

**AGENDA ITEM BACKUP SHEET**  
**December 14, 2010**

**1.13**

**Board Meeting**

**TITLE:**                    **Authorization to Reject all Bids and Rebid for Bid Package No. 1001.1, for Suspended Ceiling Replacement at Fremont Elementary School Under Emergency Repair Program**

**ITEM:**                    **Consent**  
**SUBMITTED BY:**    **Joe Dixon, Assistant Superintendent, Facilities & Governmental Relations**

**PREPARED BY:**    **Todd Butcher, Manager of Construction**

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board authorization to reject all bids and rebid for Bid Package No. 1001.1, for Suspended Ceiling Replacement at Fremont Elementary School. On November 1 and 8, 2010, legal advertisements were placed with the *Orange County Register* notifying contractors that we were accepting bids. Staff contacted 42 contractors of which 12 picked up the plans. On November 16, 2010, bid day, the District received six bids.

**RATIONALE:**

The architect, construction manager, and staff are all in agreement that all bids be rejected. The board is requested to reject all bids and authorize staff to rebid Bid Package No. 1001.1 for Suspended Ceiling Replacement at Fremont Elementary School in the spring for a summer work schedule.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Authorize staff to reject all bids and rebid for Bid Package No. 1001.1, for Suspended Ceiling Replacement at Fremont Elementary School under Emergency Repair Program.


**AGENDA ITEM BACKUP SHEET**

**1.14**

**December 14, 2010**

**Board Meeting**

**TITLE:** Authorization to Reject all Bids and Rebid for Bid Package No. 1301.1, for Suspended Ceiling Replacement at Hoover Elementary School Under Emergency Repair Program

**ITEM:** Consent 

**SUBMITTED BY:** Joe Dixon, Assistant Superintendent, Facilities & Governmental Relations

**PREPARED BY:** Todd Butcher, Manager of Construction

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board authorization to reject all bids and rebid for Bid Package No. 1301.1, for Suspended Ceiling Replacement at Hoover Elementary School. On November 1 and 8, 2010, legal advertisements were placed with the *Orange County Register* notifying contractors that we were accepting bids. Staff contacted 42 contractors of which 12 picked up the plans. On November 16, 2010, bid day, the District received five bids.

**RATIONALE:**

The architect, construction manager, and staff are all in agreement that all bids be rejected. The board is requested to reject all bids and authorize staff to rebid Bid Package No. 1301.1 for Suspended Ceiling Replacement at Hoover Elementary School in the spring for a summer work schedule.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Authorize staff to reject all bids and rebid for Bid Package No. 1301.1, for Suspended Ceiling Replacement at Hoover Elementary School under Emergency Repair Program.

December 14, 2010

**Board Meeting**

**TITLE:** Authorization to Reject all Bids and Rebid for Bid Package No. 2801.1, for Suspended Ceiling Replacement at Wilson Elementary School Under Emergency Repair Program

**ITEM:** Consent



**SUBMITTED BY:** Joe Dixon, Assistant Superintendent, Facilities & Governmental Relations

**PREPARED BY:** Todd Butcher, Manager of Construction

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board authorization to reject all bids and rebid for Bid Package No. 2801.1, for Suspended Ceiling Replacement at Wilson Elementary School. On November 1 and 8, 2010, legal advertisements of notice calling for bids were placed with the *Orange County Register* notifying contractors that we were accepting bids. Staff contacted 42 contractors of which 12 picked up the plans. On November 16, 2010, bid day, the District received six bids.

**RATIONALE:**

The architect, construction manager, and staff are all in agreement that all bids be rejected. The board is requested to reject all bids and authorize staff to rebid Bid Package No. 2801.1 for Suspended Ceiling Replacement at Wilson Elementary School in the spring for a summer work schedule.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**


Authorize staff to reject all bids and rebid for Bid Package No. 2801.1, for Suspended Ceiling Replacement at Wilson Elementary School under Emergency Repair Program.

**AGENDA ITEM BACKUP SHEET**  
**December 14, 2010**

**1.16**

**Board Meeting**

**TITLE:** Acceptance of Completion of Contract for Bid Package No. 1001, Roofing Project for Fremont Elementary School Under Emergency Repair Program

**ITEM:** Consent 

**SUBMITTED BY:** Joe Dixon, Assistant Superintendent, Facilities & Governmental Relations

**PREPARED BY:** Todd Butcher, Manager of Construction

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board acceptance of completion of contract for Bid Package No. 1001 with P.H. Hagopian Contractor, Inc. at Fremont Elementary School. The work has been completed in accordance with the terms of the contract.

