

BOARD OF EDUCATION
SCHOOL DISTRICT NO. 1J, MULTNOMAH COUNTY, OREGON

INDEX TO THE MINUTES
REGULAR MEETING

August 19, 2013

Board
Action
Number

Page

Purchases, Bids, Contracts

4793	Revenue Contracts that Exceed \$25,000 Limit for Delegation of Authority Delegation of Authority	
4794	Expenditure Contracts that Exceed \$150,000 for Delegation of Authority	

Other Matters Requiring Board Approval

4795	2012-2016 Agreement between Portland Association of Teachers (Substitutes) and School District No. 1J, Multnomah County, Oregon	
4796	Franklin High School Full Modernization Project and Roosevelt High School Full Modernization Project Exemption from Competitive Bidding and Authorization for Use of Construction Manager/General Contractor (CM/CG) Alternative Contracting	

August19.2013

OFFICE OF THE BOARD OF EDUCATION
SCHOOL DISTRICT NO. 1J, MULTNOMAH COUNTY, OREGON
BLANCHARD EDUCATION SERVICE CENTER
PORTLAND, OREGON

The Regular Meeting of the Board of Education came to order at 5:02pm at the call of Co-Chair Greg Belisle in the Board Auditorium of the Blanchard Education Service Center, 501 N. Dixon St, Portland, Oregon.

There were present:

Pam Knowles, Co-Chair
Ruth Adkins
Bobbie Regan
Tom Koehler
Steve Buel
Matt Morton - absent
Greg Belisle, Co-Chair

Andrew Davidson, Student Representative

6 W D I I

Carole Smith, Superintendent
Caren Huson-Quiniones, Board Senior Specialist

PUBLIC COMMENT

Deborah Barnes, President of the North Clackamas Educational District, stated that they had bargained with their union using the IBIS method and asked why PPS was not doing that. From her perspective, there is nothing better than sharing a Margarita with the Superintendent when you are done bargaining, or speaking with a Board member during bargaining. You need to work together as a team.

Margi Brown asked the Board to provide a simple 3-part oral quarterly report which would include:

1) what are the quarterly process or project goals of selected key departments for achieving the year-end graduation rate and third grade reading outcomes in the compact agreement; 2) what was accomplished during the last quarter (including preparation during the summer); and, 3) what are the significant plans for the next quarter.

Michael Kelly, parent of a Metro Learning Center (MLC) student, stated that as a consequence of the recent negative publicity regarding MLC, a group of parents felt compelled to come here tonight to share an alternative perspective and to make public our commitment to resolving the issues at the school. MLC is a family. We are fiercely protective of MLC and this sometimes puts us in conflict with the district and sometimes the conflicts are internal. Fifteen members of the audience stood in support of Mr. Kelly's statement.

Ayana Horn, a member of the MLC community, stated that they are uncompromisingly committed to constructive engagement in the resolution of conflicts.

Scott Bailey, speaking on behalf of Our Portland Our Schools, commented that equity was at the center of their work and that they were in favor of shifting the school year to a balanced calendar. There have been a number of articles in the media about this.

Rees Bushman, parent of a MLC student, stated that there are many more varied options of what the Board may have heard. MLC parents are united in their advocacy for the school. It serves our students very well.

August19.2013

ADOPTION OF 2012-2016 SUBSTITUTE TEACHER CONTRACT

Sean Murray, Chief Human Resources Officer, reported that the District and Union negotiated 12 times and held two mediation sessions. A tentative agreement had been reached. Major topics included: wages, insurance, building restrictions and clarification of discipline.

AUDIT REPORT: HIGH SCHOOL GRADUATION RATES

Auditor Richard Tracy provided a PowerPoint presentation. He indicated that he had compared PPS to other school districts both in Oregon and other states. His research identified 3 major predictors of dropping out: attendance, behavior, and course performance. Oregon has lower graduation rates than most other states (common measure nationwide). His audit results show that other large Oregon school districts outperform Portland. PPS has the lowest 2011-12 cohort graduation rate of the ten largest districts in Oregon; four-year completion rate is the third lowest. PPS dropout-non-completer rate is average compared to other large districts. However, PPS has improved graduation and dropout rates over the past four years. Mr. Tracy commented that his audit results show that school districts in Oregon

August19.2013

Jeanine Fukuda, Assistant Director of Equity, walked the Board through the annual plan document which summarizes PPS progress for 2012-2013.

