

COLLEGE OF
MARIN

**BOARD OF TRUSTEES SPECIAL MEETING
AGENDA**

**TUESDAY, MARCH 4, 2008
4:00 P.M.**

**COLLEGE OF MARIN
STAFF LOUNGE, DEEDY STUDENT SERVICES – KENTFIELD CAMPUS**

The Board shall act on posted items and shall not deliberate items that are not on the posted agenda. Persons desiring to address the Board may fill out a card and give it to the Recording Secretary.

In compliance with the Americans with Disabilities Act, if you need special assistance to access the Board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact Bob Balestreri at 485-9414. Notification at least 24 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting.

If you wish to speak, complete card available at entrance, give card to recording secretary, get recognition from the Chair. Public comment presentations will be limited to no more than 3 minutes each.

- A. Closed Session – 4:00 p.m., SS A&B Conference Rooms, Kentfield Campus**
 - 1. Call to Order, Roll Call and Adoption of Agenda**
 - a) Request for Public Comment on Closed Session Agenda**
 - 2. Recess to Closed Session to consider and/or take action upon the following items:**
 - a) With respect to every item of business to be discussed in Closed Session pursuant to Government Code Section 54957:
PUBLIC EMPLOYEE DISCIPLINE/DISCUSSION/DISMISSAL/RELEASE/SEPARATION**
 - 3. Recess to Special Meeting**

SPECIAL MEETING AGENDA

- B. Special Meeting – 4:15 p.m., Deedy Staff Lounge, Kentfield Campus**
 - 1. Call to Order, Roll Call and Adoption of Agenda**
 - 2. Report of Closed Session for March 4, 2008**
 - 3. Comments from the Public**

4. **Special Reports**
 - a. **Fiscally Accountable Status**
 - b. **Fine Arts Building Restrooms**
Response to Board directive to secure legal and professional opinions about restrooms on all floors.

5. **Action Items**
 - a. **Award Construction Contracts**
 1. **Diamond PE Center Alterations (#308B)**
 2. **Geothermal Fields Kentfield & IVC (#305B & #417B)**

 - b. **Approve Professional Services Agreement Amendment**
 1. **New Fine Arts Building Project (#306C)**
Additional Services – Scope Changes
Marcy Wong Donn Logan Architect – Amendment #4

6. **Information Items**
 - a. **Accountability Reporting for Community Colleges (ARCC) Self-Assessment**

7. **Adjournment**

MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To:	Board of Trustees	Date:	March 4, 2008
From:	Superintendent/President	Item & File No.	B.4.a
Subject:	Fiscally Accountable Status		
Reason for Board Consideration:	Enclosure(s):		
INFORMATION			

BACKGROUND:

On July 17, 2007, the College of Marin Board of Trustees authorized the Superintendent / President, under Education Code Section 85266, to seek fiscally accountable status from the Marin County Office of Education and the Marin County Auditor's office. After Board approval, the college submitted the appropriate papers to Marin County Office of Education and Marin County Auditor. Subsequently, the Marin County Office of Education reviewed our internal controls and fiscal operating procedures with no negative findings.

The most important issue facing the College of Marin today is meeting the requirements of accreditation and removing the college from probation. In evaluating the resources required to meet this commitment and the resources we have available, we have determined that the cost and the risk are too high for us to continue taking on the added responsibility of becoming fiscally accountable at this time. Consequently, we have withdrawn our application. We will re-submit our application at a later date and time.

The Comet HR / Payroll system is designed and the college will continue to use the HR system integrated with the other Comet functions. We will continue to develop the Payroll system and will use the part of the payroll system that will assist the college with data collection and decision-making. The County Office of Education will continue to process our payroll pending a future application to become fiscally accountable.

RECOMMENDATION:

No action required. For information only.

Administrator Initiating Item: Dr. Frances L. White, Superintendent/President

MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To:	Board of Trustees	Date:	March 4, 2008
From:	Superintendent/President	Item & File No.	B.5.a(1)
Subject:	Diamond PE Center Alterations Project (308B) Award Construction Contract		
Reason for Board Consideration:	Enclosure(s):		
ACTION – AWARD			None

BACKGROUND:

On October 9, 2007 the Board authorized the District to accept bids for the Diamond PE Center Alterations Project (308B). Bids were opened on February 26, 2008.