**RATIONALE:**

At its June 8, 2010, meeting, the Board awarded bid package 1001, Roofing Project at Fremont Elementary School. The District has received close-out confirmation from the Construction Manager and the work has been completed in accordance with the terms of the contract. Per Public Contract Code, Section 9201-9203 requires the local agency to withhold retention from their contract price until final completion and acceptance of the project. **Bid Package was within budget. There was one deductive change order.**

Bid Package	School	Amount	10% Retention	Contractor
1001	Fremont ES	\$1,106,549.44	\$110,654.94	P.H. Hagopian Contractor, Inc.

**FUNDING:**

Total Emergency Repair Program Grant: \$110,654.94 (10% retention)  
Temporarily utilizing Measure G funding until funds are received from OPSC

**RECOMMENDATION:**

Accept the December 14, 2010, completion of contract with P.H. Hagopian Contractor, Inc. for Bid Package 1001, Roofing Project at Fremont Elementary School in the amount of \$110,654.94 utilizing Measure G funds with an anticipated reimbursement from the State at a later date.

**AGENDA ITEM BACKUP SHEET**

**1.17**

**December 14, 2010**

**Board Meeting**

**TITLE:** Acceptance of Completion of Contract for Bid Package No. 1101, Roofing Project for Garfield Elementary School Under Emergency Repair Program

**ITEM:** Consent  
**SUBMITTED BY:** Joe Dixon, Assistant Superintendent, Facilities & Governmental Relations

**PREPARED BY:** Todd Butcher, Manager of Construction

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board acceptance of completion of contract at Bid Package No. 1101, with Danny Letner, Inc. dba Letner Roofing Company at Garfield Elementary School. The work has been completed in accordance with the terms of the contract.

**RATIONALE:**

At its June 8, 2010, meeting, the Board awarded bid package 1101, Roofing Project for Garfield Elementary School. The District has received close-out confirmation from the Construction Manager and the work has been completed in accordance with the terms of the contract. Per Public Contract Code, Section 9201-9203 requires the local agency to withhold retention from their contract price until final completion and acceptance of the project. **Bid Package was within budget and there were no changes orders.**

Bid Package	School	Amount	10% Retention	Contractor
1101	Garfield ES	\$242,173.56	\$24,217.36	Danny Letner, Inc. dba Letner Roofing Company

**FUNDING:**

Total Emergency Repair Program Grant: \$24,217.36 (10% retention)  
Temporarily utilizing Measure G funding until funds are received from OPSC.

**RECOMMENDATION:**

Accept the December 14, 2010, completion of contract with Danny Letner, Inc. dba Letner Roofing Company for Bid Package 1101, Roofing Project at Garfield Elementary School in the amount of \$24,217.36 utilizing Measure G funds with an anticipated reimbursement from the State at a later date.

**AGENDA ITEM BACKUP SHEET**

**1.18**

**December 14, 2010**

**Board Meeting**

**TITLE:** Acceptance of Completion of Contract for Bid Package No. 1301 Roofing Project for Hoover Elementary School Under Emergency Repair Program

**ITEM:** Consent *(initials)*

**SUBMITTED BY:** Joe Dixon, Assistant Superintendent, Facilities & Governmental Relations

**PREPARED BY:** Todd Butcher, Manager of Construction

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board acceptance of completion of contract for Bid Package No. 1301 with P.H. Hagopian Contractor, Inc. at Hoover Elementary School. The work has been completed in accordance with the terms of the contract.

**RATIONALE:**

At its June 8, 2010, meeting, the Board awarded bid package 1301, Roofing Project at Hoover Elementary School. The District has received close-out confirmation from the Construction Manager and the work has been completed in accordance with the terms of the contract. Per Public Contract Code, Section 9201-9203 requires the local agency to withhold retention from their contract price until final completion and acceptance of the project. **Bid Package was within budget and there were no changes orders.**

Bid Package	School	Amount	10% Retention	Contractor
1301	Hoover ES	\$729,000	\$72,900	P.H. Hagopian Contractor, Inc.

**FUNDING:**

Total Emergency Repair Program Grant: \$72,900 (10% retention)  
Temporarily utilizing Measure G funding until funds are received from OPSC

**RECOMMENDATION:**


Accept the December 14, 2010, completion of contract with P.H. Hagopian Contractor, Inc. for Bid Package 1301 Roofing Project at Hoover Elementary School in the amount of \$72,900 utilizing Measure G funds with an anticipated reimbursement from the State at a later date.

