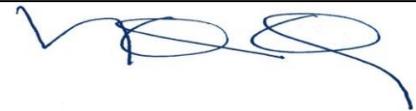




The Board of Governors of the California Community Colleges

PRESENTED TO THE BOARD OF GOVERNORS

DATE: January 17-18, 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 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 contracts 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 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 consists of new grants, issued through competitive process, for Open Educational Resources to improve teaching, learning and accessibility for all learners. These grants are designed to enable California community colleges to implement Zero Textbook Cost program pathways.
- Item 2 is a new contract, non-competitive, to disburse funds to one or more community college districts to provide digital course content to 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 expand the ability of community college districts to provide face-to-face instruction to incarcerated adults.
- Item 3 is a renewal contract, with the Regents of the University of California, Office of the President, to fund the CCC's portion of ongoing expenses of the ASSIST articulation program utilized by students, advisors, administrators, and faculty of California's three higher education segments.
- Item 4 is a renewal grant, originally issued through competitive process, for the Cal-PASS project.
- Item 5 is a new grant, issued through a competitive process, for Adult Education Block Grant Technical Assistance, Coordination and Capacity Building to serve as a fiscal agent to provide technical assistance and statewide leadership activities to the 71 adult education consortia over a three-year period.
- Item 6 is an augmentation to a grant, originally issued through a competitive process, for the Small Business Sector, which will implement a joint program, the California Entrepreneurship Initiative, to enable participating community colleges to partner with the Governor's Office for Business and Economic Development (GO-Biz) and the California Small Business Development Center Network, the largest technical assistance program for small businesses in California. This grant will provide underserved communities and disadvantaged businesses with the training, coaching, supportive services and access to capital they need to start and grow their businesses.
- Item 7 consists of new grants, issued through competitive process, for the California Apprenticeship Initiative New Innovative Grant Program to create new and innovative apprenticeship opportunities in priority and emerging industry sectors or areas in which apprenticeship training does not currently exist. The objective of this grant is to expand the apprenticeship training model into non-traditional fields in growing and emerging industries

throughout California's regional economies.

- Items 8 and 9 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 10 is a renewal contract, non-competitive, per the Carl D. Perkins Career and Technical Education Act to set-aside funds, to serve individuals in state institution.
- Item 11 is a new grant, non-competitive, per the Carl D. Perkins Career and Technical Education Act to set-aside funds, to serve individuals seeking employment in non-traditional careers.

(1) Academic Affairs Division

Reason for Board Approval:	Grant Total Exceeds \$100,000
Type of Agreement:	Grants (Academic Affairs/Open Education Resources/Outgoing funds)
RFA Specification No.:	16-080
RFA Specification Title:	Zero Textbook Cost Degree – Implementation Program
Contractor or Grantee:	See Below
Contract or Grant No.:	See Below
Term:	January 1, 2017 – December 31, 2017
Total Project Length:	12 Months
Project Year:	One Year
Amount of Agreement:	See Below
No. of Grants Awarded:	5
Total Amount Awarded:	\$538,712
Bid Process:	Competitive Bid
No. of Proposals Received:	5
No. that Met Min. Score:	5
Readers:	12

Purpose: The Zero Textbook Cost program, is one of the Open Educational Resources initiatives to improve teaching, learning and accessibility for all learners. California community colleges have a unique opportunity to plan/implement a Zero Textbook Cost pathway of courses (major and general education) fulfilling an associate degree or a career technical education certificate. Implementation grants are designed to enable California community colleges to implement Zero Textbook Cost program pathways. Colleges pursuing this grant have either completed the planning grant process of researching, professional development, meetings, coordination, and other resources and activities that are required to organize and discuss the components or adapting/creating Zero Textbook Cost degrees and/or certificates or have explored the development of these program pathways through other grant programs or the use of local funds.