The apparent low bidder is determined by **base bid price only**. Bid Alternates (also called additives) are defined as scope enhancements that were not included in the original scope of work. Due to the reasonable **base bid price** submitted by Alten Construction, the District will accept alternates 1 through 4, increasing the scope of work for the Diamond PE Center. The District is limited to using the alternate pricing submitted by Alten Construction as they are the low responsible bidder.

The **base bid** results are as follows:

Alten Construction	\$ 10,396,307
West Bay Builders	\$ 11,385,000
Di Giorgio	\$ 11,492,000
NBC General Contractors	\$ 11,865,000
Arntz Builders	\$ 11,944,202
Bobo Construction	\$ 12,396,000
R Debbelen	\$ 12,510,000
Mid State Construction	\$ 13,065,000
Zolman	\$ 13,865,000

The District recommends the Board of Trustees award the Diamond PE Center Alterations construction contract to Alten Construction in the amount of \$ 10,552,807.

FISCAL IMPACT:

This project will be paid from bond funds. The engineer's estimate for this project is \$ 15,500,000. The contract amount to be awarded to Alten Construction includes the following four (4) alternates:

Base bid	\$ 10,396,307	
Alternate 1	\$ 12,500	Extended 5 year maintenance warranty
Alternate 2	\$ 135,700	Grading and gravel (parking lot 13)
Alternate 3	\$ 6,000	Allowance for hazmat abatement gym floor
Alternate 4	\$ 2,300	Allowance for hazmat abatement gym roofing

Total Contract with Alternates \$ 10,552,807

RECOMMENDATION:

The Superintendent/President recommends that the Board award a construction contract for the Diamond PE Center Alterations Project (308B) to the low responsible bidder, Alten Construction, in the amount of \$ **10,552,807** following successful completion of the mandatory 5 day protest period.

Administrator Initiating Item
V-Anne Chernock
Director of Modernization

Administrator Approving Item
Albert J. Harrison
Vice President, College Operations

MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees	Date: March 4, 2008
From: Superintendent/President	Item & File No. B.5.a(2)
Subject: Geothermal Fields KTD & IVC Projects (305B & 417B) REBID Award Construction Contract	
Reason for Board Consideration:	Enclosure(s):
ACTION – AWARD	None

BACKGROUND:

On November 7, 2007 the Board authorized the District to accept bids for the Geothermal Fields KTD & IVC Projects (305B & 417B). This project was re-bid following a bid protest and board action on January 29, 2008 authorizing the rejection of bids and authority to re-bid immediately.

Bids were opened on February 21, 2008. The results are as follows:

Cascade Drilling, Inc.	\$ 4,893,470
Trison Construction	\$ 4,929,500
Sundt Construction	\$ 6,193,000
Ranger Pipelines	\$ 6,306,750

The apparent low bidder is Cascade Drilling, Inc. However, due to their failure to acknowledge addendum 3 of the contract documents and the suspension of a required license of a major subcontractor, the District recommends that the Board of Trustees reject the apparent low bid and award the construction contract to Trison Construction as the next low responsive bidder.

FISCAL IMPACT:

The engineer's estimate for combined projects is \$ 5,000,000. These projects will be paid from bond funds.

RECOMMENDATION:

The Superintendent/President recommends that the Board award a construction contract for the Geothermal Fields KTD & IVC Projects (305B & 417B) REBID to Trison Construction following successful completion of the mandatory 5 day protest period.

Administrator Initiating Item
V-Anne Chernock
Director of Modernization

Administrator Approving Item
Albert J. Harrison
Vice President, College Operations

MARIN COMMUNITY COLLEGE DISTRICT
 Kentfield, CA 94904

BOARD AGENDA ITEM

To:	Board of Trustees	Date:	March 4, 2008
From:	Superintendent/President	Item & File No.	B.5.b(1)
Subject:	New Fine Arts Building Project (306C) Additional services – scope changes Marcy Wong Donn Logan Architect - Amendment 4		
Reason for Board Consideration:	APPROVAL	Enclosure(s):	LF Amendment 4

BACKGROUND:

Marcy Wong / Donn Logan Architects (MWDL) was selected as the Project Specific Architect for the New Fine Arts Building Project (306C) and a long form professional services agreement was approved on April 17, 2007. Amendments 1 through 3 were previously approved.