**AGENDA ITEM BACKUP SHEET**  
**December 14, 2010**

1.19

**Board Meeting**

**TITLE:** Acceptance of Completion of Contract for Bid Package No. 1401, Roofing Project for Jackson Elementary School Under Emergency Repair Program

**ITEM:** Consent   
**SUBMITTED BY:** Joe Dixon, Assistant Superintendent, Facilities & Governmental Relations

**PREPARED BY:** Todd Butcher, Manager of Construction

**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board acceptance of completion of contract for Bid Package No. 1401, with Minako America Corporation dba Minco Construction at Jackson Elementary School. The work has been completed in accordance with the terms of the contract.

**RATIONALE:**

At its June 8, 2010, meeting, the Board awarded bid package 1401, Roofing Project at Jackson Elementary School. The District has received close-out confirmation from the Construction Manager and the work has been completed in accordance with the terms of the contract. Per Public Contract Code, Section 9201-9203 requires the local agency to withhold retention from their contract price until final completion and acceptance of the project. **Bid Package was within budget and there were no changes orders.**

Bid Package	School	Amount	10% Retention	Contractor
1401	Jackson ES	\$518,342.19	\$51,834.22	Minako America Corporation dba Minco Construction

**FUNDING:**

Total Emergency Repair Program Grant: \$51,834.22 (10% retention)  
Temporarily utilizing Measure G funding until funds are received from OPSC.

**RECOMMENDATION:**


Accept the December 14, 2010, completion of contract with Minako America Corporation dba Minco Construction for Bid Package 1401, Roofing Project at Jackson Elementary School in the amount of \$51,834.22 utilizing Measure G funds with an anticipated reimbursement from the State at a later date.

**AGENDA ITEM BACKUP SHEET**  
**December 14, 2010**

1.20

**Board Meeting**

**TITLE:** Acceptance of Completion of Contract for Bid Package No. 2801, Roofing Project for Wilson Elementary School Under Emergency Repair Program

**ITEM:** Consent 

**SUBMITTED BY:** Joe Dixon, Assistant Superintendent, Facilities & Governmental Relations

**PREPARED BY:** Todd Butcher, Manager of Construction

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board acceptance of completion of contract for Bid Package No. 2801, with Horizons Construction Company at Wilson Elementary School. The work has been completed in accordance with the terms of the contract.

**RATIONALE:**

At its June 8, 2010, meeting, the Board awarded bid package 2801, Roofing Project at Wilson Elementary School. The District has received close-out confirmation from the Construction Manager and the work has been completed in accordance with the terms of the contract. Per Public Contract Code, Section 9201-9203 requires the local agency to withhold retention from their contract price until final completion and acceptance of the project. **Bid Package was within budget and there were no changes orders.**

Bid Package	School	Amount	10% Retention	Contractor
2801	Wilson ES	\$686,856.13	\$68,685.61	Horizons Construction Company

**FUNDING:**

Total Emergency Repair Program Grant: \$68,685.61 (10% retention)  
Temporarily utilizing Measure G funding until funds are received from OPSC.

**RECOMMENDATION:**

Accept the December 14, 2010, completion of contract with Horizons Construction Company for Bid Package 2801, Roofing Project at Wilson Elementary School in the amount of \$68,685.61 utilizing Measure G funds with an anticipated reimbursement from the State at a later date.



**AGENDA ITEM BACKUP SHEET**  
**December 14, 2010**

**2.0**

**Board Meeting**

**TITLE:** Adoption of Resolution No. 10/11-2861 – Supporting Orange County Department of Education in Mental Health Services Lawsuit

**ITEM:** Action  
**SUBMITTED BY:** Jane A. Russo, Superintendent

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board adoption of Resolution No. 10/11-2861 to support the Orange County Department of Education (OCDE) in a lawsuit against the Orange County Health Care Agency (OCHCA).

Governor Schwarzenegger vetoed \$133 million in funds for past mental health claims for services to special education students. On November 12, 2010, OCHCA stated that services would only be provided if school districts and SELPAs provide additional funds to the OCHCA beyond the funds received from the State and beyond what is required under the Memorandum of Understanding.

**RATIONALE:**

Due to the potential additional costs to school districts in Orange County resulting from the actions of OCHCA, OCDE has proposed to file a lawsuit. The lawsuit would require the OCHCA to continue services to special education students as mandated by AB3632.

