Grant funds to eligible projects to create jobs in the Bay Area improving energy efficiency and expanding clean energy generation through renewables.

(1) Institutional Effectiveness Division

Reason for Board Approval: Exceeds 3 years
Type of Agreement: Grant (Institutional Effectiveness/SSSP/Outgoing)
Contractor or Grantee: Santa Clarita CCD
Contract or Grant No.: 17-047-001
Term: Orig. term: July 1, 2017 – June 30, 2018
Am. 1: July 1, 2017 – December 31, 2019
Total Project Length: Up to 5 years—initiated 2015
Project Year: Year Four
Amount of Agreement: Up to \$7,500,000
Purpose: This grant, which is annually renewable for a maximum period of five years (60 months), was awarded to Santa Clarita Community College District to satisfy the program requirements of the Institutional Effectiveness and Technical Assistance Program.

Santa Clarita Community College District will:

- Act as the fiscal agent for the initiative.
- Work closely with the Chancellor's Office, designated advisory committees and colleges to perform the activities required to develop and manage a comprehensive technical assistance program to enhance institutional effectiveness and further student success.
- Build a robust technical assistance site visit infrastructure to assist colleges, districts, and centers.
- Facilitate a robust evaluation component, to identify, document and monitor areas of improvement, while fostering and promoting areas that are working most efficiently.

The Institutional Effectiveness and Technical Assistance Program will satisfy the provisions of Senate Bill No. 860 (SB860 SEC. 20. Section 84654.6) by providing ongoing support to community colleges and districts, which have identified institutional deficiencies in the following areas:

- 1) Accreditation status
- 2) Fiscal viability
- 3) Student performances and outcomes
- 4) Programmatic compliance with state and/or federal guidelines

The Technical Assistance Program is designed to reduce the number of colleges who have been sanctioned or are potentially at risk for sanctions by providing technical assistance to develop promising practices and facilitate professional development. The Grantee is requesting a one-year extension to ensure that the current agreement amount can be utilized efficiently and to the fullest possible extent.

(2) Institutional Effectiveness Division

Reason for Board Approval: Exceeds 3 years
Type of Agreement: Grant (Institutional Effectiveness/SSSP/Outgoing)
Contractor or Grantee: Chabot-Las Positas CCD
Contract or Grant No.: C15-0050
Term: Orig. term: Dec 1, 2015 – February 28, 2018
Am. 1: Dec 1, 2015 – Dec 31, 2019
Total Project Length: 4 years, 1 month
Amount of Agreement: \$12,000,000

Purpose: This grant, which is renewable for a maximum period of ten months, was awarded to Chabot-Las Positas Community College District (CLPCCD) to satisfy the program requirements of the Institutional Effectiveness and Specialized Training, which will develop and disseminate effective professional, administrative, and educational practices that will lead to transformational change throughout the system.

Chabot-Las Positas Community College District will:

- Serve as the fiscal agent for the initiative.
- Hire or designate a project manager to serve as the primary CLPCCD contact for all IEPI Specialized Training needs and allocate staff time of other district employees as necessary to deliver program.
- Work with the IEPI Division to draft and finalize all contracts with subcontractors tasked with carrying out the items listed on their Scopes of Work.
- Work with the IEPI Division to provide IEPI Event Coordination and other support services.
- Subcontract with existing statewide initiatives, such as the RP Group, 3CSN, CCCTechConnect, the Career Ladders Project, and others to develop and deliver specialized trainings.
- Provide IEPI with quarterly written reports, advising of any issues, schedule changes or other pertinent discussions.
- Provide IEPI with quarterly fiscal/accounting updates per contract terms and conditions.