Grant #	District	College	Amount Requested
16-080-001	Santa Clarita	College of the Canyons	\$121,764
16-080-004	San Jose-Evergreen	San Jose City College	\$150,000
16-080-005	West Hills	West Hills Lemoore College	\$150,000

(2) Academic Affairs Division

Reason for Board Approval:

Contract Total Excess of \$100,000

Type of Agreement:

Contract (Academic Affairs/Digital Course Content to Inmates under the Jurisdiction of the Department of Corrections Pursuant to Expansion of Delivery of Course through Technology/Outgoing funds)

Contractor or Grantee:

Allan Hancock Joint Community College District

Contract or Grant No.:

C16-0055

Term:

July 1, 2016 – June 30, 2017

Total Project Length:

Three Years

Amount of Agreement:

Up to \$3,000,000

Bid Process:

Non - Competitive

No. of Proposals Recvd:

N/A

No. That Met Min. Score:

N/A

Readers:

N/A

Purpose: This contract will support the disbursement of funds to one or more community college districts to provide digital course content to 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 expand the ability of community college districts to provide face-to-face instruction to incarcerated adults.

(3) Student Services Division

Reason for Board Approval:

Contract Total exceeds \$100,000

Contract Title:

Project ASSIST

Funding Sources:

Student Success and Support Program

Type of Agreement:

Contract (Student Services/outgoing funds)

Contracted:

Regents of the University of California, Office of the President

Contract No.:

C16-0049

Term:

Original term: July 1, 2016 - June 30, 2017
Amendment 1: extending to June 30, 2018

Amount of Agreement:

Original Amount: \$550,000
Amendment 1: \$150,000
Total: \$700,000

Bid Process:

Non-Competitive

No. of Proposals Recvd:

N/A

No. That Met Min. Score:

N/A

Purpose: This contract will allocate funding to support the CCC's portion of ongoing expenses of the ASSIST articulation program utilized by students, advisors, administrators, and faculty of California's three higher education segments. ASSIST is the official repository of articulation for California's

public colleges and universities and provides the most accurate and up-to-date information about student transfer in California.

(4) Technology, Research, & Information Systems Division

Reason for Board Approval: Grant Total Exceeds \$100,000
Funding Source: Telecommunications and Technology Infrastructure Program
Type of Agreement: Grant (Telecommunication/Telecommunications and Technology Infrastructure Program/Outgoing funds)
Grantee: San Joaquin Delta CCD
Grant No.: 17-030-001
Term: July 1, 2017 – June 30, 2018
Total Project Length: 12 months
Project Year: Sixth Year
Amount of Agreement: Not to exceed \$2,000,000
Purpose: The Cal-PASS grant was awarded to a new grant recipient in 2012-13. This grant is currently funded for \$1.139 million dollars per fiscal year.

Program responsibilities:

- Maintain the infrastructure, hardware and software necessary to store, maintain and provide secure access to hundreds of millions of encrypted, anonymous student records. This includes continued collaboration with the Chancellor’s Office regarding data hosting.
- Conduct data analyses, including the development and production of reports, studies and outcome analyses.
- Share Cal-PASS outcomes with statewide, regional and local groups working to improve the alignment of curriculum from kindergarten through university as well as working to improve regional intersegmental education collaboration.
- Track the effects of curricular and instructional alignment as well as special interventions such as Early Assessment, Advancement via Individual Determination (AVID) and Puente programs.
- Compile and share the data to improve the sequencing in undergraduate education requirements so that appropriate senior year high school courses are linked to postsecondary general education courses. This also includes working to align curriculum with placement tests in higher education so students have the necessary preparation to meet test expectations.
- Continue the expansion of data collection by increasing the number of Cal-PASS member institutions from K-12, community colleges and universities.
- Evaluate the current program’s scope of activities and develop recommendations related to further improving the program’s effectiveness over the next five years. This evaluation should be aligned to the program’s mission and include the solicitation and input of program stakeholders.

