ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

BOARD OF TRUSTEES

Special Board Meeting

March 3, 2022

Thursday, March 3, 2022
SPECIAL BOARD MEETING AGENDA

Type: SPECIAL BOARD MEETING
Time: 6:00 pm
Code: Special #14-21/22

The March 3, 2022, SPECIAL BOARD MEETING WILL BE CONDUCTED EXCLUSIVELY VIA CONFERENCE TELEPHONE AND THROUGH "ZOOM" VIDEO CONFERENCING. THE DISTRICT OFFICE AND BOARD ROOM WILL NOT BE OPEN AND AVAILABLE FOR THE PUBLIC TO ATTEND AND PARTICIPATE IN THE BOARD MEETING AT THE DISTRICT OFFICE. MEMBERS OF THE PUBLIC MAY PARTICIPATE AND COMMENT IN REAL TIME IN OPEN SESSION THROUGH THE FOLLOWING MEANS:

1. Zoom - Live Board Meeting and use "Raise Hand" function to request opportunity to make a comment.
2. THE ZOOM MEETING CAN BE ACCESSED AS FOLLOWS:
Join Zoom Meeting https://arusd-org.zoom.us/j/84718565881
One tap mobile
+16699006833, Meeting ID: 847 1856 5881# US (San Jose)
Zoom Spanish Interpretation available- Zoom Instructions link www.arusd.org/zoomesp. If you call in you will not be able to access this function.
THE MEETING MAY ALSO BE VIEWED THROUGH LIVE STREAM AS FOLLOWS:
1. Live stream Youtube English Channel "AlumRock TV"
https://www.arusd.org/alumrocktv

In compliance with the Americans with Disabilities Act and Executive Order N-08-21, if you need Special Assistance, Disability-Related modifications or accommodation, including auxiliary aids or services, in order to participate in the Special Board Meeting of the Board of Trustees, please contact the office of the District Superintendent at (408) 928-6822 or by email at maribel.carrillo@arusd.org immediately and the district will make reasonable arrangements to ensure accommodation and electronic accessibility to this meeting.

Members of the public shall have an opportunity to address the Board of Trustees on the agenda items identified below. (Government Code Section 54954.3)

1. OPEN SESSION - CALL TO ORDER AND ROLL CALL

1.01 CALL TO ORDER/ ROLL CALL/LAND ACKNOWLEDGMENT- Board of Trustees of the Alum Rock Union Elementary School District does hereby acknowledge that the District schools and facilities sit on the traditional lands of the Muwekma Ohlone people, and the Board of Trustees further acknowledges with respect and reverence the Muwekma Ohlone People Tribe of the San Francisco Bay Area for their stewardship of these lands; PLEDGE OF ALLEGIANCE -- PRESIDENT ANDRES QUINTERO.

2. PUBLIC HEARING(s) And/Or Special Order of Business

2.01 PUBLIC HEARING ON PROPOSED QUALIFIED SPECIAL TAX: The Board will hold a public hearing pursuant to Government Code Sections 50077 and 50079 on the issue of calling an election on June 7, 2022, to renew a qualified special tax ("Parcel Tax") on all parcels of taxable real property in the District's boundaries. At the hearing, public input will be solicited concerning the proposed Parcel Tax measure.

3. SUPERINTENDENT/BOARD BUSINESS--BOARD DISCUSSION AND/OR ACTION (The Board may take action on any item in this section, unless it is designated for information only.)

3.01 Presentation of Parcel Tax Survey (Information Only).

3.02 Approval of Resolution No. 35-21/22, Calling Education Parcel Tax Election on June 7, 2022 for a Proposed Renewal of an Existing Parcel Tax.

3.03 Creation of a teacher and workforce housing taskforce.

4. BUSINESS SERVICES--BOARD DISCUSSION AND/OR ACTION (The Board may take action on any item in this section, unless it is designated for information only.)

4.01 Approve Contract with Dale Scott & Co., Inc., as Municipal Advisor.

5. CONSENT CALENDAR--BOARD DISCUSSION AND/OR ACTION (The Board may take action on any item in this section, unless it is designated for information only.)

5.01 Approve Contract for Professional Services -Firm/Organization.

6. CLOSED SESSION

6.01 ANNOUNCEMENT AND PUBLIC COMMENT REGARDING ITEMS TO BE DISCUSSED IN CLOSED SESSION (Government Code Section 54957.7)

6.02 RECESS TO CLOSED SESSION: The Board will recess to Closed Session at approximately 6:30 p.m. Open Session will resume at conclusion of Closed Session.

6.03 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: AREA (Alum Rock Educators Association); District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Tereasa Smith, Director, Human Resources and (3) Kolvira Chheng, Assistant Superintendent, Business Lead Negotiators.

6.04 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: TEAMSTERS; District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Tereasa Smith, Director, Human Resources and (3) Kolvira Chheng, Assistant Superintendent, Business Lead Negotiators.

6.05 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: CSEA (California School Employees Association); District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Tereasa Smith, Director, Human Resources and (3) Kolvira Chheng, Assistant Superintendent, Business Lead Negotiators.

6.06 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: UNREPRESENTED EMPLOYEES; District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Tereasa Smith, Director, Human Resources and (3) Kolvira Chheng, Assistant Superintendent, Business Lead Negotiators.

6.07 CONFERENCE WITH LABOR NEGOTIATORS Agency designated representatives: Board of Trustees Unrepresented employee: Superintendent.

7. ADJOURNMENT

7.01 REPORT OF ACTION TAKEN IN CLOSED SESSION.

7.02 President adjourns the meeting.

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San Jose, CA 95127

2.01

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF TRUSTEES

To the Board of Trustees: Date: March 3, 2022

Subject: **Public Hearing:**
Proposed Qualified Special Tax

Staff Analysis: The Board will hold a public hearing pursuant to Government Code Sections 50077 and 50079 on the issue of calling an election on June 7, 2022, to impose a qualified special tax ("Parcel Tax") on all parcels of taxable real property in the District's boundaries. At the hearing, public input will be solicited concerning the proposed Parcel Tax measure.

PUBLIC HEARING

Submitted by: Kolvira Chheng Title: Assistant Superintendent, Business Services

To the Board of Trustees: Meeting: March 3, 2022
Special Board Meeting

Public Hearing
2.01
Agenda Placement

Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

NOTICE OF PUBLIC MEETING OF THE ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT PROPOSED QUALIFIED SPECIAL TAX

(Government Codes § 50077 and 50079)

PURPOSE: The Alum Rock Union Elementary School District (the "District") will conduct a public hearing to review and consider the proposed Qualified Special Tax ("Parcel Tax") on all parcels of taxable real property in the District's boundaries.

At the hearing, public input will be solicited concerning the proposed parcel tax measure.

When: Thursday, March 3, 2022

Where: Via Conference Telephone and Through 'Zoom' Video Conferencing
2930 Gay Avenue
San Jose, CA 95127

Time: 6:00pm, or soon thereafter

3.01

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San Jose, CA 95127

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF TRUSTEES

To the Board of Trustees: Date: March 3, 2022

Subject: **Presentation of Parcel Tax Survey**

PRESENTATION

Submitted by: Kolvira Chheng Title: Assistant Superintendent, Business Services

To the Board of Trustees: Meeting: March 3, 2022
Special Board Meeting

Presentation/Information

3.01
Agenda Placement

Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

Voter Attitudes Toward an Alum Rock Union Elementary School District Parcel Tax Renewal

Key Findings of a Districtwide Voter Survey
Conducted February 12-20, 2022

FM3 RESEARCH | OPINION RESEARCH & STRATEGY

220-6327

Survey Methodology

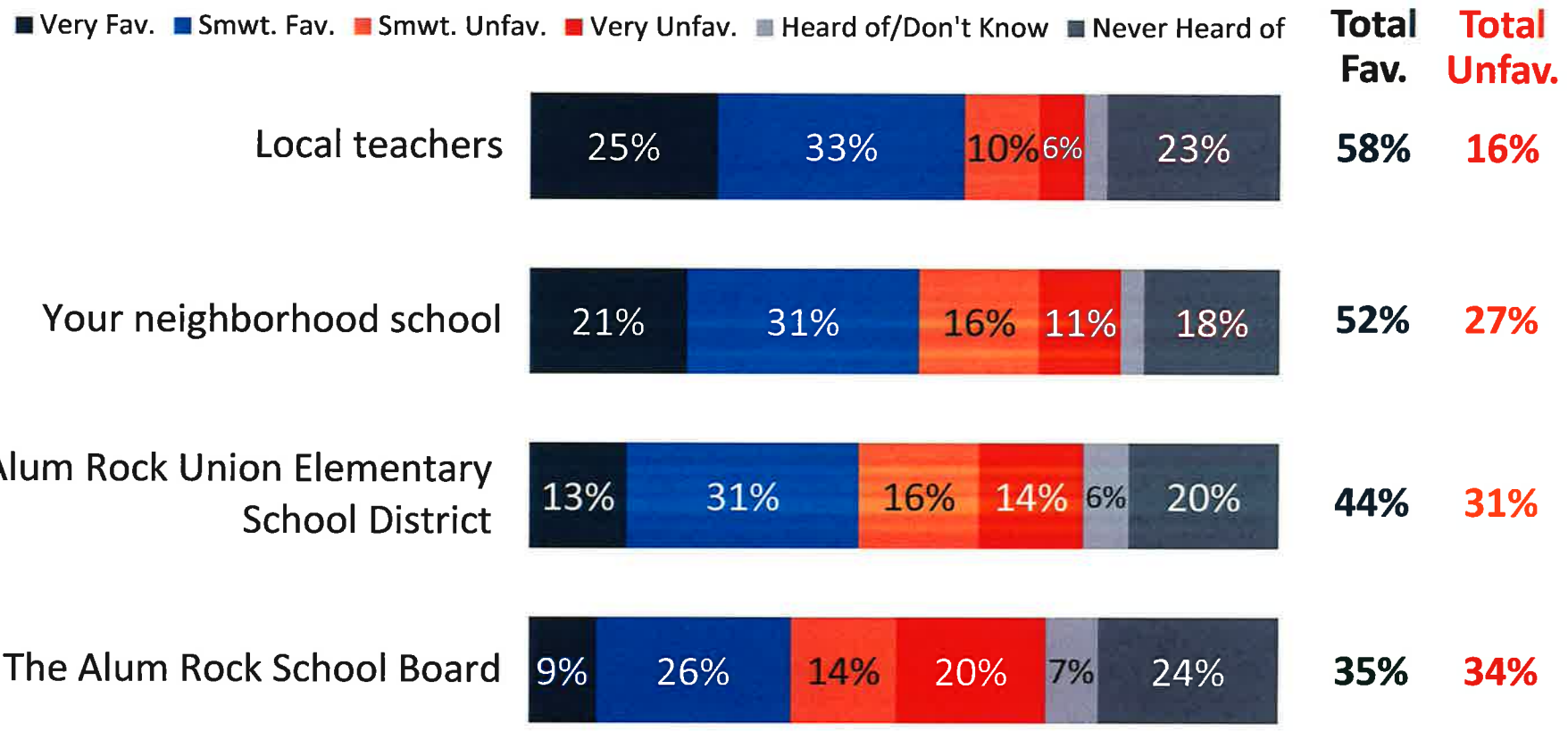
Dates	February 12-20, 2022
Survey Type	Dual-mode Voter Survey
Research Population	Likely Voters in Alum Rock USD
Total Interviews	404
Margin of Sampling Error	±4.9% at the 95% Confidence Level
Data Collection Modes	 Telephone Interviews  Online Interviews
Languages	English and Spanish

(Note: Not All Results Will Sum to 100% Due to Rounding)

Issue Context

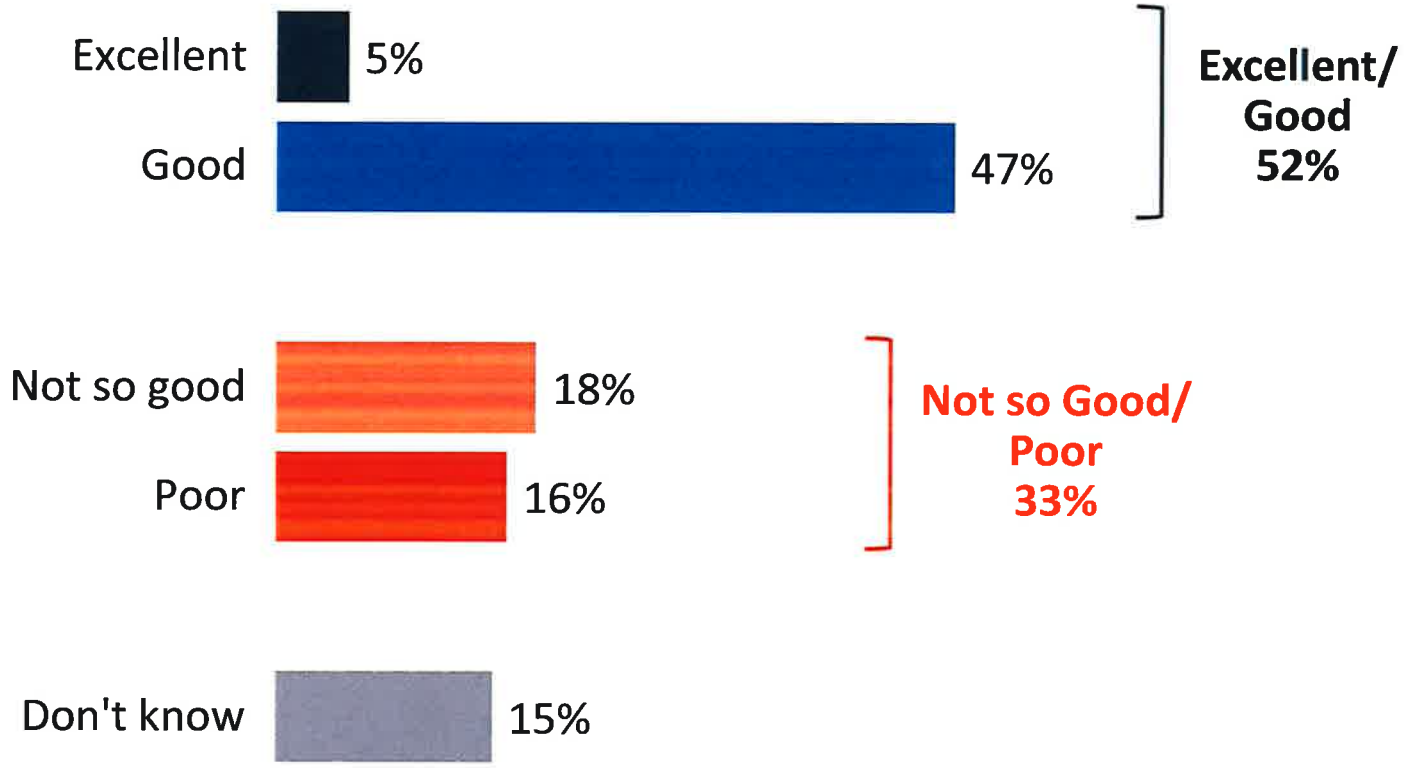
A majority views local teachers and their neighborhood school favorably; they are more divided in their view of the District and School Board.