The Institutional Effectiveness and Specialized Training Program will satisfy the provisions of Senate Bill No. 860 (SB860 SEC. 20. Section 84654.6) by providing ongoing support to community colleges and districts, which have identified institutional deficiencies in the following areas:

- 1) Accreditation status
- 2) Fiscal viability
- 3) Student performances and outcomes
- 4) Programmatic compliance with state and/or federal guidelines

(3) Office of Communications

Reason for Board Approval:	Exceeds \$100,000
Type of Agreement:	Purchase Order (Chancellor’s Office Tax Offset Program)
Contractor or Grantee:	Symsoft Solutions
Purchase Order No.:	17-276
Term:	January 1, 2018 – December 31, 2018
Total Project Length:	12 months
Project Year:	2018
Amount of Agreement:	\$449,800
Bid Process:	Competitive
No. of Proposals Recvd:	3
No. That Met Min. Score:	3
Readers:	5

Purpose: The California Community Colleges Chancellor’s Office public facing websites are outdated and have been static for several years. The web presence features multiple sub sites organized by audience, organizational structure and/or topic. There is a critical need to bring order and cohesion to the Chancellor’s Office digital footprint in order to better serve the system and to convey to the public the impact that our system has on the lives of our 2.1 million students and on our state’s economy and

social wellbeing. The contractor will work with the Chancellor's Office to build a web presence that meets the agency's business needs, vastly improves the user experience, is mobile friendly and complies fully with ADA 508 accessibility requirements.

(4) Workforce and Economic Development Division

Reason for Board Approval: Grant Total Exceeds \$100,000
Type of Agreement: Grant (WEDD/SB1402/SWP/Career Technical Education Pathways/Outgoing Funds)
Contractor or Grantee: Chabot – Las Positas CCD
Contract or Grant No.: 17-205-001
Term: January 18, 2018 – December 31, 2019
Total Project Length: One Year, Eleven months
Project Year: Year One
Amount of Agreement: \$12,400,000
Bid Process: Exempt - fiscal agent
Purpose: This grant will support statewide capacity building initiatives, programming, leadership and coordination in support of implementation of the Strong Workforce Program.

(5) Workforce and Economic Development Division

Reason for Board Approval: Grant Total Exceeds \$100,000
Type of Agreement: Grant (WEDD/SB1402/SWP/Career Technical Education Pathways/Outgoing Funds)
Contractor or Grantee: Chabot – Las Positas CCD
Contract or Grant No.: 17-205-002
Term: January 18, 2018 – December 31, 2019
Total Project Length: One Year, Eleven months
Project Year: Year One
Amount of Agreement: \$5,811,000
Bid Process: Exempt - fiscal agent
Purpose: This agent will support flexible mini-grants that build statewide capacity within the system to deliver on career pathways in demand by the labor market. Included in this portfolio is the Education Futures Project, a statewide effort to incorporate Teacher Preparation Pipeline (TPP) programs throughout California Community Colleges, to successfully recruit, train and support teachers to ameliorate critical shortages in Science, Technology, Engineering and Math (STEM), Career Education (CE) and other high need sectors, as well as to diversify and align education pathways.

(6) Workforce and Economic Development Division

Reason for Board Approval: Grant Total Exceeds \$100,000
Type of Agreement: Grant (WEDD/SB1402/SWP/Career Technical Education Pathways/Outgoing Funds)
Contractor or Grantee: Rancho Santiago CCD
Contract or Grant No.: 17-205-003
Term: January 18, 2018 – December 31, 2019
Total Project Length: One Year, Eleven months
Project Year: Year One
Amount of Agreement: \$8,000,000
Bid Process: Exempt - fiscal agent

Purpose: This grant will support mini-grants that build statewide capacity within the system to realize workforce/economic development strategies in distressed economic areas. Included in this portfolio is technical assistance and programming targeted at colleges (and their partners) in regions with higher unemployment or regions with lower relative job growth in order to innovate or scale, or both, projects that accelerate workforce development.