Additional (assessment) services were performed for owner requested scope changes (additional restrooms). Amendment 4 to the MWDL contract is presented herein for approval.

FISCAL IMPACT:

Amendment 4 will be paid from Measure C bond funds.

Original Contract Amount	\$ 3,290,000	Design services for Fine and Performing Arts (306A & 306C)
Amendment 1	\$ 125,100	Funding augmentation for additional programming and conceptual design services; PA Building Modernization survey specifications for re-use of mechanical & electrical components (306A)
Amendment 2	\$ 17,500	Topographic & boundary corrections (803A)
Amendment 3	\$ 18,000	Equipment specialist services
Amendment 4	\$ 42,436	Additional assessments to date (owner requested) New Fine Arts Building Project (306C) (2 month delay)

Total Contract Amount \$ 3,493,036

RECOMMENDATION:

The Superintendent/President recommends that the Board approve Amendment 4 to MWDL for additional services for owner requested scope changes for the New Fine Arts Building Project (306C).

Administrator Initiating Item
V-Anne Chernock
 Director of Modernization

Administrator Approving Item
Albert J. Harrison II
 Vice President, College Operations

**Measure C Bond Modernization Program
Checklist for Consultant Contract Review**

Date: 3/4/08 Consultant: MWDL

Project(s) (name and number): New Fine Arts Bldg (3060)

Type of contract (check all that apply):

Full service (architecture) Task contract (specialty consultant)
 Short form Long form

Original or Amendment # 4

Amount of *this* contract/amendment: \$ 42,436

Total amount of contract to date *including* this amendment \$ 3,493,036

Documents to be included in Board packet (check and initial):

<input type="checkbox"/> Full agreement	<input type="checkbox"/> Changes to agreement	Reviewed: _____
<input type="checkbox"/> Appendix A	<input checked="" type="checkbox"/> Changes to Appendix A	Reviewed: <u>PJG</u>
<input type="checkbox"/> Appendix B	<input checked="" type="checkbox"/> Changes to Appendix B	Reviewed: <u>PJG</u>
<input type="checkbox"/> Appendix C	<input checked="" type="checkbox"/> Changes to Appendix C	Reviewed: <u>PJG</u>
<input type="checkbox"/> Appendix D	<input checked="" type="checkbox"/> Changes to Appendix D	Reviewed: <u>PJG</u>
<input type="checkbox"/> Appendix E	<input type="checkbox"/> Changes to Appendix E	Reviewed: _____
<input type="checkbox"/> Other backup materials?	_____	Reviewed: _____

Legal review required? Yes No If yes, counsel's initials: _____

If not, why not? No change to legal language

Agenda cover page prepared by: EB Reviewed by: PJG

Submittal sign-off:
Program Manager: [Signature] Director: McKernock

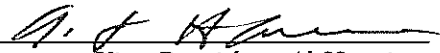
**Measure C Bond Modernization Program
Checklist for Consultant Contract Review**

Amendments

Reviewed by: 

- Are there changes to the master agreement?
Have they been reviewed by legal counsel? N/A Yes No
- Appendix A: is the scope of work consistent with the requirements of the master agreement? Yes No
- Appendix B: is the fee appropriate to the scope of work? Yes No
- Is the fee within budget?
If not, does it require a budget transfer? N/A Yes No Yes
- Do the numbers all add up correctly? Yes No
- Appendix C: is the milestone schedule appropriate, reasonable, and sufficient to manage the scope of work? Yes No
- Appendix D: are the deliverables sufficient to manage the scope of work? Yes No
- Appendix E: has the insurance requirement changed?
Reviewed by legal counsel? N/A Yes No Yes
- Coordination: cross-check all items in amendment with one another

Agenda cover page

Reviewed by: 
Vice President Al Harrison

- Is the type of contract clearly defined?
Basic or additional service? Yes No Basic Add'l
- Is the reason for the amendment clearly stated? Yes No
- Do the amendment amounts match the amended Appendix B? Yes No
- Are the project title and number included and correct? Yes No

AMENDMENT 4

**To the Professional Services Agreement between the
MARIN COMMUNITY COLLEGE DISTRICT
and
Marcy Wong Donn Logan Architects**

March 4, 2008

AMENDMENT 4 to APPENDIX A – SCOPE OF SERVICES

This is an AMENDMENT attached to, and made a part of the Professional Services Agreement (**Agreement**) dated April 17, 2007 between the MARIN COMMUNITY COLLEGE DISTRICT (**District**) and Marcy Wong Donn Logan Architects (**Consultant**).