I am going to read you a list of names of some local institutions that are often in the public eye. Please tell me if your overall impression of that institution is favorable or unfavorable.



Half of voters rate the quality of education as good, but few say it is "excellent"

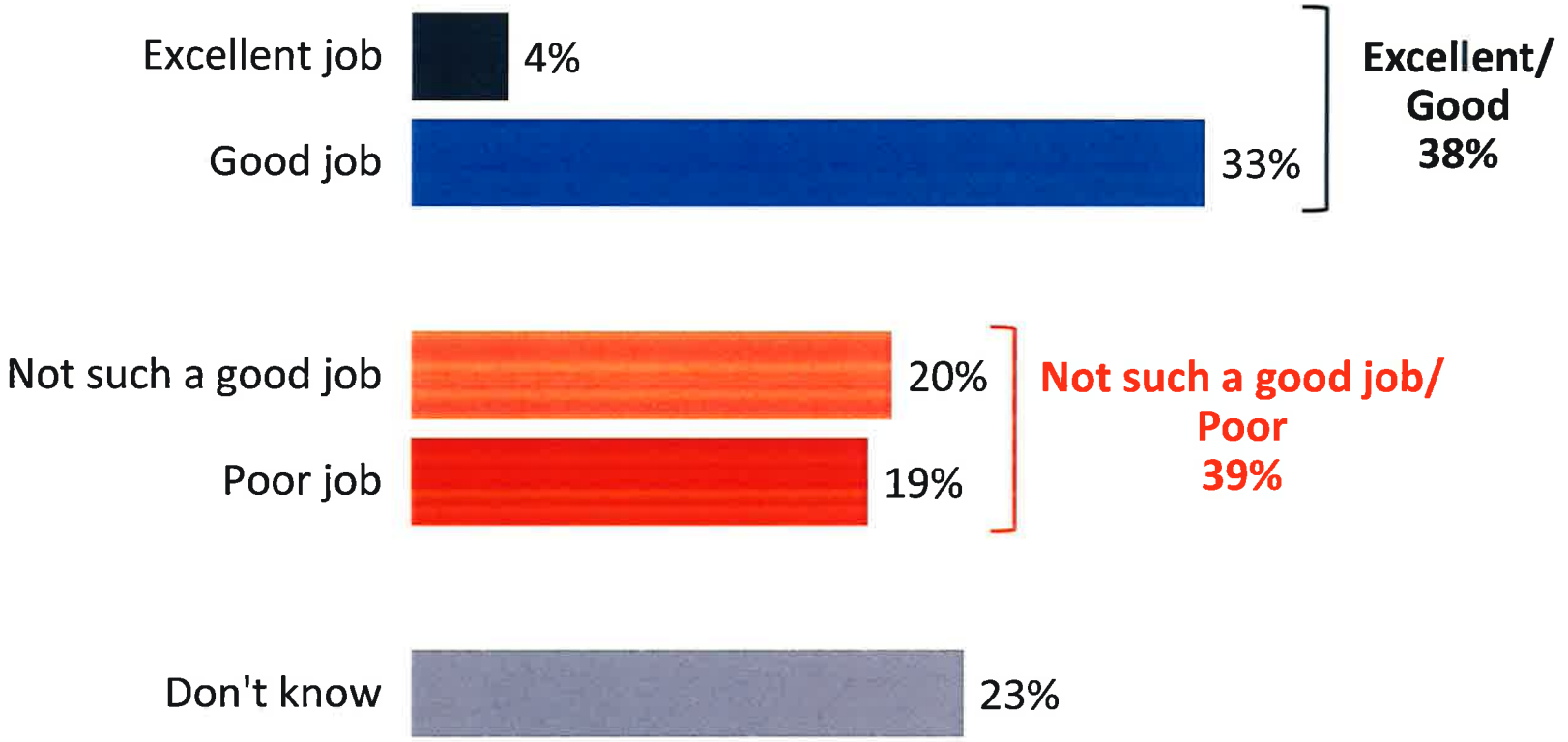
How would you rate the quality of education in Alum Rock schools: is it excellent, good, not so good or poor?



Q5.

Voters are split on the District's financial management.

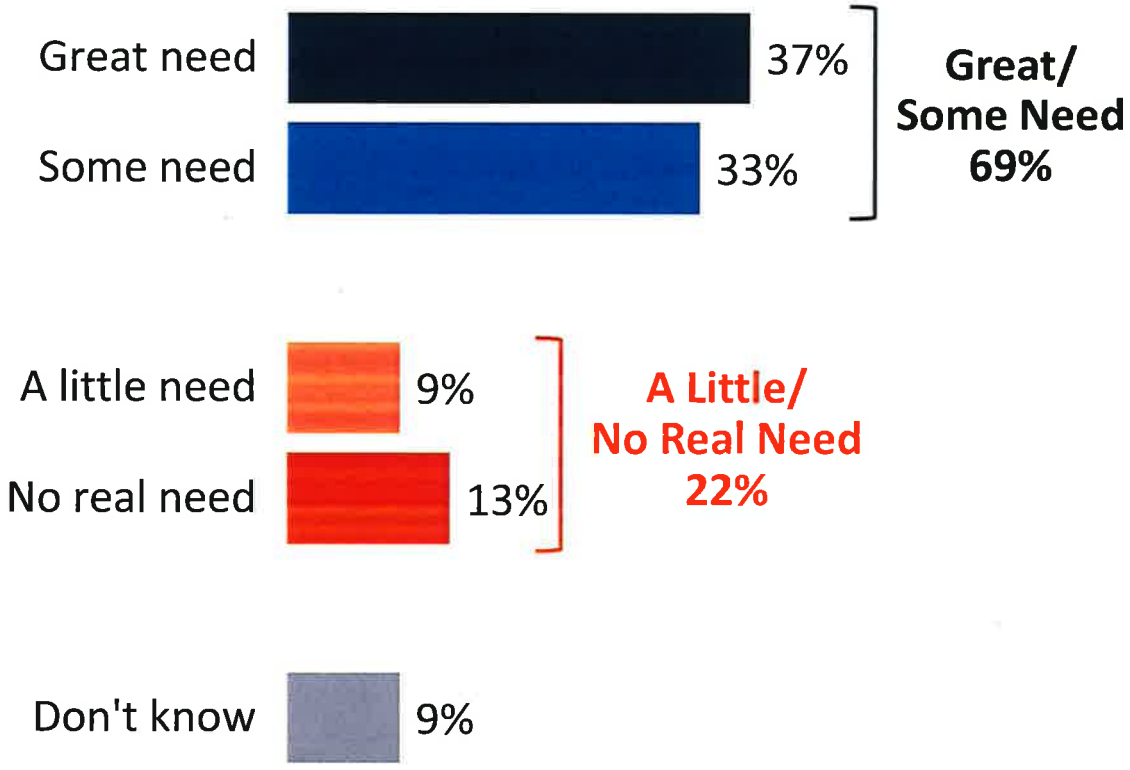
How would you rate the job that the Alum Rock Union School District is doing at managing its finances—is it doing an excellent job, a good job, not such a good job, or a poor job?



FM3 RESEARCH Q7.

Two-thirds say there is a need for additional funding in the District.

Would you say that Alum Rock schools have a great need for more money, some need, a little need, or no real need for more money?



Subgroups Most Likely to See at Least "Some Need:"

Interviewed in Spanish
Child Attends Local Middle/High School
Child Attends Local Elementary School
Democratic Women
Under Age 30
Renters
Democrats
Latinos
Have Children at Home
Women Ages 18-49
Non-College Educated Women

FM3 RESEARCH Q6.

Introducing the Measure

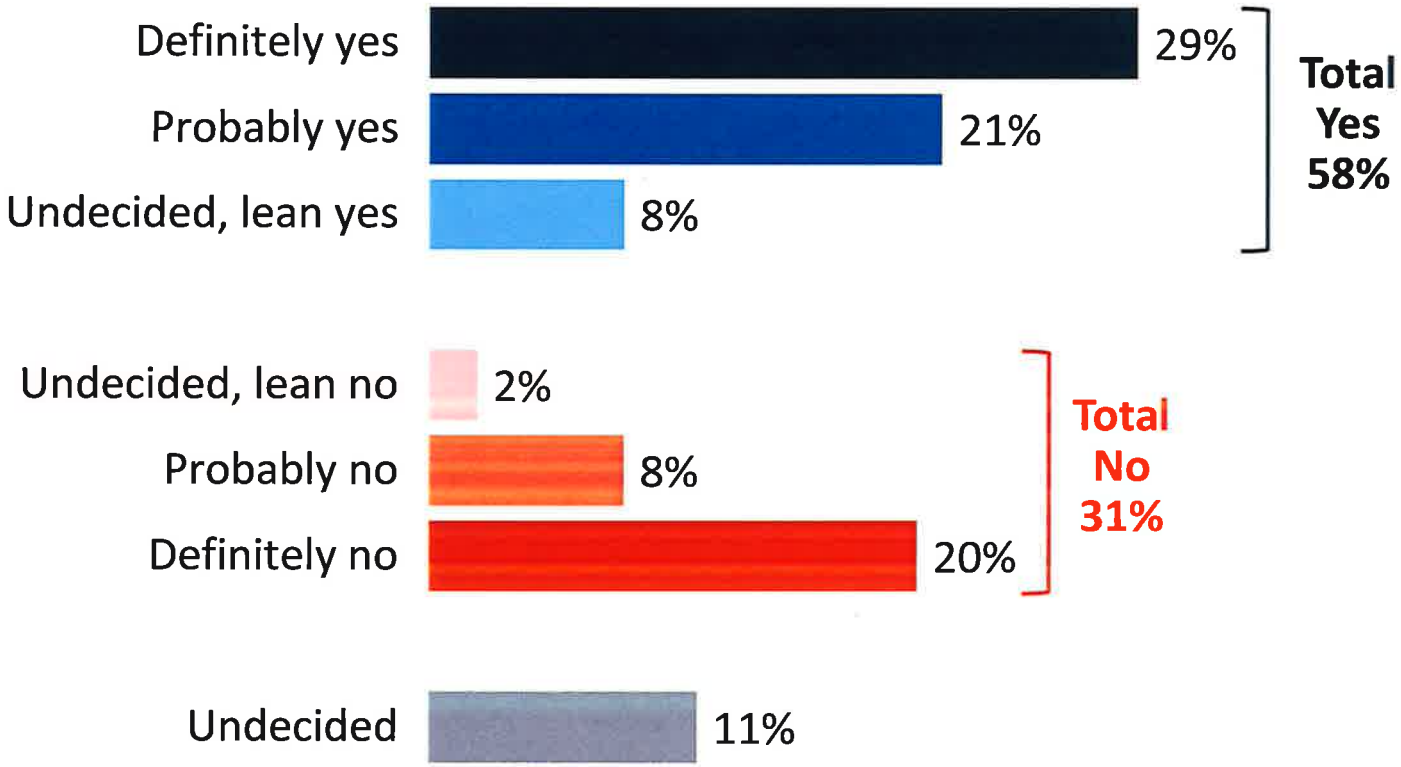
Parcel Tax Ballot Language Tested

(Two-Thirds Support Required for Passage)

"Without increasing current rates, to help protect schools from budget cuts, to continue improving local elementary/ middle schools by protecting reading, writing, math, science, technology and arts/ music, recruiting/ retaining qualified teachers and counselors, extending student support, shall Alum Rock Union Elementary School District's measure renewing its existing $210.14 parcel tax for 7 years, adjusted annually, providing $4,500,000 yearly, be adopted, with no funds for administrators' salaries, independent oversight, funds benefitting local schools and no funds taken by the State?"

Q3. If the election were held today, would you vote yes in favor of it, or no to oppose this measure?

A majority of voters supports the measure initially.



FM3 RESEARCH

Q3. If the election were held today, would you vote yes in favor of it, or no to oppose this measure?

Democrats and voters under age 30 support the measure at the 2/3rds level.

Demographic Group	Total Yes	Total No	Undecided
All Voters	**58%**	**31%**	**11%**
Gender			
Men	57%	35%	9%
Women	60%	27%	13%
Party			
Democrats	**69%**	22%	9%
Independents	51%	31%	18%
Republicans	28%	63%	9%
Age			
18-29	**71%**	13%	16%
30-39	62%	23%	15%
40-49	47%	29%	24%
50-64	57%	37%	6%
65-74	53%	47%	0%
75+	61%	26%	13%

FM3 RESEARCH

Q3. If the election were held today, would you vote yes in favor of it, or no to oppose this measure?

Alum Rock parents offer support above the two-thirds level as well.