(7) Workforce and Economic Development Division

Reason for Board Approval: Grant Total Exceeds \$100,000
Type of Agreement: Contract (Interagency Agreement/Incoming funds)
Contractor: California Department of Education
Contract No.: 18-REC-01
Term: July 1, 2018 – June 30, 2019
Total Project Length: One year
Amount of Agreement: To be determined by federal actions
Bid Process: Exempt - Interagency Agreements

Purpose: The purpose of this interagency agreement with the California Department of Education is to support local implementation of the Career Technical Education program. These funds are used by the field to provide professional development opportunities to faculty, create advisory councils, develop regional collaborative, and design and share strategies that support the objectives of the Carl D. Perkins Career Technical Education Act.

(8) Workforce and Economic Development Division

Reason for Board Approval: Grant Total Exceeds \$100,000
Type of Agreement: Contract (Interagency Agreement/Incoming Funds)
Contractor: California Department of Education
Contract No.: 18-REC-02
Term: July 1, 2018 — June 30, 2019
Total Project Length: One year
Amount of Agreement: To be determined by federal actions
Bid Process: Exempt - Interagency Agreements

Purpose: The purpose of the interagency agreement with the California Department of Education is to support agency administration of the Carl D. Perkins Career Technical Education Act. These funds are used internally to support the objectives of the Carl D. Perkins Career Technical Education Act.

(9) Workforce and Economic Development Division

Reason for Board Approval: Exceeds \$100,000
Type of Agreement: Contract (WEDD/Carl D. Perkins Title IB / Outgoing Funds)
Contractor or Grantee: California Department of Corrections and Rehabilitation
Contract or Grant No.: R18-0044
Term: July 1, 2018— June 30, 2019
Total Project Length: One Year
Amount of Agreement: Up to \$600,000
Bid Process: Exempt – Federal non-competitive

Purpose: The Carl D. Perkins Career and Technical Education Act of 2006 requires a state mandated set-aside to serve individuals in state institutions, including correctional institutions and institutions that serve individuals with disabilities. The amount must be equal to and not exceed one percent of Carl D. Perkins funds received by the Chancellor’s Office. The Chancellor’s Office annually transfers Carl D. Perkins funds, pursuant to this requirement, to the California Department of Corrections and Rehabilitation.

(10) Workforce and Economic Development Division

Reason for Board Approval: Exceeds \$100,000
Type of Agreement: Grant (WEDD/Carl D. Perkins Title IB/ Outgoing Funds)
Contractor or Grantee: Grossmont-Cuyamaca Community College District
Contract or Grant No.: 18-166-001
Term: July 1, 2018 — June 30, 2019
Total Project Length: One Year
Amount of Agreement: \$150,000
Bid Process: Exempt – Federal non-competitive

Purpose: The Carl D. Perkins Career and Technical Education Act of 2006 requires a state mandated set-aside to serve individuals seeking employment in non-traditional careers. These funds are used to provide professional development opportunities to provide faculty and staff with tools and strategies to better recruit and serve students seeking employment in non-traditional careers.

(11) Workforce and Economic Development Division

Reason for Board Approval: Exceeds \$100,000
RFA Specification No.: 17-192
RFA Specification Title: California Apprenticeship Initiative (CAI) Pre-Apprenticeship and Enhanced On the Job Training Grant Program
Type of Agreement: Grant (WEDD/Economic and Workforce Development Apprenticeship/Outgoing Funds)
Grantee: See Below
Contract or Grant No.: See Below
Term: January 18, 2018 – January 31, 2020
Total Project Length: Two Years
Project Year: Year One
Amount of Agreement: See Below
No. of Grants Awarded: 15
Total Amount Awarded: Up to \$7,010,848
Bid Process: Competitive Bid
No. of Proposals Received: 41
No. That Met Minimum Score: 16
Readers: 33

Purpose: These grants are part of the \$15 million California Apprenticeship Initiative to support new and innovative pre-apprenticeship programs in priority and emerging industry sectors that specifically target underserved populations. The programs are directly connected to apprenticeship programs that are approved and registered by the California Division of Apprenticeship Standards. Pre-apprenticeship

programs are different from Registered Apprenticeship programs in that they provide a broad-based training program in order to prepare participants to apply for admittance to Registered Apprenticeship programs. This Pre-Apprenticeship Grant is designed to encourage applicants to create programs that prepare participants for careers in occupations, which utilize an apprenticeship-training model. Grantees will investigate current practices and implement new and innovative methods to increase the number of women, persons of color, foster youth, parolees, veterans or other under-represented groups who meet the minimum application standards. These pre-apprenticeship grants are designed to improve the diversity of the pool of applicants for apprenticeship programs in multiple career pathways.