APPENDIX A

1. Additional Services

New Fine Arts Building Project (306C)
Additional assessments to date (owner requested)

END OF AMENDMENT 4 TO APPENDIX A

AMENDMENT 4 to APPENDIX B – PAYMENT TO CONSULTANT

This is an AMENDMENT attached to, and made a part of, Appendix B - Scope of Services of the Professional Services Agreement (**Agreement**) dated April 17, 2007 between the MARIN COMMUNITY COLLEGE DISTRICT (**District**) and Marcy Wong Donn Logan Architects (**Consultant**).

I. Amount of Compensation for Services to Consultant

Original Contract Amount	\$ 3,290,000
Design services for Fine and Performing Arts	
Total Amendment # 1	\$ 125,100
Funding augmentation for additional programming and conceptual design services	
PA Building Modernization survey specifications for re-use of mechanical & electrical components	
Amendment # 2	\$ 17,500
Topographic & boundary corrections (803A)	
Amendment # 3	\$ 18,000
Equipment specialist services for New Fine Arts Building Project (306C)	
Total Amendment # 4	\$ 42,436
New Fine Arts Building Project (306C)	
Additional assessments to date (owner requested)	
<u>Total Contract Amount</u>	<u>\$ 3,493,036</u>

- 1.1 The specific Guaranteed Maximum Price (“GMP”) for work authorized under AMENDMENT 4 to Appendix. Payments made for services authorized under AMENDMENT 4 to Appendix A shall be considered to be part of the GMP agreed to in Appendix B – Payments to Consultant.

END OF AMENDMENT 4 TO APPENDIX B

AMENDMENT 4 TO APPENDIX C – MILESTONE SCHEDULE

This is an AMENDMENT attached to, and made a part of, Appendix C – Milestone Schedule of the Professional Services Agreement (**Agreement**) dated April 17, 2007 between the MARIN COMMUNITY COLLEGE DISTRICT (**District**) and Marcy Wong Donn Logan Architects (**Consultant**).

The following table is a list of activities to be performed by Consultant, District and other parties with regard to work authorized under AMENDMENT 4 to Appendix A – Scope of Services under this Agreement, for which specific time deadlines for performance shall be set as follows:

ACTIVITY	MILESTONE DATE
New Fine Arts Building Project (306C) Additional assessments to date (owner requested)	Original start date for Contract Documents Phase was 12/11/2007 New start date for Contract Documents is 2/20/2008

Updated Milestone dates are as follows:

Construction Documents Phase Start	2/20/2008
Submit 50% Construction Documents	5/12/2008
DSA Submittal (95% CDs)	7/14/2008
Estimated DSA Stamp Out (100% CDs)	11/14/2008
Bidding Phase	3/15/2009
Construction Phase	3/16/2009 – 7/31/2010
Operation/Project Close Out Phase – 3 months	7/31/2010 – 10/31/2010

END OF AMENDMENT 4 TO APPENDIX C

AMENDMENT 4 to Appendix D – Deliverables

This is an AMENDMENT attached to, and made a part of, Appendix D – Deliverables of the Professional Services Agreement (**Agreement**) dated April 17, 2007 between the MARIN COMMUNITY COLLEGE DISTRICT (**District**) and Marcy Wong Donn Logan Architects (**Consultant**).

1. Deliverables for Work Authorized under AMENDMENT 4 to Appendix A – Scope of Work

The deliverables required include without limitation the following items in electronic format:

As noted in Appendix C - Milestones

END OF AMENDMENT 4 TO APPENDIX D

AMENDMENT 4 TO APPENDIX E – INSURANCE

This is an AMENDMENT attached to, and made a part of, Appendix E – Insurance of the Professional Services Agreement (**Agreement**) dated April 17, 2007 between the MARIN COMMUNITY COLLEGE DISTRICT (**District**) and Marcy Wong Donn Logan Architects (**Consultant**).