Demographic Group	Total Yes	Total No	Undecided
Education			
Some College or Less	61%	26%	13%
Four-year College or More	56%	34%	10%
School Attended by Child			
Attends an Alum Rock Union Elementary School	**72%**	16%	11%
Attends a Local Public Middle or High School	63%	23%	13%
Attends a Charter/Non-public School	36%	35%	29%
Other District	82%	13%	5%
None are Old Enough to Attend School	41%	23%	36%
Race/Ethnicity			
Whites	64%	27%	9%
Latinos	63%	26%	11%
Asians/Pacific Islanders	51%	37%	12%
All Voters of Color	*58%*	*31%*	*11%*

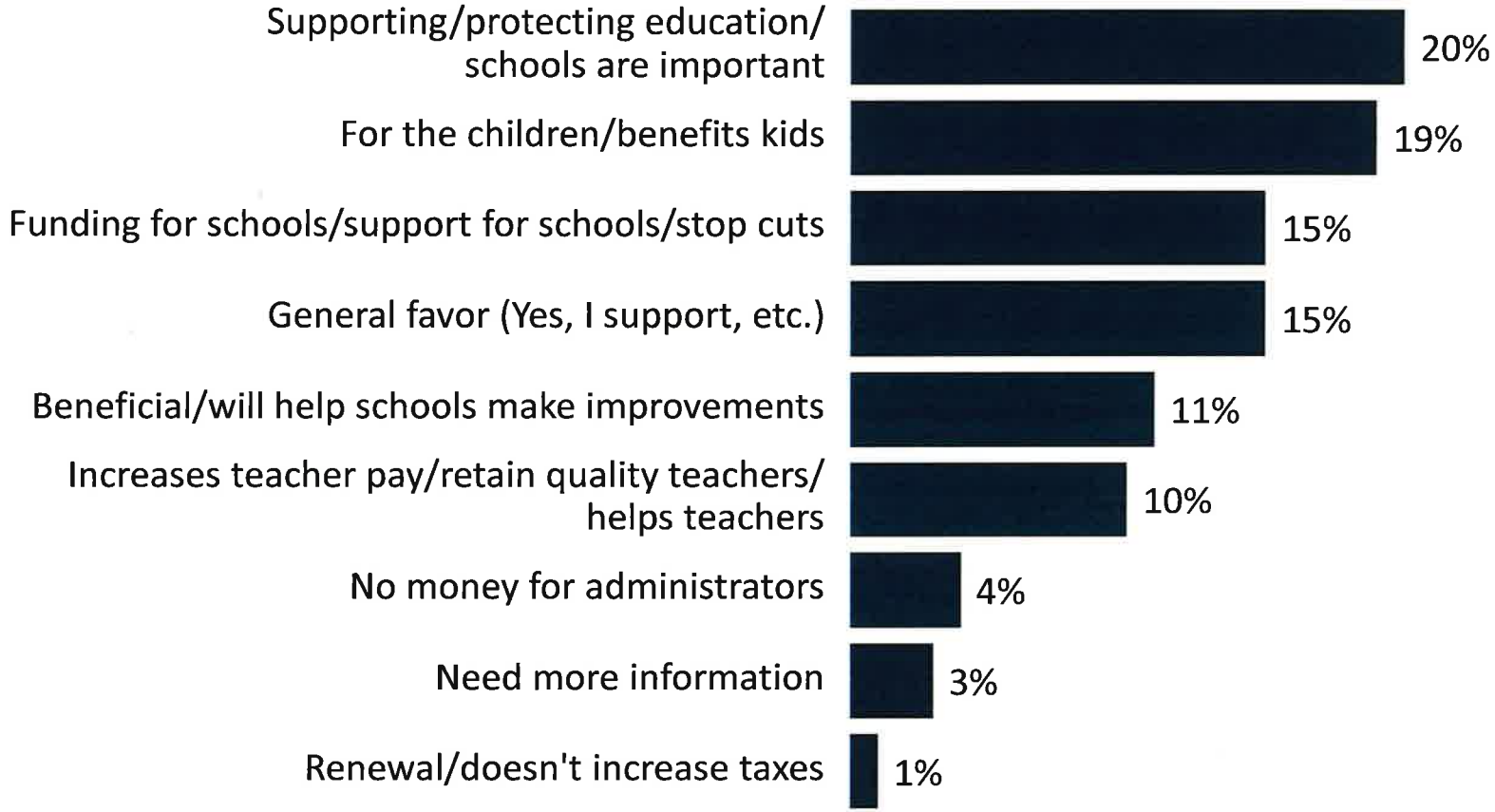
FM3 RESEARCH

Q3. If the election were held today, would you vote yes in favor of it, or no to oppose this measure?

Supportive voters want to protect education and say the measure benefits kids.

*In a few words of your own, why would you vote **YES** on the measure?*

(Open-ended; Asked of Yes Voters Only, n=236)



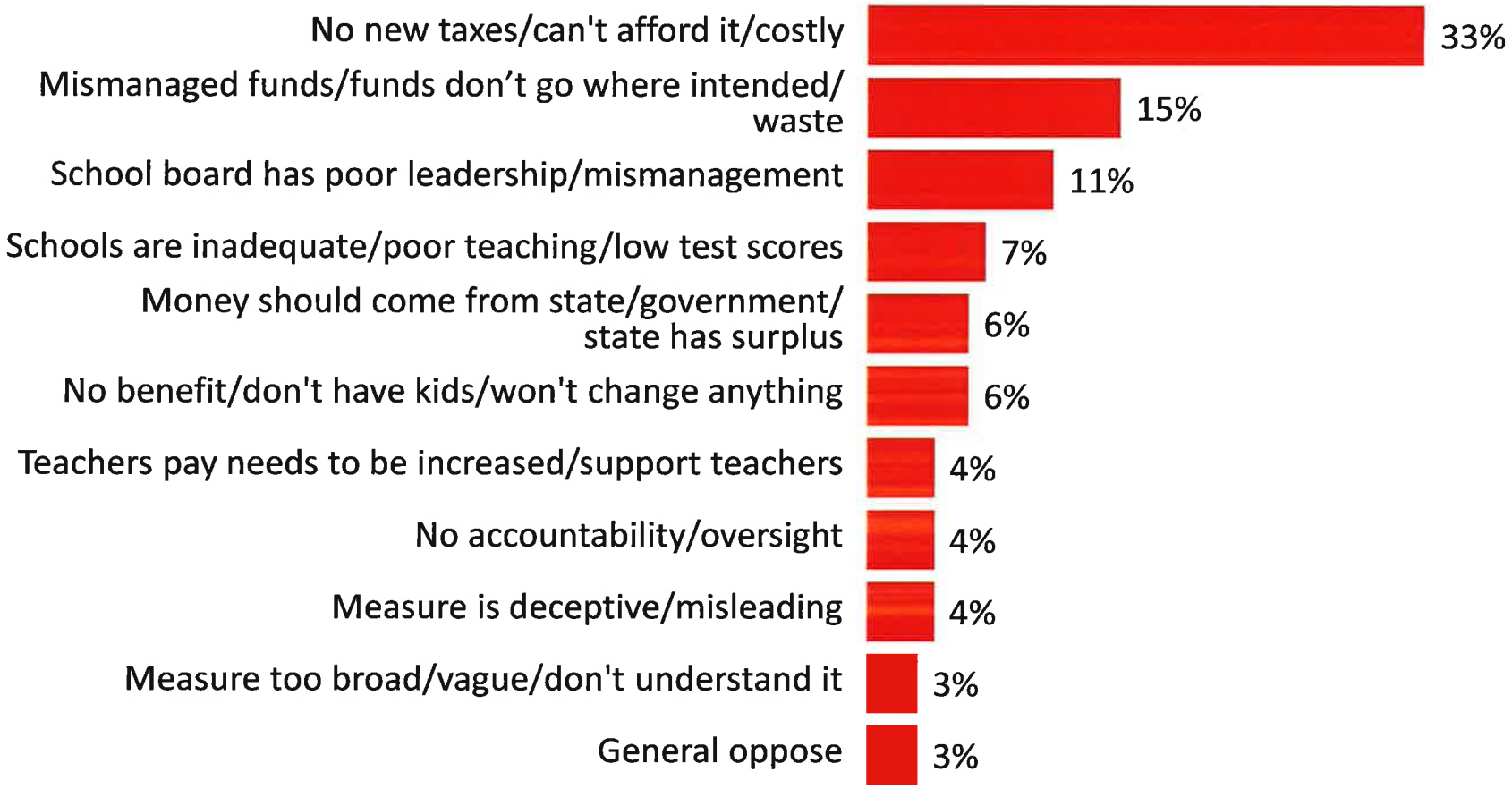
FM3 RESEARCH

Q4a.

Those opposed worry about taxes and mismanagement.

*In a few words of your own, why would you vote **NO** on the measure?*

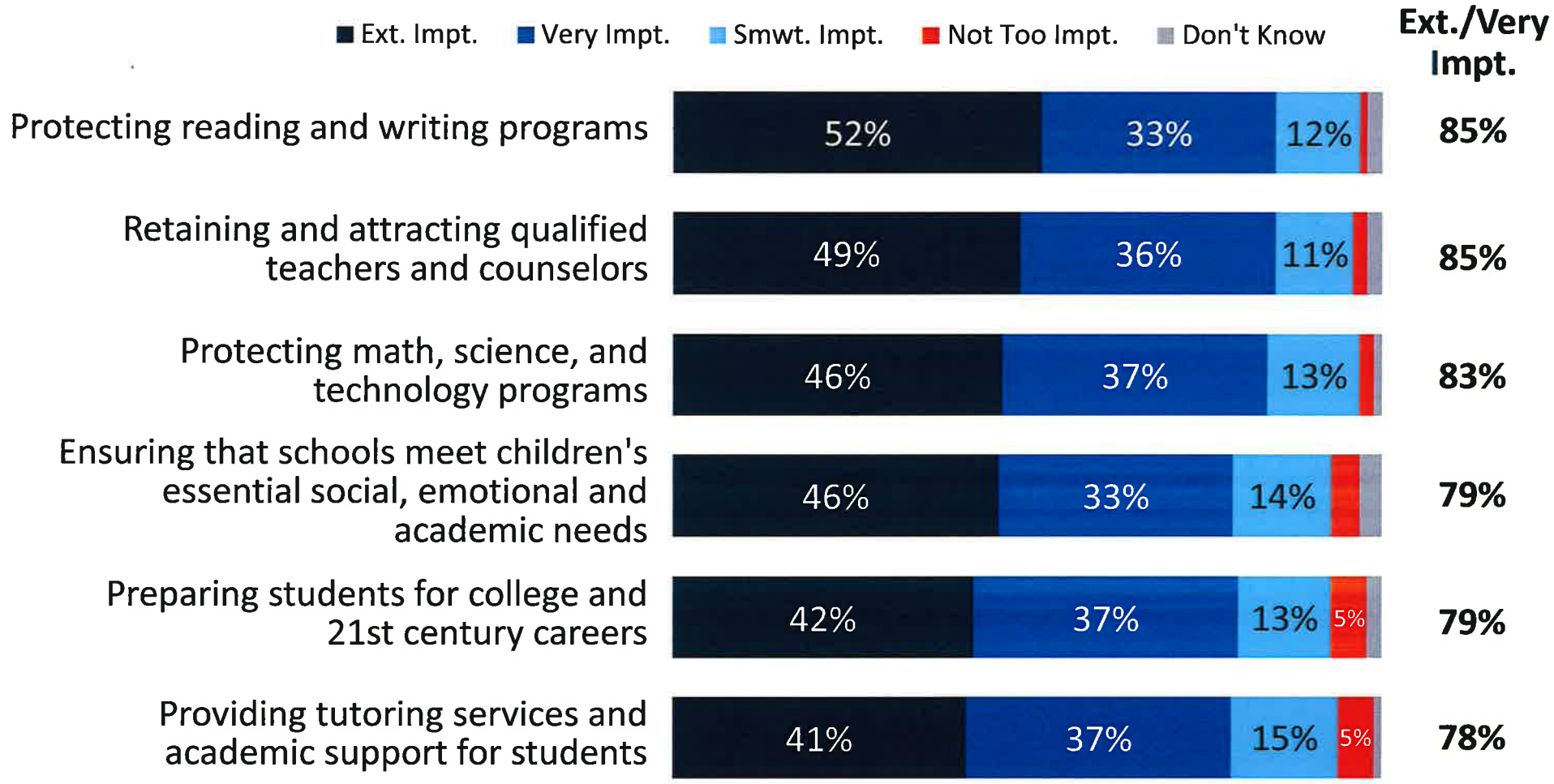
(Open-ended; Asked of No Voters Only, n=124)



FM3 RESEARCH

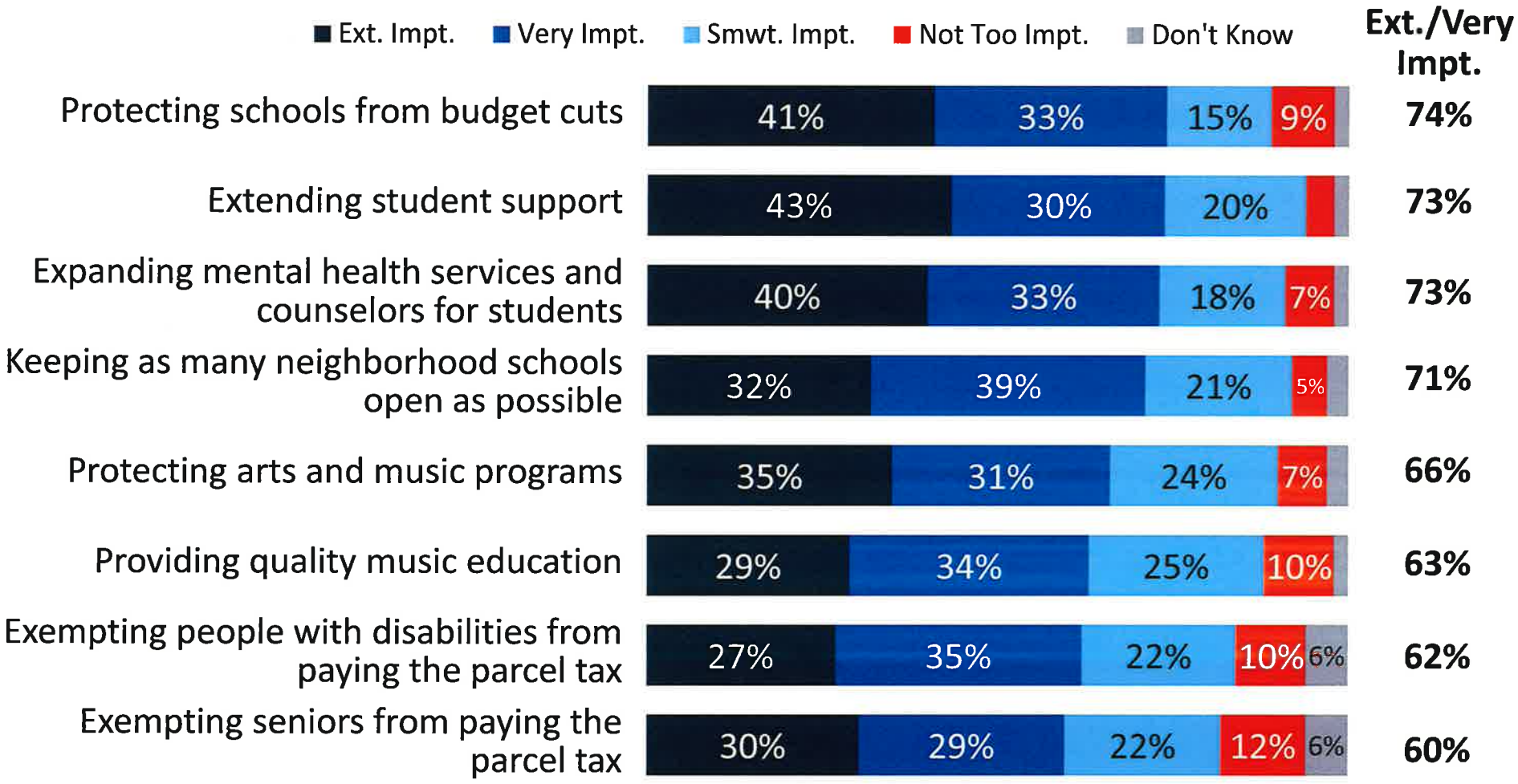
Q4b.