In addition, the request for application allowed for programs developing On-the-Job Training Programs (OJT Programs) that are approved by the California Division of Apprenticeship (DAS). OJT Programs *may be a precursor or career ladder to a formal state-registered apprenticeship program* (Labor Code §3093), which results in the issuance of formal Certificate of Completion by the DAS. This may allow colleges and faculty to imbed an industry-recognized credential in their CTE programs, which they are aligning with existing state approved apprenticeship program.

Grant No.	Grantee (District/Local Education Agency)	Amount
17-192-001	San Jose Evergreen CCD – San Jose City College	\$500,000
17-192-002	San Mateo CCD – College of San Mateo	\$497,209
17-192-003	Ventura County CCD	\$343,974
17-192-004	Southern California Regional Occupation Center	\$500,000
17-192-005	Marin CCD - College of Marin	\$391,872
17-192-006	Yosemite CCD – Columbia College	\$496,804
17-192-007	Victor Valley CCD – Victor Valley Community College	\$443,490
17-192-008	Lake Tahoe CCD – Lake Tahoe Community College	\$500,000
17-192-009	Martinez Unified School District – Anderson Career Builder Institute	\$500,000
17-192-010	Los Angeles CCD – West Los Angeles College	\$500,000
17-192-011	Sacramento County Office of Education	\$500,000
17-192-012	San Luis Obispo County Office of Education – MC3	\$487,708

17-192-013	San Francisco CCD – City College of San Francisco	\$499,616
17-192-014	Santa Clarita CCD - College of the Canyons	\$352,046
17-192-015	Long Beach CCD – Long Beach City College	\$498,129

(12) 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: Los Angeles CCD
Grant No.: 17-177-003
Term: January 18, 2018 — February 28, 2019
Total Project Length: Up to 5 years with yearly renewals
Project Year: Year Four and Five of Five
Amount of Agreement: \$3,176,374
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. Funding supports improvements 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. This grant was initially approved at the July 17, 2017 BOG meeting, however, being resubmitted for new commencement date due to delays in executing the initial grant.

(13) Workforce and Economic Development Division

Reason for Board Approval: Exceeds \$100,000
RFA Specification No.: 17-177
RFA Specification Title: Proposition 39 Clean Energy Workforce Program (Bay Region)
Type of Agreement: Grant (Prop 39-Clean Energy Workforce Program Grant/Outgoing Funds)
Grantee: See Below
Contract or Grant No.: See Below
Term: January 18, 2018 – January 31, 2019
Total Project Length: One Year
Project Year: Year One
Amount of Agreement: See Below
No. of Grants Awarded: Two
Total Amount Awarded: Up to \$2,183,108
Bid Process: Competitive Bid
No. of Proposals Received: 4
No. That Met Minimum Score: 2
Readers: 3

Purpose: These grants will provide Clean Energy Workforce Program Grant funds to create jobs in the Bay Area improving energy efficiency and expanding clean energy generation through renewables. Funding supports improvements 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. Funding will be used to develop relationships with colleges in the region, convene regional planning and implementation sessions, assure optimum participation in the Strong Workforce Program, provide mini-grants to fund regional or individual college projects, and fulfill fiscal responsibilities of the grant. Collaboration with the Energy, Construction, and Utilities Sector Navigator and Deputy Sector Navigator in developing and executing a sector strategy for the region is required.

Grant No.	Grantee (District/Local Education Agency)	Amount
16-177-006	San Mateo County CCD	\$1,091,554
16-177-007	Sonoma County CCD	\$1,091,554

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.