(5) Workforce and Economic Development Division

Reason for Board Approval:	Grant Total Exceeds \$100,000
RFA Specification No.:	16-206
RFA Specification Title:	Adult Education Block Grant Technical Assistance, Coordination and Capacity Building
Type of Agreement:	Grant (Assembly Bill 104, Section 84915)
Grantee:	Sacramento County Office of Education
Grant No.:	17-206-001
Term:	January 19, 2017 — December 31, 2019
Total Project Length:	36-Month
Project Year:	Year One of Three
Amount of Agreement:	See Below
No. of Grants Awarded:	1
Total Amount Awarded:	Up to \$5,000,000
Bid Process:	Competitive Bid
No. of Proposals Received:	3
No. that Met Min. Score:	3
Readers:	3

Purpose: The Adult Education Block Grant Technical Assistance Coordination and Capacity Building grant of \$5 million (one-time) is to be used to contract with one selected community college district or local educational agency to serve as a fiscal agent to provide technical assistance and statewide leadership activities to the 71 adult education consortia over a three-year period. These activities include but are not limited to, all of the following:

- Developing and disseminating effective practices and other guidance documents.
- Providing adult education consortia with technical assistance to enhance the effectiveness of their local adult education programs.
- Providing professional development opportunities to adult education consortia.
- Providing weekly webinars.
- Establishing and maintaining an Internet Web site containing programmatic guidance.
- Researching effective adult education practices in other states.
- Enhancing programmatic collaboration with other state and federal education and workforce development programs.

(6) Workforce and Economic Development Division

Reason for Board Approval:	Grant Total Exceeds \$100,000
Type of Agreement:	Senate Bill 1402
Contractor or Grantee:	Solano Community College District
Reason for Board Approval:	Total Exceeds \$100,000
Contract or Grant No.:	16-151-001
Term:	Original: July 1, 2016 – June 30, 2017 Am. 2: July 1, 2016 – December 30, 2018
Total Project Length:	Up to 5 Years with yearly renewals
Project Year:	Year Four of Five
Amount of Agreement:	Original Amount: \$372,500 Am. 1 Amount: \$500,000

Total Amount: \$872,500

Bid Process: Originally awarded by Competitive Bid

Purpose: The Small Business Sector will implement a joint program, the California Entrepreneurship Initiative, to enable participating community colleges to partner with the Governor's Office for Business and Economic Development (GO-Biz) and the California Small Business Development Center Network, the largest technical assistance program for small businesses in California, to provide underserved communities and disadvantaged businesses with the training, coaching, supportive services and access to capital they need to start and grow their businesses. The supplemental funding will be added to the existing SB 1402 funding for the Small Business Sector Navigator agreement. Program Components include:

- Entrepreneurship Training with Goldman Sachs Small Business and First-Time Retailer Program.
- One-on-one business consulting by local Small Business Development Centers to assist small business owners that are participating in their entrepreneurship training programs.
- Specialized services including permit assistance, California Competes Tax Credit program, CalVet Transition Program Assistance, and others.
- Access to capital through California Infrastructure Bank, Financial Development Corporation, Kiva, traditional lenders and alternative financiers.

(7) Workforce and Economic Development Division

Reason for Board Approval: Grant Totals Exceeds \$100,000
RFA Specification No.: 16-191
RFA Specification Title: California Apprenticeship Initiative New Innovative Grant Program
Type of Agreement: Grant (Workforce and Economic Development Division/Proposition 98/outgoing funds)
Grantee: See Below
Contract or Grant No.: See Below
Term: January 18, 2017 – January 31, 2019
Total Project Length: Two years
Project Year: Year One
Total Amount Available under RFA: \$9,000,000
Total Number of Awards under RFA: 13 (See Below)
Total Amount Awarded under RFA: \$8,708,471
Bid Process: Competitive
No. of Proposals Recvd: 20
No. That Met Min. Score: 13
Readers: 14

Purpose: The \$9,000,000 California Apprenticeship Initiative; New and Innovative Grant Program, seeks to create new and innovative apprenticeship opportunities in priority and emerging industry sectors, or areas in which apprenticeship training does not currently exist. The objective of this grant is to expand the apprenticeship training model into non-traditional fields in growing and

emerging industries throughout California’s regional economies.