Reading and writing programs, retaining teachers, and math and science programs are the most important elements of the measure.



Q8. I am now going to read you a list of individual projects and provisions that may be part of the measure. Please tell me how important it is to you that each be included in the measure: extremely important, very important, somewhat important, or not too important?

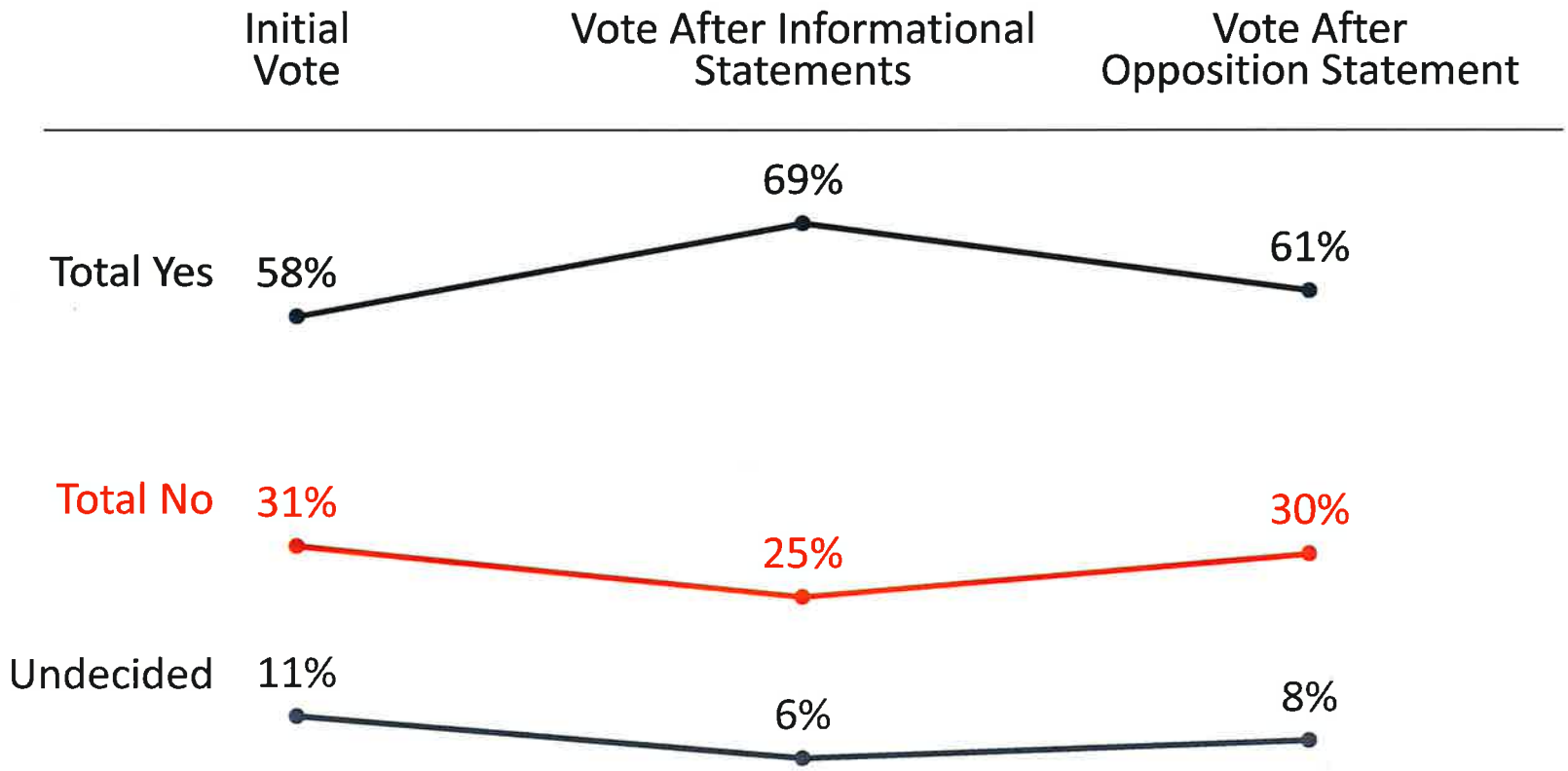
Protecting schools from budget cuts and extending student support are also highly important.



Q8. I am now going to read you a list of individual projects and provisions that may be part of the measure. Please tell me how important it is to you that each be included in the measure: extremely important, very important, somewhat important, or not too important?

Messaging

Support reaches two-thirds when voters hear positive statements.



FM3 RESEARCH

Q3, Q10 & Q11.

Messages in Favor of the Measure

(Messages Ranked by Very Convincing)

42%	**(TEACHER RETENTION)** The most important factor in improving student achievement is ensuring that every student has an experienced, effective teacher. By passing this measure we can help keep excellent teachers in our schools and recruit good new ones.
41%	**(BUDGET CUTS)** If this measure does not pass, Alum Rock will have to make major budget cuts, including laying off teachers and counselors, closing schools and making cuts to academics. These types of cuts will harm our children's education.
40%	**(SUPPORTS)** Alum Rock schools must be equipped to meet children's essential social, emotional and academic needs, especially during the COVID-19 pandemic. By providing funding to keep the best teachers and school support staff in our schools, this measure will help ensure kids get the support they need to succeed.
40%	**(RENEWAL)** This measure is a renewal of an existing tax; taxes will not be increased and important academic programs that benefit children will continue to be funded.

Q9. I am going to read you some statements that supporters of this potential parcel tax measure might make. Please tell me whether you find it very convincing, somewhat convincing, or not convincing as a reason to support this potential measure.

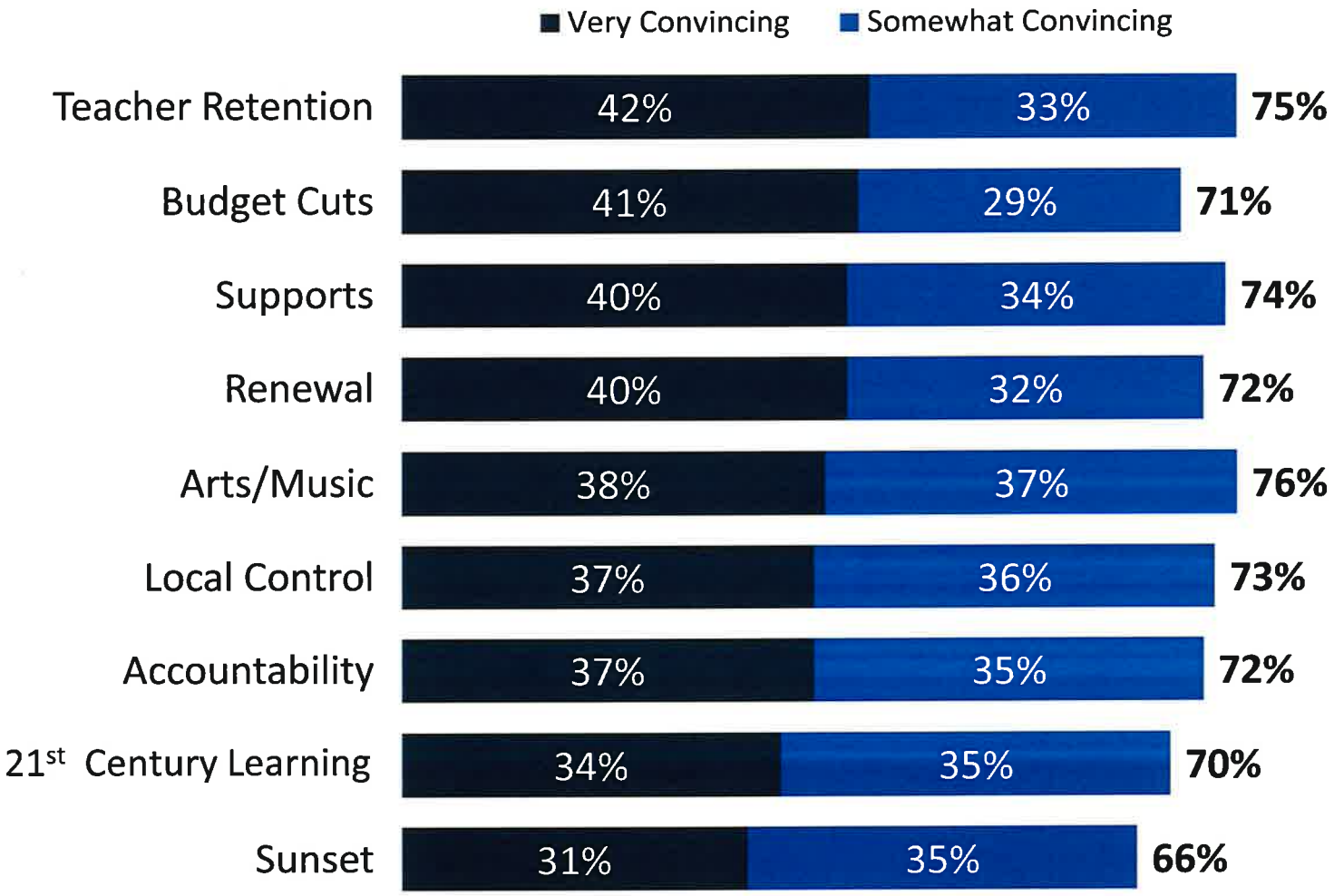
Messages in Favor of the Measure (Continued)

(Messages Ranked by Very Convincing)

38%	**(ARTS/MUSIC)** Alum Rock Union Elementary School District offers a wide variety of opportunities for students to participate in the visual and performing arts. Students across the district are using their creativity and expressing themselves in the form of music, poetry, drawing, sculpture, digital media and more. This measure will ensure these arts and music programs can continue to be offered.
37%	**(LOCAL CONTROL)** Funds generated by this measure will stay in our community and can only be used to improve our local schools. There are legal requirements prohibiting the state from taking any of these funds.
37%	**(ACCOUNTABILITY)** This measure includes strict accountability requirements including a citizens' oversight committee, and independent annual financial and performance audits. No money from this measure will go towards administrators' salaries or pensions and all funds will be spent locally.
34%	**(21st CENTURY LEARNING)** This local measure will help schools meet 21st century academic standards and give students the skills they need to compete in an increasingly advanced and competitive economy.
31%	**(SUNSET)** The proposed parcel tax will only be in effect for 7 years. This is not a permanent tax, but one that will help fund important academic programs for the next several years. Voters will have the chance to weigh in again by 2029 if they would like to renew it.

Q9. I am going to read you some statements that supporters of this potential parcel tax measure might make. Please tell me whether you find it very convincing, somewhat convincing, or not convincing as a reason to support this potential measure.

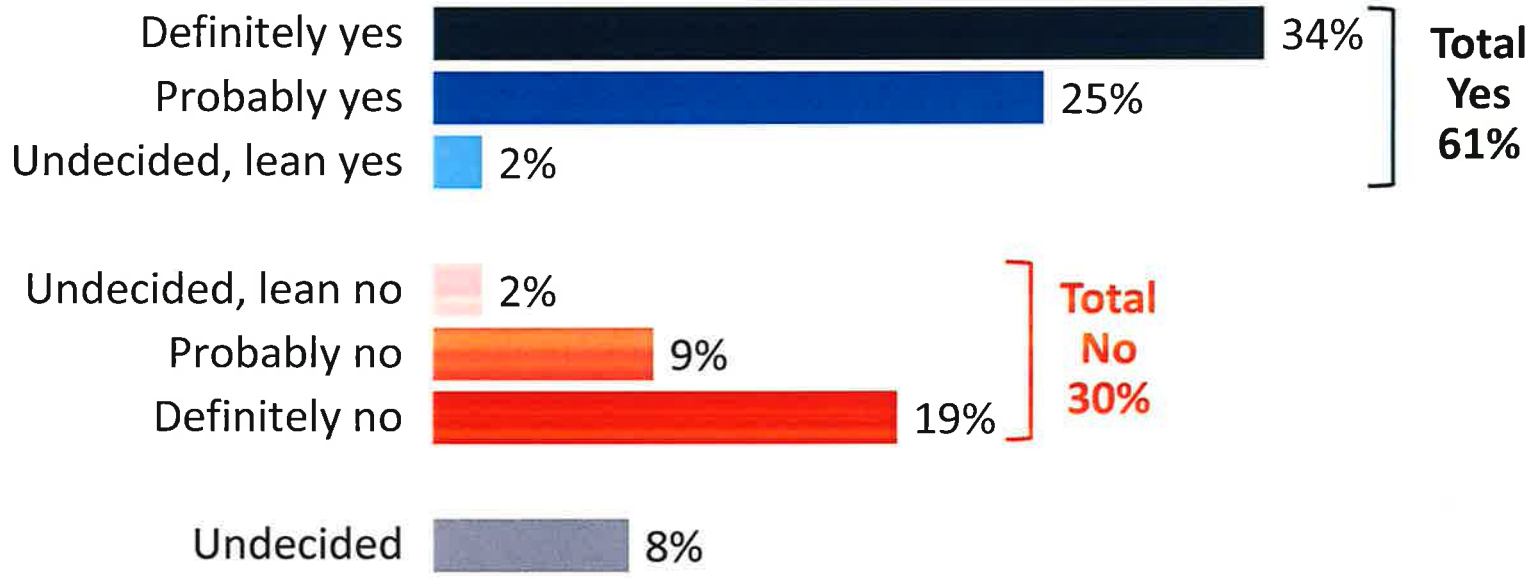
Messages describing teacher retention and budget cuts resonate most strongly.