David Wynde, Deputy Chief Financial Officer, reported that the PPS Equity Policy makes two differentiations in resources. This year we used the racial equity lens which formed discussions on staffing and how we looked at the central budget.

Mary Pearson, Director of Special Education, provided their mission statement and strategic alignment framework.

Director Buel questioned what direction the District was going in terms of kids and what was the long-range plan for classroom management and cultural curriculum? Are we teaching children not to be racist and teaching their cultural history. Mr. Poe responded that he did not have specifics on the educational side of the Equity Plan. Superintendent Smith mentioned that Franklin High School has taken the equity topic to their leadership students. For PPS, it is about the adults and how we work with kids. Director Buel asked how the kids from Somalia play into

August19.2013

Co-Chair Belisle re-convened the Board back into their Regular Meeting.

MONTHLY CAPITAL IMPROVEMENT BOND UPDATE

Mr. Owens reported that the Wilson Roofing Project would be completed on time and come in on budget.

August19.2013

Purchases, Bids, Contracts

The Superintendent RECOMMENDED adoption of the following items:

Numbers 4793 and 4794

Director Knowles moved and Director Adkins seconded the motion to adopt the above numbered items. The motion was put to a voice vote and passed unanimously (vote: 6-yes, 0-no; with Director Morton absent and Student Representative Davidson voting yes, unofficial).

August19.2013

RESOLUTION No. 4793

Revenue Contracts that Exceed \$25,000 Limit for Delegation of Authority

RECITAL

Portland Public Schools ("District") Public Contracting Rules PPS-45-0200 ("Authority to Approve District Contracts; Delegation of Authority to Superintendent") requires the Board of Education ("Board") to enter into and approve all contracts, except as otherwise expressly authorized. Contracts exceeding \$25,000 per contractor are listed below.

RESOLUTION

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into agreements in a form approved by General Counsel for the District.

NEW CONTRACTS

No New Contracts

NEW INTERGOVERNMENTAL AGREEMENTS / REVENUE ("IGA/Rs")

No New Intergovernmental Agreements/Revenue

AMENDMENTS TO EXISTING CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Amendment Amount Contract Total	Responsible Administrator,
------------	---------------	---------------	-------------------------	------------------------------------	----------------------------

August19.2013

RESOLUTION No. 4794

Expenditure Contracts that Exceed \$150,000 for Delegation of Authority

RECITAL

Portland Public Schools ("District") Public Contracting Rules PPS-45-0200 ("Authority to Approve District Contracts; Delegation of Authority to Superintendent") requires the Board of Education ("Board") enter into contracts and approve payment for products, materials, supplies, capital outlay, equipment, and services whenever the total amount exceeds \$150,000 per contract, excepting settlement or real property agreements. Contracts meeting this criterion are listed below.

RESOLUTION

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into agreements in a form approved by General Counsel for the District.

NEW CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
Portland Youth Builders	7/1/2013 through 6/30/2014	Personal Services PS 59933	District-wide: Alternative education services. RFP 2010-107	\$254,713	K. Wolfe Fund 101 Dept. 5485
Mt. Scott Park Center for Learning, Inc.	7/1/2013 through 6/30/2014	Personal Services PS 59968	District-wide: Alternative education services. RFP 2010-107	\$875,350	K. Wolfe Fund 101 Dept. 5485
Native American Youth & Family Center	7/1/2013 through 6/30/2014	Personal Services PS 59969	District-wide: Alternative education services. RFP 2010-107	\$688,800	K. Wolfe Fund 101 Dept. 5485
Pathfinders of Oregon	7/1/2013 through 6/30/2014	Personal Services PS 59972	District-wide: Alternative education services. RFP 2010-107	\$197,313	K. Wolfe Fund 101 Dept. 5485

Portland Community College

Fund 101
Dept. 5485

August19.2013

NEW INTERGOVERNMENTAL AGREEMENTS ("IGAs")

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
TriMet and City of Portland	9/1/2013 through 6/30/2014	Intergovernmental Agreement IGA 60xxx	District-wide: Implementation of student transit pass project to provide free transportation on regular TriMet and Portland Streetcar service routes to students enrolled at District high schools and designated Multiple Pathways to Graduation Department programs.	\$966,666	T. Magliano Fund 101 Dept. 5560

AMENDMENTS TO EXISTING CONTRACTS

No Amendments to Existing Contracts

N. Sullivan

August19.2013

Other Matters Requiring Board Approval

The Superintendent RECOMMENDED adoption of the following items:

Numbers 4795 through 4797

During the Committee of the Whole, Director Regan moved and Director Adkins seconded the motion to adopt Resolution 4795. The motion was put to a voice vote and passed unanimously

August19.2013

RESOLUTION No. 4795

2012-2016 Agreement between Portland Association of Teachers (Substitutes) and School District No. 1J, Multnomah County, Oregon

RESOLUTION

The Chairperson of the Board of Education and the Chief Human Resources Officer are authorized and directed to execute the 2012-2016 Agreement between the Portland Association of Teachers, representing substitute teachers, and School District No. 1J, Multnomah County, Oregon, on the terms presented to the Board and filed in the record of this meeting.

S. Murray

August19.2013

August19.2013

- J. On August 6, 2013, the District issued two public notices in the Daily Journal of Commerce announcing the District's intent to utilize the CM/GC method for the FHS and RHS projects and availability of draft Findings of Fact for public re

August 19, 2013

ATTACHMENT

DATE: July 8, 2013
TO: Portland Public Schools
Board of Education
FROM: Jim Owens, PE
Executive Director – Office of School Modernization
SUBJECT: Alternative Contracting Methodology – Exemption from Public Contracting Rules
Use of the CM/GC Contract Method for the Franklin HS Modernization Project

REQUEST The Board of Education (Board), acting as the Local Contract Review Board for the Portland Public School District (District), is requested to grant an exemption from the traditional Design-Bid-Build process and approve the Alternative Contracting Method of Construction Manager/General Contractor (CM/GC) for the remodel of the Franklin HS Modernization Project (Project). Further, that the District hold the requisite public hearing offering the opportunity for any interested party to appear and present comment at that hearing on the draft findings for this exemption. The foregoing being in accordance with PPS 49.0600 and related Oregon statutes.

SITUATION The 2012 Capital Improvement Bond includes funding to renovate Franklin High School to allow for full modernization of the school's facilities. The building requires certain improvements to upgrade the building so it will be more conducive to the High School's draft y

August 19, 2013

To appropriately manage these critical needs within this project, the recommendation of PPS staff is to utilize the CM/GC Alternative Contracting Methodology. Through this selection process, a request for proposal (RFP) will be issued for the project, utilizing critical project issues as qualitative criteria for selecting a contractor. It is important to have the firm on board by late February or

August19.2013

Stafftherefore finds that valueengineeringhelpsminimizecostandcoordinatesconstructionto delivera better project in a timelier mannerat a lower overallcost.

4.

August 19, 2013

Staff therefore finds, by past experience that utilizing the CM/GQ process allows the District to maximize its financial control effectiveness.

8. Finding Related to Favoritism and Competition: It is unlikely the requested exemption will encourage favoritism or substantially diminish competition. The District utilizes a RFP process to select the CM/GC firm. That procurement is formally advertised with public notice and disclosure of the planned Alternative Contracting Method, competition will be encouraged. Furthermore, the CM/GQ process is a widely utilized contracting methodology in the State of Oregon and has frequently been utilized by other school districts on many similar projects. The general contracting market is familiar with the RFP process and generally accepts the CM/GQ process as a standard delivery process. Many general contractors prefer and seek out CM/GC opportunities. The award will be based upon an identified selection criteria and contractors are afforded an opportunity to protest the process and the award. Once selected, the CM/GC will select subcontractors via competitive bid process in accordance with PPS Contracting Rules.

Staff therefore finds that the CM/GQ process does not create favoritism nor limit competition due to the open public process of engaging the CM/GC.

9. Finding Related to Cost Savings: It has been staff's past experience that the CM/GC Alternative Contracting Method has

August19.2013

Attachment B

DATE: July8, 2013

TO:

August19.2013

Theconventionaldesignbid build contractingmethodologythat representsthe basisof publiccontractingin the Stateof Oregonwould exposethe Districtto a significantamountof riskbasedon the parametersof this project. Theinherentcomplexityof

August19.2013

August19.2013

RESOLUTION No. 4797

Proposal to Revise Calendar of Regular Board Meetings
School Year 2013-2014

RECITAL

After approving a Board meeting calendar at the May 20, 2013 Board meeting, the Board of Education would like to reconsider the date and time of scheduled Board meetings

RESOLUTION

The Board of Education hereby directs staff to come back to the Board on September 9th with a calendar reflecting a schedule moving the Regular Board Meetings for the upcoming 2013-2014 school year to begin at 6pm on Mondays.