The adoption of the resolution would authorize SAUSD to file a lawsuit in conjunction with OCDE and other districts in the County against OCHCA should the District Superintendent deem it to be necessary.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Adoption of Resolution No. 10/11-2861 – in support of Orange County Department of Education in Mental Health Services Lawsuit

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**Resolution No. 10/11-2861**  
**Board of Education**  
**Santa Ana Unified School District**  
**Orange County, California**

**Supporting Orange County Department of Education**  
**In Mental Health Services Lawsuit**

WHEREAS, State law has mandated that county mental health departments provide mental health services to special education students pursuant to Government Code section 7570 et seq. (AB 3632);

WHEREAS, Governor Schwarzenegger vetoed \$133 million in funds for past mental health claims for services provided under AB 3632 to special education students in previous fiscal years;

WHEREAS, the Governor did not veto an appropriation of \$76 million to be used exclusively to support mental health services that are provided during the 2010/2011 fiscal year by county mental health agencies pursuant to AB 3632;

WHEREAS, the Orange County Department of Education has received in excess of \$12 million on behalf of school districts and SELPAs in Orange County to support mental health services that are provided during the 2010/2011 fiscal year for county mental health agencies pursuant to AB 3632;

WHEREAS, on November 10, 2010 the Orange County Department of Education requested that the Orange County Health Care Agency fulfill its obligations under a Memorandum of Understanding (MOU) between the Orange County Department of Education and the Orange County Health Care Agency by providing mental health services through June 30, 2011;

WHEREAS, on November 12, 2010, the Orange County Health Care Agency responded by stating that the Orange County Health Care Agency will only provide AB 3632 services if school districts and SELPAs provide additional funding to the Orange County Health Care Agency beyond the funds received from the State and beyond what is required under the MOU;

WHEREAS, the potential additional costs to school districts in Orange County resulting from the actions in Orange County Health Care Agency could be as high as \$25 million to cover the cost of counseling and residential placement;

1 WHEREAS, the \_\_\_\_\_ School District believes that the Orange County Health Care Agency is still  
2 mandated to provide AB 3632 to special education students since the state appropriated over \$12 million to  
3 Orange County Health Care Agency for this purpose;

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5 WHEREAS, it may be necessary for the \_\_\_\_\_ School District to file an interagency complaint  
6 against the Orange County Health Care Agency pursuant to Government Code section 7585;

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8 WHEREAS, the \_\_\_\_\_ School District supports a lawsuit filed by the California School Boards  
9 Association to require county mental health departments to provide mental health services to special education  
10 students under AB 3632;

11  
12 WHEREAS, it may be necessary for school districts in Orange County to file a lawsuit against the Orange  
13 County Health Care Agency, requiring the Orange County Health Care Agency to comply with the Memorandum  
14 of Understanding between the Orange County Department of Education and the Orange County Health Care  
15 Agency.

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17 NOW THEREFORE, BE IT RESOLVED as follows:

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19 1. The governing board of the \_\_\_\_\_ School District hereby authorizes the filing of a lawsuit  
20 against the Orange County Health Care Agency in the name of the School District should the district  
21 superintendent deem it to be necessary.

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23 2. The governing board of the \_\_\_\_\_ School District hereby authorizes the district  
24 superintendent to work with the Orange County Department of Education and other school districts in Orange  
25 County and the Orange County Special Education Alliance in pursuing all legal remedies against the Orange  
26 County Health Care Agency.

27  
28 Upon motion of Member \_\_\_\_\_ and duly seconded, the foregoing Resolution was adopted by the  
29 following vote:

30 AYES:

31 NO:

32 ABSENT

33 STATE OF CALIFORNIA )  
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1 COUNTY OF ORANGE )  
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4 I, Jane A. Russo, Secretary of the Board of Education of the Santa Ana Unified School District of Orange  
5 County, California, hereby certify that the above and foregoing Resolution was duly adopted by the said Board at  
6 a regular meeting thereof held on the 14<sup>th</sup> day of December, 2010, and passed by a vote of \_\_\_\_\_ of said Board.  
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9 \_\_\_\_\_  
10 Jane A. Russo,  
11 Board of Education  
Santa Ana Unified School District

**AGENDA ITEM BACKUP SHEET**  
**December 14, 2010**

**Board Meeting**

**TITLE:** Acceptance of Annual Audit Report for Fiscal Year 2009-10

**ITEM:** Action

**SUBMITTED BY:** Michael P. Bishop, Sr., CBO, Associate Superintendent, Business Services

**PREPARED BY:** Christeen Betz, Assistant Director of Fiscal Services/Accounting

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is for the Board to accept the District's annual audit report for fiscal year 2009-10. The District's independent auditors Vavrinek, Trine, Day & Co., LLP will present and provide an assessment of the District's financial condition and internal controls regarding both 2008-09 and 2009-10 audit findings.

**RATIONALE:**

The State requires each district to submit an Audited Financial Statement by December 15th for the preceding fiscal year ended June 30th.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Accept the annual audit report for fiscal year 2009-10.