Q9. I am going to read you some statements that supporters of this potential parcel tax measure might make. Please tell me whether you find it very convincing, somewhat convincing, or not convincing as a reason to support this potential measure.

After an opposition message support drops below the two-thirds level.

The cost of living in San Jose is way too high already – middle-income families can barely afford rent or a mortgage as it is. We just can't afford hundreds of dollars in additional taxes for families that are having a hard time making ends meet. If Alum Rock Union Elementary School District could cut its own budget, administrative salaries, and pensions, it would have the funds needed for school improvements. But the District has a history of misusing funds, fraud, embezzlement and unethical and unprofessional behavior. We cannot trust that these funds will be managed properly and cannot give this District more of our money.



Q11. Let me ask you one last time about renewing the Alum Rock Union Elementary School District measure to help protect schools from budget cuts, to continue improving local elementary and middle schools by protecting reading, writing, math, science, technology and arts and music, recruiting and retaining qualified teachers and counselors, and extending student support by renewing the existing $210.14 parcel tax for 7 years with no increase in rates. Would you vote yes in favor or no to oppose this measure?

Conclusions

Conclusions

- Voters see a distinct need for funding for Alum Rock schools, but are mixed in their views of the District, the quality of education it offers and its financial management.
- In this context, a majority supports the parcel tax renewal, but support falls short of the two-thirds required for passage initially.
- The top spending priorities are protecting reading and writing programs, attracting and retaining teachers, and protecting STEM programs.
- As voters learn more about the measure, their support reaches two-thirds.
  - Consistent with voters' spending priorities, the top messages describe retaining teachers and preventing budget cuts – and note that the measure is not a new tax.
- After a comprehensive critical message, support for the tax measure drops to 61%.
- Overall, the findings of the survey suggest that there is a path to success for the measure – but it will require broad support from community stakeholders and strong communications to the public about the reasons the measure is on the ballot.

For more information, contact:

FM3 RESEARCH | OPINION RESEARCH & STRATEGY

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Lucia Del Puppo
Lucia@FM3research.com

3.02

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San Jose, CA 95127

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF TRUSTEES

To the Board of Trustees: Date: March 3, 2022

Subject: **Approval of Resolution #35-21/22, Calling Education Parcel Tax Election on June 7, 2022**

Staff Analysis: The District's current parcel tax will expire on June 30, 2022. The resolution directs County officials to place a renewal measure on the June 7, 2022. The measure would be a simple renewal of the existing tax rate for an additional seven years will continued exemptions for seniors. The proceeds of the measure would be used to continue to attract and retain high quality teachers as well as to provide core academics and hands-on instruction.

Recommendation: Staff recommends that the Board of Trustees approve Resolution #35-21/22, Calling Education Parcel Tax Election on June 7, 2022.

Submitted by: Kolvira Chheng KC Title: Assistant Superintendent, Business Services

To the Board of Trustees:

Recommend Approval

3.02
Agenda Placement

Meeting: March 3, 2022
Special Board Meeting

Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
SAN JOSE, CALIFORNIA

RESOLUTION
#35-21/22

RESOLUTION OF THE BOARD OF TRUSTEES OF THE ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT CALLING AN ELECTION FOR APPROVAL OF AN EDUCATION PARCEL TAX, ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER, AND REQUESTING CONSOLIDATION WITH OTHER ELECTIONS OCCURRING ON JUNE 7, 2022

RESOLVED by the Board of Trustees ("Board") of the Alum Rock Union Elementary School District ("District"), a school district of the County of Santa Clara, State of California, that:

WHEREAS, the District depends on local funding through its voter-approved parcel tax to help it attract and retain high quality teachers, provide core academics, and hands-on instruction; and

WHEREAS, in 2010, the Board determined that, in order to maintain quality education for the students of the District, it was advisable to call an election to authorize a qualified special tax and, on that basis, the Board ordered such an election; and

WHEREAS, on June 8, 2010 a measure ("Measure I") to authorize a qualified special tax was approved by more than two-thirds of the votes cast by the voters of the District voting upon the measure; and

WHEREAS, in 2014, when Measure I was set to expire on June 30, 2015 the Board determined that, in order to continue maintaining quality education for the students of the District, it was advisable to call an election to authorize and renew a qualified special tax and, on that basis, the Board ordered such an election; and

WHEREAS, on November 4, 2014 a measure ("Measure O") to authorize a qualified special tax was approved by more than two-thirds of the votes cast by the voters of the District voting upon the measure; and

WHEREAS, local parcel tax funding for the District provides $4.5 million each year ; and

WHEREAS, Measure O is set to expire June 30, 2022, and the loss of this revenue would be significant; and

WHEREAS, the Board has determined that, in order to continue protecting the quality of education for all of the District's students and to provide stable local funding for area schools, it is necessary to renew the existing qualified special tax; and

WHEREAS, this measure would require fiscal accountability provisions, including an Independent Citizens' Oversight Committee, annual audits and safeguards to ensure all funding would stay local in District schools and could not be taken by the State or used for other purposes; and

WHEREAS, property owners aged 65 and older and certain owners receiving SSI or SSDI would be eligible for an optional exemption from the cost of the measure; and

WHEREAS, California Constitution, Article XIIIA, section 4 and Government Code sections 50075 et seq. authorizes the District, upon approval of two-thirds of the electorate, to levy qualified special taxes on real property in the District for the purpose of providing quality educational programs in the District and other lawful purposes of the District; and

WHEREAS, in the judgment of this Board, following a public hearing and comment, it is advisable to request that the Santa Clara County Superintendent of Schools ("County Superintendent") call an election and submit to the voters of the District the question of whether the District shall levy a qualified special tax within the District as specified in this resolution, for the purpose of raising revenue for the District; and

WHEREAS, pursuant to the Education Code and Elections Code such election may be completely or partially consolidated with any other election held on the same day and in the same territory or territory that is in part the same.

WHEREAS, in the judgment of this Board, following public hearing and comment, it is advisable to request that the Santa Clara County Registrar of Voters ("Registrar") call an election and submit to the voters of the District the question whether the District shall renew a special tax within the District for the purpose of raising additional revenue for the District; and

WHEREAS, pursuant to the Education Code and Elections Code such election may be completely or partially consolidated with any other election held on the same day and in the same territory or territory that is in part the same.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Resolution Constitutes Order of Election. This resolution shall constitute an order of election pursuant to the Education Code to the Santa Clara County Superintendent of Schools ("County Superintendent") to call an election within the boundaries of the District on June 7, 2022.

Section 2. Date and Purpose of Measure. Pursuant to the California Constitution and Government Code, an election shall be held within the boundaries of the District on Tuesday, June 7, 2022, for the purpose of voting on a measure ("Measure") which will be presented to voters in substantially the form attached hereto as **Exhibit A**, containing the question of whether the District shall impose a qualified special tax for the educational purposes stated therein. In addition, the full text of the Measure ("Full Ballot Text") shall appear in the ballot pamphlet in substantially the form attached hereto as **Exhibit B**.

Section 3. Exemptions from Qualified Special Tax. Pursuant to any procedures adopted by the District, upon application an exemption from payment of the special tax may be granted on any parcel owned by one or more:

(a) Persons who are 65 years of age or older and occupying said parcel as his or her principal residence ("Senior Citizen Exemption"); or

(b) Persons receiving Supplemental Security Income for a disability, regardless of age, and occupying said parcel as his or her principal residence ("SSI Exemption"); or

(c) Persons receiving Social Security Disability Insurance benefits, regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the United States Department of Health and Human Services and occupying said parcel as his or her principal residence ("SSDI Exemption").

The District shall annually provide to the Santa Clara County Tax Collector ("County Tax Collector") or other appropriate County official a list of parcels that the District has approved for an exemption.

Section 4. Collection of the Tax. The qualified special tax shall be collected by the County Tax Collector. Unpaid special taxes shall bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid. With respect to all general property tax matters within their jurisdiction, the County Tax Collector shall make all final determinations of tax exemption or relief for any reason, and that decision shall be final and binding. With respect to matters specific to the levy of the special tax, including the exemptions, the application of the definition of "Parcel of Taxable Real Property" to any parcel(s), the legality or validity of the special tax, or any other disputed matter specific to the application of the special tax, the decisions of the District shall be final and binding.

Section 5. Authority for Ordering Election. The authority for ordering the election is contained in the Education Code, Elections Code, Government Code, and California Constitution.

Section 6. Authority for Specifications. The authority for the specification of this election order is contained in the Education Code.

Section 7. Resolution to County Superintendent, Registrar and Board of Supervisors. The Clerk of the Board is hereby directed to cause certified copies of this Resolution and order to be delivered not later than March 9, 2022, to the County Superintendent, the Registrar, and the Clerk of the Board of Supervisors of Santa Clara County ("Board of Supervisors").

Section 8. Formal Notice. The County Superintendent is hereby requested to prepare and execute a Formal Notice of Parcel Tax Election and consolidation order in substantially the form attached hereto as **Exhibit C** (the "Formal Notice"), and to call the election by causing the Formal Notice to be posted in accordance with the applicable law no later than March 9, 2022, or to otherwise cause the notice to be published as permitted by law. The Secretary of the Board, on behalf of and as may be requested by the County Superintendent, is authorized to cause all notices required by law in connection herewith to be published and posted, as the case may be.

Section 9. Conduct of Election.

(a) *Request to Registrar.* Pursuant to State law, the Registrar is requested to take all steps to hold the election on June 7, 2022, in accordance with law and these specifications. The election may be consolidated with another election as specified below, if such consolidation is feasible and appropriate.

(b) *Voter Pamphlet.* The Registrar is hereby requested to reprint the Full Ballot Text in substantially the form attached hereto as Exhibit B in the voter information pamphlet to be distributed to voters pursuant to the Elections Code. In the event the Full Ballot Text will

not be reprinted in the voter information pamphlet in its entirety, the Registrar is hereby requested to print, immediately below the impartial analysis of the Measure, in no less than 10-point boldface type, a legend substantially as follows:

> The above statement is an impartial analysis of Measure __. If you desire a copy of the Measure, please call the Santa Clara County Registrar of Voters at [phone number] and a copy will be mailed at no cost to you.

(c) *Consolidation.* The County Superintendent and the Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections as may be held on the same day in the same territory or in territory that is in part the same.

(d) *Canvass and Declaration of Results.* The Board of Supervisors is authorized to canvass the returns of the election and declare the result pursuant to the Elections Code.

(e) *Cost of Election.* The District will reimburse the County for costs associated with the election as required by law

Section 10. Appropriations Limit. The Board shall provide in each year for an increase in the District's appropriations limit as shall be necessary to ensure that the proceeds of the special tax may be spent for its authorized purposes.

Section 11. Ballot Arguments. The Board President and/or their designees are hereby authorized to prepare and file with the County Registrar any ballot argument prepared in connection with the election, including a rebuttal argument, each within the time established by the County Registrar, which shall be considered the official ballot arguments of the Board as sponsor of the Measure and to take all necessary action to prevent inclusion of false and/or misleading information in ballot materials related to the Measure.

Section 12. Official Actions. The District Superintendent, President of the Board, or their designees are hereby authorized to execute any other document and to perform all acts necessary to place the Measure on the ballot, including making alterations to the Measure and Full Ballot Text stated in Exhibits A and B hereto, and to this Resolution to comply with requirements of law and election officials or which are, in the judgment of the Superintendent, in the best interests of the District.

Section 13. Effective Date. This Resolution shall take effect from and after its adoption.

ADOPTED, SIGNED and APPROVED by the Board of Trustees of the Alum Rock Union Elementary School District on the 3rd day of March, 2022, by the following vote:

AYES:
NOES:
ABSTENTIONS:

_____
President of the Board of Trustees of the
Alum Rock Union Elementary School District

Attested to:

_____
Clerk of the Board of Trustees of the
Alum Rock Union Elementary School District

EXHIBIT A

SUMMARY OF MEASURE

The Measure shall be summarized in the following form, and the County of Santa Clara Registrar of Voters is requested to cause this summary of the Measure to appear on the ballot:

**** BEGIN TEXT ****

Without increasing current rates, to help protect schools from budget cuts, to continue improving local elementary/middle schools by protecting reading, writing, math, science, technology and arts/music, recruiting/retaining qualified teachers and counselors, extending student support, shall Alum Rock Union Elementary School District's measure renewing its existing $214.10 parcel tax for 7 years, adjusted annually, providing $4,500,000 yearly, be adopted, with senior exemptions, independent citizens oversight, no funds for administrator salaries, and all funds staying local to benefit students?

**** END TEXT ****

EXHIBIT "B"

FULL BALLOT TEXT

**** BEGIN TEXT ****

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

Quality Education Parcel Tax Measure __
[*letter designation to be assigned by Santa Clara County Registrar of Voters*]

RECITALS

Alum Rock Union Elementary School District (the "District") offers a wide variety of opportunities for students to participate in the visual and performing arts. Students across the District are using their creativity and expressing themselves in the form of music, poetry, drawing, sculpture, and digital media. This Measure will ensure these arts and music programs can continue to be offered.

Passing this Measure can help keep qualified teachers in District schools and recruit new teachers.

District schools must be equipped to meet students' social, emotional and academic needs, especially during the COVID-19 pandemic. By providing funding to keep qualified teachers and school support staff in local schools, this Measure will help ensure students get the support they need to succeed.

If this Measure does not pass, the District may have to make major budget cuts, including laying off teachers and counselors, closing schools and making cuts to academics.

Funds generated by this Measure will stay in the community and can only be used to improve local schools. There are legal requirements prohibiting the State from taking any of these funds.

This Measure includes strict accountability requirements including a citizens' oversight committee, and independent annual financial and performance audits. No money from this measure will go towards administrators' salaries or pensions and all funds will be spent locally.

TERMS

Without increasing current rates, to help protect schools from budget cuts, to continue improving local elementary/middle schools by protecting reading, writing, math, science, technology and arts/music, recruiting/retaining qualified teachers and counselors, extending student support, shall Alum Rock Union Elementary School District's measure renewing its existing $214.10 parcel tax for 7 years, adjusted annually, providing $4,500,000 yearly, be adopted, with senior exemptions, independent citizens oversight, no funds for administrator salaries, and all funds staying local to benefit students?