No Changes.

END OF AMENDMENT 4 TO APPENDIX E

IN WITNESS WHEREOF, the parties hereto have executed this AMENDMENT 4 to the Professional Services Agreement dated April 17, 2007 between the MARIN COMMUNITY COLLEGE DISTRICT and Marcy Wong Donn Logan Architects.

MARIN COMMUNITY COLLEGE DISTRICT

By _____ Date _____

Al Harrison
Vice President College Operations

Marcy Wong Donn Logan Architects

By _____ Date _____

_____ Its _____

MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To:	Board of Trustees	Date: March 4, 2008
From:	Superintendent/President	Item & File No. B.6.a
Subject:	Accountability Reporting for the California Community Colleges (ARCC) (AB 1417) Self-Assessment	
Reason for Board Consideration:	Enclosure(s): Self Assessment	
INFORMATION		

BACKGROUND:

The annual ARCC report provides a framework for the community college system and district level performance evaluation. The report provides both system and district level indicators compiled and presented by the system office. The model measures for areas: (1) Student Progress & Achievement (Degrees, Certificates, & Transfers); (2) Student Progress and Achievement (Vocational, Occupational, & Workforce Development); (3) Pre-collegiate improvement (Basic Skills & ESL); (4) Participation.

The measures are computed and compiled by the system office, which in January provides a draft for review by each district. The report provides an opportunity for a district analysis of unique differences in programs, environment, and other factors that may affect results, but are not in the report. This Self-Assessment is reported to the system office online and in 30 days (by February 29) after the draft report is issued. The self-assessment is limited to 500 words and requires the Superintendent/President's approval. The Self-Assessment is attached.

The district performance evaluation will be distributed to governance committees and management for review and for consideration in planning. In addition, as required by ARCC, the findings will be presented to the Board of Trustees at a meeting to be determined.

RECOMMENDATION:

For information only.

Administrator Initiating Item Dr. Bernie Blackman, Director of Organizational Development and Planning
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ARCC 2008 Report: College Level Indicators Self-Assessment

College of Marin

Marin Community College District

College Self-Assessment / Response

Established in 1926, College of Marin (COM) is located approximately 15 miles north of San Francisco in Marin County. The College consists of two campuses in an area of slow population growth. Marin County's population is well educated, predominately Caucasian with an aging population. Due to College of Marin's commitment to serving underrepresented students, the College's student body is significantly more diverse than the makeup of Marin County's ethnic population.

The College offers many types of courses to respond to community needs including courses that transfer to four-year colleges and universities, workforce education, basic skills courses, ESL, and courses for intellectual and cultural enrichment. In order to better serve its students and the community, the college is undergoing a multi-year building modernization project. The College has acquired a new integrated enterprise management system (Banner). Students will start registering for classes with the new system in May 2008.

College of Marin is close to the peer group averages on two measures: Student Progress and Achievement Rate and the Percent of Students Who Earned at Least 30 Units indicator. The College is above the average for its peer group on the Annual Successful Course Completion Rate for Credit Vocational Courses indicator.

The Persistence Rate indicator was lower than its peer group average. This may be explained by the demographics of Marin County which is a well educated community with an aging population. Approximately 24% of credit students attending COM already have a bachelor's degree or higher and 60 percent of COM students are 25 years of age or older.

The data in the ARCC 2008 report indicate that College of Marin needs to focus its attention on the basic skills and ESL area. COM just completed program reviews for the basic skills and ESL and will determine where improvements can be made. The Basic Skills Initiative will play an important role in the College improving its basic skills and ESL area so that students can successfully complete and progress to the next higher level course in a timely manner. College of Marin is committed to offering a variety of high quality courses and services that meet the needs of its students to promote student achievement and success.



Chancellor's Office
California Community Colleges

1102 Q Street Sacramento, California 95814-6511 www.cccco.edu
ARCC website: http://www.cccco.edu/divisions/tris/rp/ab_1417/ab_1417.htm

State of California