The Strong Workforce Task Force recommended expanding apprenticeship training programs into industries that have not traditionally utilized such programs in order to help meet California’s anticipated shortage of one million industry-valued, middle skill credentials. Specifically, effective apprenticeship programs that are aligned with regional labor market demands of business and industry, will prepare students to compete in a dynamic workplace and changing economy.

Grant No.	Grantee (District/College)	Amount
16-191-001	Santa Clarita Community College District – College of the Canyons	\$260,000
16-191-002	Coast Community College District – Coastline Community College	\$1,000,000
16-191-003	Southwestern Community College District – Southwestern College	\$300,000
16-191-004	San Francisco Community College District – City College of San Francisco	\$1,000,000
16-191-005	Los Angeles Unified School District	\$999,938
16-191-006	Grossmont Union High School District	\$729,549
16-191-007	Los Angeles Community College District – Los Angeles Trade Tech College	\$999,950
16-191-008	Los Angeles Community College District – West Los Angeles College	\$400,000
16-191-009	Riverside Community College District – Norco College	\$500,000
16-191-010	Riverside Community College District - Riverside City College	\$300,000
16-191-011	Grossmont Cuyamaca Community College District – Cuyamaca College	\$259,958
16-191-012	Yosemite Community College District – Columbia College	\$960,000
16-191-013	San Luis Obispo County Office of Education	\$999,076

(8) Workforce and Economic Development Division

Reason for Board Approval: Interagency Agreement Exceeds \$100,000
Type of Agreement: Contract (Interagency Agreement/Incoming funds)
Contractor: California Department of Education
Contract No.: 17-REC-01
Term: July 1, 2017 – June 30, 2018
Total Project Length: One year
Amount of Agreement: To be determined by federal actions
Bid Process: Exempt for Interagency Agreements
Purpose: The purpose of the interagency agreement with the California Department of Education is to support local assistance through the Career Technical Education program. These funds are used by the field to provide professional development opportunities to faculty, to create advisory councils, to develop regional collaborative, and to design and share strategies that support the objectives of the Carl D. Perkins Career Technical Education Act.

(9) Workforce and Economic Development Division

Reason for Board Approval: Interagency Agreement Exceeds \$100,000
Type of Agreement: Contract (Interagency Agreement/Incoming Funds)
Contractor: California Department of Education
Contract No.: 17-REC-02
Term: July 1, 2017 — June 30, 2018
Total Project Length: One year
Amount of Agreement: To be determined by federal actions
Bid Process: Exempt for 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.

(10) Workforce and Economic Development Division

Reason for Board Approval: Interagency Agreement 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.: R17-0044
Term: July 1, 2017— June 30, 2018
Total Project Length: One Year
Amount of Agreement: Up to \$600,000
Bid Process: 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 state correctional institutions and other state institutions that serve individuals with disabilities. The amount must be equal to and not to exceed one percent of Carl D. Perkins funds received by the Chancellor’s Office. The Chancellor’s Office annually transfers Carl D. Perkins funds to the California Department of Corrections and Rehabilitation.

(11) Workforce and Economic Development Division

Reason for Board Approval: Grant Total 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.: 17-166-001
Term: July 1, 2017 — June 30, 2018
Total Project Length: One Year
Amount of Agreement: \$150,000
Bid Process: Non-Competitive

Purpose: The Carl D. Perkins Career and Technical Education Act of 2006 requires a state mandated set-aside fund to serve individuals seeking employment in non-traditional career. 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.

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.