The proceeds of this Measure shall be authorized to be used only for the following

purposes in accordance with priorities established by the Board and to the extent of available funds:

- Protecting reading and writing programs
- Retaining and attracting qualified teachers and counselors
- Protecting math, science, technology and arts programs
- Ensuring that schools meet children's essential social, emotional and academic needs
- Preparing students for college and 21st century careers

No funds will be spent on administrative salaries or benefits.

A. Amount and Basis of Tax

The qualified special tax shall be levied at the rate of $214.10 per Parcel of Taxable Real Property beginning July 1, 2022 and continuing for a period of seven (7) years. Beginning on July 1, 2023, and every July 1 thereafter, the rate of the qualified special tax shall be increased by an amount equivalent to the change in the San Jose Statistical Area Consumer Price Index from the prior year. In the event this index is no longer available, the Board shall adopt a comparable index as it shall reasonably determine.

This qualified special tax is estimated to raise $4.5 million of annual local funding for District schools. The amount of annual local funding raised by this qualified special tax will vary from year-to-year due to changes in the number of parcels subject to the levy and the annual adjustment.

The District shall provide the Santa Clara County Tax Collector ("County Tax Collector") a report indicating the parcel number and amount of tax for each Parcel of Taxable Real Property. "Parcel of Taxable Real Property" shall be defined as any unit of real property in the District that receives a separate tax bill for *ad valorem* property taxes from the County Tax Collector. All property that is otherwise exempt from or upon which are levied no *ad valorem* property taxes in any year shall not be considered a Parcel of Taxable Real Property for purposes of the special tax in such year.

B. Exemptions

Pursuant to any procedures adopted by the District, upon application an exemption from payment of the special tax may be granted on any parcel owned by one or more:

1. Persons who are 65 years of age or older and occupying said parcel as his or her principal residence ("Senior Citizen Exemption"); or,

2. Persons receiving Supplemental Security Income for a disability, regardless of age, and occupying said parcel as his or her principal residence ("SSI Exemption"); or

3. Persons receiving Social Security Disability Insurance benefits, regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the United States Department of Health and Human Services and occupying said parcel as his or her principal residence ("SSDI Exemption").

C. Claim / Exemption Procedures

With respect to all general property tax matters within its jurisdiction, the County Tax Collector or other appropriate County tax official shall make all final determinations of tax exemption or relief for any reason, and that decision shall be final and binding. With respect to matters specific to the levy of the special tax, including the Senior Citizen Exemption, the SSI Exemption, the SSDI exemption, the application of the definition of "Parcel of Taxable Real Property" to any parcel(s) or any other disputed matter specific to the application of the special tax, the decisions of the District shall be final and binding. The procedures described herein, and any additional procedures established by the Board shall be the exclusive claims procedure for claimants seeking an exemption, refund, reduction, or re-computation of the special tax. Whether any particular claim is to be resolved by the District or by the County shall be determined by the District, in coordination with the County as necessary.

D. Appropriations Limit

Pursuant to California Constitution and applicable laws, the appropriations limit for the District will be adjusted periodically by the aggregate sum collected by levy of this special tax.

E. Accountability Measures

1. *Specific Purposes.* The proceeds of the special tax shall be applied only to the specific purposes identified above.

2. *Annual Reports.* The proceeds of the special tax shall be deposited into a fund, which shall be kept separate and apart from other funds of the District, pursuant to the Government Code. No later than December 31 of each year while the tax is in effect, the District shall prepare and file with the Board a report detailing the amount of funds collected and expended during the prior fiscal year, and the status of any project authorized to be funded by this measure. The report may relate to the calendar year, fiscal year, or other appropriate annual period, as said officer shall determine, and may be incorporated into or filed with the annual budget, audit, or other appropriate routine report to the Board.

3. *Independent Citizens' Oversight Committee*. An independent citizens' oversight committee shall be appointed or designated by the Board to ensure that the special tax proceeds are spent for their authorized purposes, and to report annually to the Board and the public regarding the expenditure of such funds. The Board shall provide by resolution for the composition, duties, funding, and other necessary information regarding the committee's formation and operation. The Board shall have the option to extend any current independent citizens' oversight committee and its membership to serve as the independent citizens' oversight committee for this Measure.

F. Protection of Funding

Current law forbids any decrease in State or federal funding to the District resulting from the adoption of an education parcel tax. However, if any such funding is reduced or

affected because of the adoption of this local funding measure, then the Board may reduce the amount of the special taxes levied as necessary in order to restore such State or federal funding and/or maximize the District's fiscal position for the benefit of the educational program. As a result, whether directly or indirectly, no funding from this measure may be taken away by the State or federal governments.

G. Severability

The Board hereby declares, and the voters by approving this measure concur, that every section and part of this measure has independent value, and the Board and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this measure by the voters, should any part of the measure or taxing formula be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts of the measure or taxing formula hereof shall remain in full force and effect to the fullest extent allowed by law.

**** END TEXT ****

EXHIBIT C

FORMAL NOTICE OF SPECIAL TAX ELECTION

NOTICE IS HEREBY GIVEN to the qualified electors of the Alum Rock Union Elementary School District of Santa Clara County, California, that in accordance with the provisions of the Education Code and the Government Code of the State of California, an election will be held on June 7, 2022, for the purpose of submitting to the qualified electors of the District the proposition summarized as follows:

> Without increasing current rates, to help protect schools from budget cuts, to continue improving local elementary/middle schools by protecting reading, writing, math, science, technology and arts/music, recruiting/retaining qualified teachers and counselors, extending student support, shall Alum Rock Union Elementary School District's measure renewing its existing $214.10 parcel tax for 7 years, adjusted annually, providing $4,500,000 yearly, be adopted, with senior exemptions, independent citizens oversight, no funds for administrator salaries, and all funds staying local to benefit students?

By execution of this formal Notice of Election the County Superintendent of Schools of Santa Clara County orders consolidation of the election with such other elections as may be held on the same day in the same territory or in territory that is in part the same.

The County Superintendent of Schools of Santa Clara County, by this Notice of Election, has called the election pursuant to a Resolution and Order of the Board of Trustees of the Alum Rock Union Elementary School District adopted March 3, 2022, in accordance with the provisions of State law.

IN WITNESS WHEREOF, I have hereunto set my hand this day, _____, 2022.

_____
County Superintendent of Schools
Santa Clara County, California

3.03

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue
San José, CA 95127

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF EDUCATION

To the Board of Trustees:

Subject: Creation of a teacher and workforce housing taskforce.

Submitted by: Hilaria Bauer, Ph.D. Title: Superintendent

To the Board of Trustees: Meeting: March 3, 2022
Special Board Meeting

3.03
Agenda Placement

Hilaria Bauer
Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

4.01

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San Jose, CA 95127

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF TRUSTEES

To the Board of Trustees: Date: March 3, 2022

Subject: **Approve Contract with Dale Scott & Co., Inc. as Municipal Advisor.**

Staff Analysis: On February 3, 2022, the Board of Trustees interviewed six (6) firms that responded to the District's Request for Proposals for financial advisor services and authorized the Administration to negotiate a contract with Dale Scott & Co., Inc., who received the highest score (108 points) on the basis of demonstrated competence and qualifications for the types of services to be performed. Attached is the proposed contract between the District and Dale Scott & Co., Inc., for the Board's consideration.

Recommendation: Staff recommends that the Board of Trustees approve the contract with Dale Scott & Co., Inc.

Submitted by: Kolvira Chheng Title: Assistant Superintendent, Business Services

To the Board of Trustees:

Recommend Approval

4.01
Agenda Placement

Meeting: March 3, 2022
Special Board Meeting

Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

AGREEMENT FOR MUNICIPAL ADVISOR SERVICES

This Agreement for Municipal Advisor Services ("Agreement") has been entered into this ___ day of March 2022 by and between the Alum Rock Union Elementary School District ("District") and Dale Scott & Co., Inc. ("Municipal Advisor").

WHEREAS, the District desires independent municipal advisory services to be performed in connection with the issuance of bonds and debt obligations ("Financing Services"); and

WHEREAS, the Municipal Advisor is registered, qualified and licensed, including as a municipal advisor under Section 15B of the Securities Exchange Act of 1934, to provide Financing Services to the District.

NOW, THEREFORE, in consideration of the above recitals and the mutual covenants and conditions hereinafter set forth, it is agreed as follows:

Section 1. Financing Services.

As directed by the District, Municipal Advisor will provide services ("Financing Services") in connection with the completion of one or more debt financings as more specifically described in ***Exhibit A*** hereto. Financings may include, without limitation, general obligation bonds, certificates of participation or lease financings, bond anticipation notes, tax and revenue anticipation notes, and refunding of debt ("Debt Financing"). Municipal Advisor shall act as a fiduciary to the District in the performance of the Financing Services and Additional Services (defined below).

Section 2. Additional Services.

Financing Services performed for the District by Municipal Advisor that are not otherwise specifically identified in ***Exhibit A*** to this Agreement shall be additional services ("Additional Services") performed for additional compensation at the direction of the District. Additional Services include, but are not limited to, the following:

1.01 Assisting District with the calling of a bond election.

1.02 Assisting the District in obtaining enabling legislation.

2.02 Financial management services, including development of financial policies and/or administrative regulations, capital improvement plans, economic development planning, credit analysis (other than preparation for rating agency presentations that may be part of the Financing Services).

2.03 Services rendered in connection with any undertaking of the District relating to a continuing disclosure agreement entered into in order to comply with Securities and Exchange Commission Rule 15c2- 12 or other similar rules.

2.04 Services rendered to the District in connection with calculations or determination of any arbitrage rebate liability to the United States of America arising from investment activities associated with a debt financing.

Section 3. Compensation.

3.01 For Municipal Advisor's performance of Services and Additional Services, the Municipal Advisor's compensation will be as provided ***Exhibit B*** hereto, plus Municipal Advisor's expenses incurred in rendering such Services and Additional Services. Municipal Advisor's expenses may include, but are not limited to travel, telephone/conference calls, postage, courier, database access services, and printing.

3.02 Municipal Advisor shall submit monthly invoices for payment for Additional Services provided pursuant to Section 2 of this Agreement unless an alternate date or dates have been specifically agreed to in writing. Unless otherwise specified, payment of Municipal Advisor's compensation and expenses is due thirty (30) days after submission of Municipal Advisor's invoice for services.

Section 4. Personnel.

Municipal Advisor has sufficient qualified and licensed personnel available to perform the Financing Services under this Agreement. District's lead contact person for this Agreement shall be Dale Scott. Municipal Advisor shall make available other qualified personnel of the firm as may be required to complete Municipal Advisor's Financing Services or Additional Services. The District has the right to approve or disapprove any proposed changes in Municipal Advisor's staff providing Financing Services or Additional Service to the District.

Section 5. Term of Agreement.

5.01 This Agreement shall commence on March ___, 2022 and shall continue in full force and effect through June 30, 2023, unless terminated sooner by either party in accordance with this Agreement. The term of this Agreement may be extended for up to two additional terms of one year in duration, as agreed by the District and the Municipal Advisor in writing and subject to ratification or approval of the District's governing board.

5.02 Either Party may terminate this Agreement without cause upon 30 days' written notice to the non-terminating Party. Upon such termination, Municipal Advisor shall promptly submit a final invoice for any Financing Services or Additional Services for which compensation hereunder has not been paid. In the event that District terminates this Agreement pursuant to this section, District shall compensate Municipal Advisor for any Financing Services or Additional Services satisfactorily completed to the date of termination and for which an invoice is provided. Upon termination, Municipal Advisor shall provide the District with all documents produced, maintained or collected by Municipal Advisor pursuant to this Agreement, whether or not such documents are final or draft documents.

Section 6. Assignment.

The rights and obligations of the District under this Agreement shall inure to the benefit of and shall be binding upon the successors and assigns of the District. This Agreement may not be assigned by the Municipal Advisor without the prior written consent of the District.

Section 7. Market Disclosure.

Municipal Advisor does not assume the responsibilities of the District or the responsibilities of the other professionals and vendors representing the District, such as bond underwriters, in the provision of Financing Services and the preparation of the financing documents, including initial and secondary market disclosure. Information obtained by Municipal Advisor for inclusion in any disclosure documents shall be provided from credible sources which Municipal Advisor in its expertise reasonably believes are accurate.

Section 8. Confidentiality.

The Municipal Advisor agrees that all financial, statistical, personal, technical and other data and information designated by the District as confidential shall be protected by the Municipal Advisor from unauthorized use or disclosure.

Section 9. Indemnification.

The Municipal Advisor shall indemnify and hold harmless the District, its governing board, employees, officers, and agents from and against any and all losses, claims, damages, expenses, including legal fees for defense, or liabilities, collectively, damages, to which District may be subjected by reason of Municipal Advisor's acts, errors or omissions arising out the performance of the Financing Services and the Additional Services; provided, however, that Municipal Advisor shall not indemnify the District from or against damages arising from the intentional or willful misconduct of the District.

Section 10. Insurance.

10.01 Municipal Advisor shall maintain workers' compensation and employer's liability insurance during the term of this Agreement.

10.02 Municipal Advisor, at its own expense, shall obtain and maintain insurance at all times during the prosecution of this contract. Such insurance must be written with a Best Guide "A"-rated or higher insurance carrier admitted to write insurance in the state where the work is located.

10.03 Certificates of insurance naming the District as an additional insured shall be submitted to the District evidencing the required coverages, limits and locations of operations to which the insurance applies, and the policies of insurance shall contain a 30 day notice of cancellation or non-renewal.

10.04 Insurance coverages shall not be less than the following:

A. Workers' Compensation

1. State worker's compensation statutory benefits
2. Employer's Liability- policy limits of not less than $1,000,000.

B. Commercial General Liability coverage with policy limits of not less than $1,000,000 combined single limit for bodily injury and property damage and including coverage for the following:

1. Premises operations
2. Contractual liability
3. Products
4. Completed operation

C. Errors and omissions with policy limits of $2,000,000.

Section 11. Registration; Permits; Licenses.

Municipal Advisor represents and warrants to the District (i)it is a "municipal advisor" (within the meaning of Section 15B of the Securities Exchange Act of 1934), (ii) has registered in accordance with Rules 15Bal-1 through 15Bal-8 and 15Bc4-1 of the Securities Exchange Commission ("SEC"), effective July 1, 2014, with the SEC and the Municipal Securities Rulemaking Board ("MSRB"), and (iii) all employee performing Financing Services under this Agreement are properly licensed and qualified to perform all Financing Services and Additional Services required or provided, and shall maintain in full force throughout the Term of this Agreement all registration, licenses, credentials, permits and any other legal qualifications required by law to perform the Financing Services and Additional Services and to fully and faithfully satisfy all of the terms set forth in this Agreement.

Section 12. Other Terms.

12.01 The waiver by either party of any breach of any term, covenant, or condition contained in this Agreement shall not be deemed to be a waiver of such term, covenant, condition, or any subsequent breach of the same or any other term, covenant, or condition contained herein.

12.02 All agreements, terms, provisions, conditions and covenants contained herein are severable and in the event any of them shall be held to be invalid, void, or unenforceable by any court of competent jurisdiction, this Agreement shall be interpreted as if such invalid agreement, term, provision, condition or covenant was not contained herein, and the remaining agreements, terms, provisions, conditions and covenants of this Agreement shall not be affected by such determination and shall remain in full force and effect. This Agreement shall not fail because any part or any clause hereof shall be held invalid, void, or unenforceable.

12.03 Municipal Advisor represents and warrants to District that this Agreement has been duly authorized and executed by it and constitutes a valid and binding agreement of Municipal Advisor. This Agreement is not valid as against District unless and until it is approved/ratified by the District's Governing Board. Financing Services and Additional Services shall not be rendered hereunder until Agreement is so approved or ratified.

12.04 The validity, interpretation and construction of this Agreement and of each part hereof shall be governed by the laws of the State of California. Venue for any lawsuit or proceeding concerning this Agreement shall be properly initiated and maintained in Santa Clara County, California.

12.05 This Agreement constitutes the entire agreement between the Parties and supersedes all prior discussions, negotiations, and agreements, whether oral or written. This Agreement may be amended or modified only by a written instrument executed by both Parties.

Section 13. Conflict of Interest

Compensation contingent on the completion of a Debt Financing is customary for municipal advisors. To the extent that compensation to the Municipal Advisor is contingent on the issuance of a Debt Financing, a potential conflict of interest exists as Municipal Advisor would have an incentive to recommend that the District complete a Debt Financing that might be unnecessary. Municipal Advisor, in its duty as a financial fiduciary to the District, shall refrain from making recommendations to the District that are not in the District's best interest, and shall provide information to substantiate its recommendations to District.

Section 14. Independent Contractor

Municipal Advisor, in the performance of this Agreement, shall be and act as an independent contractor with the sole authority for controlling and directing the performance of the details of the Financing Services and Additional Services, District being interested only in the results obtained. Municipal Advisor understands and agrees that he/she and all of his/her employees shall not be considered officers, employees, agents, partner, or joint venture of the District, and are not entitled to benefits of any kind or nature normally provided employees of the District and/or to which District's employees are normally entitled, including, but not limited to, State Unemployment Compensation or Worker's Compensation. Municipal Advisor shall assume full responsibility for payment of all federal, state and local taxes or contributions, including unemployment insurance, social security and income taxes with respect to Municipal Advisor's employees. If Municipal Advisor is not a resident of California and is not exempt from withholding, the District shall withhold California income taxes as required by the Revenue & Taxation Code. Municipal Advisor shall still be responsible for payment of all state and federal taxes.

Section 15. Notices

Any notice required or permitted to be given under this Agreement shall be deemed to have been given, served, and received if given in writing and either personally delivered or deposited in the United States mail, registered or certified mail, postage prepaid, return receipt required, or sent by overnight delivery service, or facsimile transmission, addressed as follows:

DISTRICT

Alum Rock Union Elementary School District
2930 Gay Avenue
San Jose, CA 95127
[FAX]
ATTN: Assistant Superintendent, Business Services

MUNICIPAL ADVISOR

Dale Scott & Co., Inc.
548 Market Street, Suite 44410
San Francisco, CA 94104
[FAX] 650.515.4983
ATTN: President

Any notice personally given or sent by facsimile transmission shall be effective upon receipt. Any notice sent by overnight delivery service shall be effective the business day next following delivery thereof to the overnight delivery service. Any notice given by mail shall be effective three (3) days after deposit in the United States mail.

IN **WITNESS** Whereof, the parties have duly executed this Agreement as of the day and year first above set forth.

"DISTRICT"

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

By: _____ Title: _____

Date: _____

"MUNICIPAL ADVISOR"

DALE SCOTT & CO., INC.

By:  Title: President

Date: February 22, 2022

Approved by the Alum Rock Union School District Board of Trustees on _____

Item No. _____

EXHIBIT A TO AGREEMENT

DESCRIPTION OF SERVICES

A. Performance of Services.

The Municipal Advisor shall perform all the duties and services specifically set forth herein and shall provide such other services as it deems necessary or advisable, or are reasonable and necessary to accomplish the District's objectives in a manner consistent with the standards and practice of professional municipal advisors prevailing at the time such services are rendered to the District.

The District may, with the concurrence of Municipal Advisor, expand this Agreement to include any Additional Services not specifically identified within the terms of this Agreement. Any Additional Services may be described in an addendum to this ***Exhibit A*** and are subject to fees described in ***Exhibit B*** to this Agreement.

B. Financing Services.

The Municipal Advisor shall assume primary responsibility for assisting the District in coordinating the planning and execution of each Debt Financing during the Term. Insofar as the Municipal Advisor is providing Financing Services which are rendered only to the District, the overall coordination of the Debt Financing shall be such as to minimize the costs of the transaction coincident with maximizing the District's financing flexibility and capital market access. The Municipal Advisor's Financing Services shall include, but shall not be limited to, the following:

Specifically, Municipal Advisor will:

1. Establish Financing Objectives.

Municipal Advisor shall review the District's financing needs and in conjunction with the District's staff, outline the objectives of each financing transaction to be undertaken and its proposed form. Municipal Advisor shall assess District's bonding capacity, as applicable, assist in development of bond authorization amounts and repayment and sizing scenarios. At District's direction, Municipal Advisor shall participate in meetings of the bond finance team as needed prior to the election.

2. Develop the Financing Timetable.

The Municipal Advisor shall take the lead role in preparing a schedule and detailed description of the interconnected responsibilities of each team member and update this schedule, with refinements, as necessary, as the work on each Debt Financing progresses.

3. Monitor the Transaction Process.

The Municipal Advisor shall have primary responsibility for the successful implementation of a Debt Financing. The Municipal Advisor shall coordinate in the preparation of the legal and disclosure documents and shall monitor the progress of all activities leading to the sale of each Debt Financing. The Municipal Advisor shall prepare the timetables and work schedules necessary to achieve this end in a timely, efficient and cost-effective manner and will coordinate and monitor the activities of all parties engaged in the Debt Financing transaction.

4. Review the Official Statement.

Municipal Advisor shall review the official statement for each Debt Financing, if applicable, to ensure that the District's official statement is compiled in a manner consistent with industry standards.

5. Procure and Coordinate Additional Service Providers.

The Municipal Advisor may act as District's representative in procuring the services of trustees, paying agents, fiscal agents, feasibility consultants, redevelopment consultants, or escrow verification agents or other professionals, if the District directs.

6. Provide Assistance on Financing Documentation.

The Municipal Advisor shall assist the managing underwriters, bond counsel and/or other legal Municipal Advisors in the drafting of the respective financing resolutions, notices and other legal documents for a Debt Financing. Municipal Advisor shall monitor document preparation for a consistent and accurate presentation of the recommended business terms and financing structure of each debt issue.

7. Sizing and Design Structure of Debt Issue.

The Municipal Advisor shall work with the District's staff to design a financing structure for each Debt Financing that is consistent with the District's objectives and debt management policies, industry best practices, and that coordinates each transaction with outstanding issues and that reflects current conditions in the capital markets.

8. Plan and Schedule Rating Agency Presentation and Investor Briefings.

The Municipal Advisor shall lead the development of a plan for presenting the issuance of a Debt Financing to rating agencies and the investor community. The Municipal Advisor shall schedule rating agency visits, if appropriate, to assure the appropriate and most knowledgeable rating agency personnel are available for the presentation and will develop presentation materials and assist the District officials in preparing for the presentations.

9. Conduct Credit Enhancement Evaluation and Procurement.

Upon the District's direction, the Municipal Advisor will initiate discussions with bond insurers, letter of credit providers and vendors of other forms of credit enhancements to determine the availability of and cost benefit of securing financing credit support.

10. Conduct Market Analysis and Evaluate Timing of Market Entry.

The Municipal Advisor shall provide regular summaries of current municipal market conditions, trends in the market and how these may favorably or unfavorably affect the District's proposed Debt Financing. The Municipal Advisor shall perform a thorough evaluation of market conditions preceding the negotiation of the terms of the sale of debt and will assist the District with the negotiation of final issue structure, interest rates, interest cost, reoffering terms and gross underwriting spread and provide a recommendation on acceptance or rejection of the offer to purchase the debt.

11. Provide Pre-Closing and Closing Activities.

The Municipal Advisor shall assist in arranging for the closing of each Debt Financing. The Municipal Advisor shall assist bond counsel in assuming responsibility for such arrangements as they are required, including arranging for or monitoring the progress of bond printing, qualification of issues for book-entry status, executing or orchestrating execution of closing certificates, and signing and final delivery of the securities and settlement of the costs of issuance.

EXHIBIT B
MUNICIPAL ADVISOR COMPENSATION

Fees and Expenses

Part 1: Fee for Financing Services

Financing Services performed pursuant to Section 1 of this Agreement, and as more fully described in the Scope of Services set forth in ***Exhibit A***, will be billed for at the amounts set forth below.

- **Bond Issuance Services:** For services related to the planning and issuance of general obligation bonds, certificates of participation, bond anticipation notes, facilities bonds, and refinancings (refundings): a fee of $65,000 per transaction. Fees for subsequent financings issued on the same day will be reduced by 50%.
- **Pre-Election:** Should the District require DS&C's assistance in preparing either a general obligation bond or a parcel tax measure to be placed before voters: a one-time fee of $10,000 per measure.
- **Tax & Revenue Anticipation Notes**: Services related to the issuance of an individual tax and revenue anticipation note of the District: a fee of $15,000 per transaction.
- **Continuing Disclosure/ADTR:** Should the District wish to use DS&C to file annual continuing disclosure ("CD") reports with MSRB and ADTR reports with the State of California: a fee of $5,000 per annual filing and $500 per ADTR filing.

Payment of fees earned by Municipal Advisor pursuant to this Part 1 shall be contingent on, and payable at the closing of the Debt Financing issue(s) undertaken to finance the Project. Only fees incident to debt issuance services may be paid from proceeds of the related debt.

Part 2: Fee for Other Services

Unless agreed to otherwise, Additional Services, or services not described in Exhibit A, shall be performed at the following hourly rates. The table below reflects the rates in effect as of the date of execution of this Agreement.

- **Hourly Rate:** DS&C's hourly rates are set forth below. These rates only apply for additional tasks not covered under the services above.

President	$300
Senior Municipal Analyst	$275
Municipal Advisor	$200
Senior Associate Analyst	$150
Associate Analyst	$95
Clerical	$50

Part 3: Expenses

Expenses will be billed separately and will cover, among other things, travel, lodging, subsistence, overnight courier, conference call, computer, and fax transmission charges for a maximum of $5,000 per transaction. Advances made on behalf of the District for costs of preparing, printing or distributing disclosure materials or related matter whether by postal services or electronic means, may also be billed through to the District upon prior authorization.

5.07

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

2930 Gay Avenue
San Jose, CA 95127

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF TRUSTEES

To the Board of Trustees:

Subject : **CONTRACTS FOR PROFESSIONAL SERVICES – FIRM/ORGANIZATION**

Staff Analysis:
The following contracts for professional services is being presented to the Board of Trustees for review and approval.

Recommendation:
Staff recommends approval of the following contract for professional services on the attached sheet. Contract details are on file in the Purchasing Office.

Prepared by: Maria J. Martinez M.M. Title: Procurement Manager

Approved by: Kolvira Chheng Title: Assistant Superintendent of Business Services

To the Board of Trustees: Meeting: March 03, 2022

Recommend Approval

Regular Board Meeting

5.07

Agenda Placement

Hilaria Bauer, Ph.D., Superintendent

DISPOSITION BY BOARD OF TRUSTEES

Motion by: _____ Seconded by: _____

Approved: _____ Not Approved: _____ Tabled: _____

Alum Rock Union Elementary School District
March 03, 2022 Special Board Meeting

PROFESSIONAL CONSULTANT SERVICES – FIRMS/ORGANIZATIONS

DEPARTMENT	DATE OF SERVICE	CONSULTANT NAME	COST	PURPOSE
Business Services Kolvira Chheng	03/04/22- 06/30/23	Project Support Services (PSS)	$85,500.00	Multi-year service contract: PSS will work with district and campus staff, DSA staff, project architect and their design team, and inspectors to resolve and close out projects that have remained closed without certification; include research, evaluation for each project; Phase I tasks, DSA File/Plans; create budget/spreadsheet of closeout cost, and more. Funding: Restricted

ALUM ROCK
UNION ELEMENTARY SCHOOL DISTRICT
2930 Gay Avenue, San José, CA 95127 · Phone: 408-928-6800 · Fax: 408-928-6416 · www.arusd.org

To: Hilaria Bauer, Ph.D., Superintendent

From: Kolvira Chheng, Assistant Superintendent, Business Services

Re: Contract Approval- Project Support Services (PSS)

Date: March 3, 2022

Summary:
As part of the Shade Structure Project that are planned for eight (8) schools, the Division of State Architect (DSA) is requiring the District to close out projects at the sites that have not been previously closed out. Project Support Services will assist the District with closing out the outstanding projects so that the Shade Structure Project and other capital projects can move forward.

Recommendation:
Staff recommends the Board of Trustees approve Project Support Services in the amount not-to-exceed $85,000.00 for fiscal years 2021-22 and 2022-23.

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

INDEPENDENT CONTRACTOR AGREEMENT

TO: DIVISION OF BUSINESS SERVICES CONTRACT NO. _____

FROM: Business Services (School/Dept.) VENDOR NO. _____

PROGRAM MANAGER: Kolvira Chheng

1. **PARTIES:** The Alum Rock Union Elementary School District (ARUESD), whose address is 2930 Gay Avenue, San Jose, CA 95127, and the following named Contractor:

   Name of Individual/Company: Project Support Services (PSS)

   Address: 9036 Pulsar Court, Unit B City: Corona State: CA Zip: 92883

   Phone: (714)602-8400 Email Address: natassia@psscert.com

   SSN: _____ or Fed I.D. #: _____

   Mutually agree and promise as follows:

2. **CONTRACT TERM:** start date March 4, 2022 end date June 30, 2023

3. **CONTRACTOR'S OBLIGATION:** In consideration of the compensation, the Contractor shall provide the following services, materials, products, and/or reports:

   A. Description of services to be provided and expected results (e.g. services, materials, products and/or reports). Attach proposals, exhibits and other documentation if necessary:

   PSS will work with district and campus staff, DSA staff, project architect and their design team, and inspectors to resolve and close out projects that have remained closed w/out certification; including research, evaluation for each project; Phase I tasks; DSA File/Plans; create budget/spreadsheet of closeout cost, and more (see attached for details).

4. **COMPENSATION:** In consideration of Contractor's provision of services as described above, and subject to the payment provisions expressed herein, ARUESD shall pay Contractor upon Contractor's submission of a properly documented demand for payment (Invoice) which shall be submitted not later than 30 days from the end of the month in which the contract services were rendered, and upon approval of such demand by ARUESD as follows: (Check either a, b, or c)

   _____ a. **Fee Rate:** $_____ per hour/day of service as may be requested by ARUESD, not to exceed a maximum of _____ hours/days of services. ARUESD may, but is not obligated to, request the maximum number of hours/days of service.

   X b. **Other:** $NTE $85,500.00 (describe rate agreement) billed $4,500 per project for Phase I excludes DSA re-opening fee and unpaid DSA invoices.

5. **BUDGET CODE:**

FUND	DEPARTMENT	PROG/COUNTER	OBJECT	$ AMOUNT	PROG. TITLE	BUS OFC
21095	03058150090	0085000000004	509503	NTE $85,500.0	EM	

6. **TERMINATION:** This contract may be terminated by ARUESD at its sole discretion, upon 30-day advance written notice thereof to the Contractor, or canceled immediately by written mutual consent.

7. **INDEPENDENT CONTRACTOR STATUS:** This contract is by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association. In executing this agreement, the Contractor certifies that no one who has or who will have any financial interest under this agreement is an officer or employee of ARUESD. Additionally, as the Contractor is not an ARUESD employee, ARUESD is not responsible for obtaining workers' compensation insurance coverage for the Contractor.

8. **COMPLETENESS OF AGREEMENT:** This agreement constitutes the entire understanding of the parties and any change or modification shall be in writing and signed by both parties hereto.

CONTRACTS MUST BE SUBMITTED 30 DAYS PRIOR TO BOARD MEETING

PROJECT SUPPORT SERVICES

Contact:
Natassia Melendrez • Cell: 909.538.3053
Office: 714.602.8400

February 15, 2022

Kolvira Chheng
Assistant Superintendent of Business Services
Alum Rock Union School District
2930 Gay Ave
San Jose, CA 95127

RE: Proposal for DSA Project Closeout & Certification
Phase I: Research & Evaluation

Dear Kolvira Chheng,

Thank you for allowing Project Support Services (PSS) to present this proposal for DSA project closeout and certification assistance. PSS is a minority woman-owned small business that saves our clients time and money by putting our expertise to work by:

- Managing the Division of the State Architect (DSA) process on new projects,
- Resolving DSA issues with ongoing projects,
- Achieving closeout on completed, but non-certified, projects,
- Training client staff on DSA requirements,
- Scanning, organizing, managing, and archiving plans and project files, and
- Maintaining inventory of relocatables.

Project Support Services Qualifications

PSS Principal Natassia Melendrez has over 17 years of experience in working with Division of the State Architect. PSS has helped California school districts complete the DSA closeout process for hundreds of non-certified K-12 and Higher Education projects. Many of these were projects the Districts and their consultant teams thought could not be closed, with some dating as far back as 1964.

The projects' closeouts had issues with documentation such as:

- Missing change orders,
- Deferred approvals,
- Revisions,
- Non-compliant scopes of work,
- Non-compliant test results,
- Missing DSA-6 by the original Project Inspector,
- Fire sprinkler systems,
- Fire alarm systems,
- ADA compliance, or
- Missing in-plant reports.

Contact:
Natassia Melendrez • Cell: 909.538.3053
Office: 714.602.8400

PSS is able to resolve project closeout issues in a short period of time because of our knowledge of DSArequirements. We have also worked hard to build and maintain a strong working relationship and positivereputation with DSA staff.

Clients

- ABC Unified School District
- Covina-Valley Unified School District
- Downey Unified School District
- Glendora Unified School District
- Hawthorne Elementary School District
- Inglewood Unified School District
- Manhattan Beach Unified School District
- Montebello Unified School District
- Norwalk-La Mirada Unified School District
- Palos Verdes Peninsula Unified School District
- Redondo Beach Unified School District
- San Marcos Unified School District
- Wiseburn Elementary School District
- Cerritos Community College District
- College of the Desert
- Long Beach Community College District
- Mt. San Jacinto Community College District
- Rancho Santiago Community College District
- South Orange County Community College District
- San Mateo Union High School District

Please visit our website at www.psscert.com for additional information about the firm.

Background

The Alum Rock Union School District in San Jose is nestled in the beautiful foothills of the Santa Clara Valley in the San Francisco Bay Area. Alum Rock is a family-oriented community committed to its children and schools. Alum Rock Union School District operates 3 TK-8 schools, 14 elementary schools, 5 middle schools.

With numerous buildings and portables, the Facilities Department oversees the capital improvement program funded by the community passed bond measures. As a result of each local or state bond passing the District has a result of **50 non-certified projects** with the Division of State Architect.

Contact:
Natassia Melendrez • Cell: 909.538.3053
Office: 714.602.8400

The District would currently like to focus on their priority sites at Adelante Academy, Aptitud Academy, Joseph George Middle School, Renaissance Academy – Mathson and Fischer, San Antonio Elementary, and Sheppard Middle School.

Scope of Services

Project Support Services (PSS) will work with district and campus staff, Division of State Architect (DSA) staff, project architect and their design team, and inspectors to resolve and close out projects that have remained closed without certification. We will research and evaluate each project to identify specific issues that have prevented certification, and we will develop a solution that will enable the project to be certified by DSA.

Our goal is to close as many projects as possible in Phase I, Research and Evaluation. These projects may be essentially complete but simply require that documentation be finalized. Other projects that have more complex requirements will be resolved in Phase II. At the end of Phase, I, a detailed evaluation of all remaining uncertified projects will be provided to the District.

Our process begins by reviewing District and DSA files to create a list of tasks and documents necessary for the certification process of each project. As an example, based on the Close of File without Certification letter, we may discover missing or incomplete documents such as DSA SIVR 292, DSA 291 LVR, DSA 293 GVR, unapproved change orders, DSA 6, etc. PSS will secure the missing or incomplete documents, following our established procedures to resolve certification concerns.

For projects that no longer exist, we will retrieve a copy of the most recent DSA approved site plan as well as a Google Earth shot, and create a letter for the District to sign stating the project has been demolished. PSS will submit the closeout packet to DSA for #5 Resolution of Certification Due to Removal.

Additionally, if deficiencies are found while reviewing inspector daily reports, test results, etc., PSS will research and compile information and documents to correct the deficiencies and ensure that the construction complies with DSA approved documents and applicable codes and regulations. Depending on the deficiency, PSS may work with the project structural engineer or architect to obtain additional testing and inspections that are needed to obtain DSA Certification.

This proposal specifically covers Phase I tasks. After our evaluation clarifies the scope of work required for the remaining projects, a separate proposal will be submitted to the District for Phase II, in which we will execute the plan of action agreed upon to close out the project.

Specific tasks related to Phase I include:

Contact:
Natassia Melendrez • Cell: 909.538.3053
Office: 714.602.8400

Phase I, Research and Evaluation

- Create Smartsheet, Action Item List, Electronic Folder for the District to have access.
- Set up project in the server and share access
- Retrieve Close of File (COF) letter from DSA.
- Order and review file and plans from DSA.
- Locate each project to verify whether the project exists and its exact scope. If the project nolonger exists, PSS will create #5 Letter and supporting documents for certification.
- For existing projects, PSS will identify the scope of work and verify that a later modernization hasnot altered the work.
- Contact IOR and AOR for project history.
- Contact design professional and consultants for documents required per the COF Letter.
- Site investigation report and completion if required.
- Create a plan of action for Phase II Execution and Closeout.
- Coordinate a meeting with the District and the Division of the State Architect.

At the completion of Phase I, we provide the District the following for each project:

- Project location and scope or, alternatively, verification that the project does not exist
- Documents required to correct deficiencies listed in the COF Letter.
- Project constraints.
- DSA File & Plans obtained from DSA to assist with locating project and archive documents for thelist of documents required
- Plan of Action to complete closeout of the project.
- Create budget and spreadsheet of project closeout cost.
- Request proposals from consultants required for certification such as Project Inspector, Architect,Contractor, Engineer or Special Inspector along with testing.
- If the project no longer exists we create a #5 Resolution of Certification Letter.

Phase II Execution & Closeout

- Complete closeout per plan of action agreed upon with the Facilities Department and Division ofState Architect.
- Assist with DSA 312 A/E Certification Program.
- Project manage the closeout and document control of the verified report forms.
- Create project closeout packets, provide copies for the District, upload to DSA box and mail to DSA for final review of certification.
- **Proposal for Phase II will be submitted after completion of Phase I.**

Compensation & Completion:

The services described above will be provided at $4,500.00 per project and shall not exceed the amount of **$85,500.00 for Phase I** unless authorized by the Alum Rock Union School District. Excludes DSA re-opening fee and unpaid DSA invoices.

Each project will be billed based on the following milestones completed:

PROJECT SUPPORT SERVICES
Contact:
Natassia Melendrez • Cell: 909.538.3053
Office: 714.602.8400

Milestones	Amount
Milestones 1-6	$2,250.00
• New District Set Up	
• Retrieve COF Letters, AP Letters an DSA Tracker	
• Request & Retrieve DSA archive files and plans	
• Request, Retrieve and contact the original Design Professional Team along with the Project Inspector, Testing Lab and Contractor to retrieve documents required.	
• Create a site plan comparing to google earth to determine if the project exist and scope of work and if necessary complete a site investigation.	
• Assess and review to complete an evaluation	
Milestones 7-8	$2,250.00
• Prepare a Plan of Action Report for Phase II	
• Receive DSA and/or District approval regarding the Phase II Plan of Action in order to retrieve certification	

*A hardcopy of the documents above and dropbox link will be sent to the District as each milestone is completed. If the District prefers, a binder can be created with each project and the documents listed above.

Non-Certified Project List:

App Id	Project Name	Certified LetterType	Date	Amount
62805	Fischer Middle School	#3-Close of File w/o Certification - Exceptions	4/1/1999	$4500.00
01-101491	Joseph George Middle School	#3-Close of File w/o Certification - Exceptions	7/11/2007	$4500.00
01-104462	Joseph George Middle School	#3-Close of File w/o Certification - Exceptions	10/15/2007	$4500.00
01-104506	Joseph George Middle School	#3-Close of File w/o Certification - Exceptions	10/15/2007	$4500.00
01-115900	Lee Mathson Middle School	DSA 301P Notification of Requirement for Certification	9/13/2017	$4500.00
01-115742	Lee Mathson Middle School	DSA 301P Notification of Requirement for Certification	1/17/2018	$4500.00
59728	Lee Mathson Middle School	#3-Close of File w/o Certification - Exceptions	12/13/1995	$4500.00
61616	Mildred Goss Elementary School	#3-Close of File w/o Certification - Exceptions	11/16/1995	$4500.00
01-102076	Mildred Goss Elementary School	#3-Close of File w/o Certification - Exceptions	6/11/2007	$4500.00

Contact:
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Office: 714.602.8400

01-106003	Mildred Goss Elementary School	#3-Close of File w/o Certification - Exceptions	10/5/2007	$4500.00
01-103349	San Antonio Elementary School	#3-Close of File w/o Certification - Exceptions	1/22/2008	$4500.00
01-106279	San Antonio Elementary School	#3-Close of File w/o Certification - Exceptions	2/17/2008	$4500.00
01-105691	San Antonio Elementary School	#3-Close of File w/o Certification - Exceptions	2/13/2008	$4500.00
01-101714	San Antonio Elementary School.	#3-Close of File w/o Certification - Exceptions	9/25/2007	$4500.00
01-112147	Sheppard Middle School-Alum Rock Union ESD	#3-Close of File w/o Certification - Exceptions	6/6/2014	$4500.00
68407	Sheppard Middle School-Alum Rock Union ESD	#3-Close of File w/o Certification - Exceptions	2/20/2006	$4500.00
63176	Various Sites - Creton E.S & Sheppard Middle School	#3-Close of File w/o Certification - Exceptions	7/30/1998	$4500.00
01-101742	Various Sites – Ocala, George Middle & Rogers	#3-Close of File w/o Certification - Exceptions	10/26/2007	$4500.00
01-101678	Various Sites @ Cassell, Miller, & San Antonio Elementary Schools	#3-Close of File w/o Certification - Exceptions	10/10/2006	$4500.00

Total: $85,500.00

Additional Services:

Should the District seek any additional services required beyond the original scope of work PSS will submit a separate proposal.

Terms & Conditions

- Prices submitted are considered firm for 60 days until contract is signed.
- Payment terms are net 30 days from invoice date. Invoices will be generated monthly throughoutthe duration of the project.

Reimbursable Expenses:

The District shall reimburse PSS at a cost, a reasonable sum for out-of-pocket expenses listed below, thatare incurred and paid for by PSS in furtherance of performance of our obligations under this agreement. PSS will add a 5% markup fee for all charges listed below. However, we shall be reimbursed only to the extent that such expenses are generated in connection with the operation of projects assigned and only tothe extent **authorized** by **Alum Rock Union School District.**

- Scanning of plans retrieved by the Division of State Architect.
- Express shipping, overnight mail, messenger, courier, or delivery services.
- Printing of oversized file and documents for closeout.

Again, we appreciate the opportunity to provide you with this proposal. Please feel free to contact me at 714.602.8400 or my cell number, 909.538.3053, with any questions.

PROJECT SUPPORT SERVICES

Contact:
Natassia Melendrez • Cell: 909.538.3053
Office: 714.602.8400

Respectfully,
Project Support Services

x Natassia R. Melendrez

Natassia Melendrez
President & CEO
Project Support Services Inc.

Accepted:

x _____

Kolvira Chheng
Assistant Superintendent of Business Services
Alum Rock Union Elementary School District