

Gresham-Barlow



School District

## BOARD OF EDUCATION

Board Work Session

### **AGENDA**

September 28, 2017

BOARD OF EDUCATION  
September 28, 2017

Local Contract Review Board Hearing – 6 p.m.

Regular Board Meeting / Work Session – 6:15 p.m.

**Partnership Room  
Center for Advanced Learning (CAL)  
1484 NW Civic Drive, Gresham, OR**

I. CALL TO ORDER

II. ROLL CALL

_____	Kris Howatt, Chair	_____	Kathy Ruthruff, Director
_____	Sharon Garner, Vice-Chair	_____	Blake Petersen, Director
_____	Carla Piluso, Director		
_____	John Hartsock, Director		
_____	Matt O’Connell, Director	_____	A. Katrise Perera, Superintendent

III. APPROVE MEETING AGENDA

IV. ACTION ITEMS

First Reading

1. Special Procurements Authorizing a Specific Product Specification..... Schofield

V. INFORMATION ITEMS

2. English Language Learner (ELL) Annual Report..... Hahn-Huston / Bruzzese  
3. Bond: 2017 Project Status Updates..... Schofield

VI. DISCUSSION ITEMS

4. Thursday Evening Events..... Ketelsen  
5. Future Agenda Topics..... Board

VII. ANNOUNCEMENTS

Oct. 4, 2017: OSBA Fall Regional Dinner Meeting – 5:30 p.m.  
Colwood Golf Center  
7313 NE Columbia Blvd.  
Portland, OR

Oct. 5, 2017: Board Work Session - 6 p.m.  
Council Chambers Conference Room  
Public Safety and Schools Building

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Oct. 5, 2017: Regular Board Meeting - 7 p.m.  
Council Chambers  
Public Safety and Schools Building

VIII. ADJOURN

*AKP:sa:9/22/17:4:38 PM*

**GRESHAM-BARLOW SCHOOL DISTRICT**  
**1331 NW Eastman Parkway**  
**Gresham, OR 97030-3825**

TO: Board of Directors

FROM: A. Katrise Perera  
Mike Schofield

DATE: September 28, 2017

RE: No. 1 – Special Procurements Authorizing a Specific Product Specification

EXPLANATION: Earlier in the evening, the board held a hearing of the Local Contract Review Board to review Findings of Fact supporting the district's ability to specify particular products or systems upon making certain findings. The items under consideration are fire alarm systems and public address systems. These procurement items were included in the 2016 capital improvement bond approved by voters on November 8, 2016.

This process is an allowed method of procurement by ORS Statute and will provide for efficient utilization of existing equipment by acquiring compatible equipment, result in substantial cost savings and is unlikely to encourage favoritism in awarding contracts.

Notice of the sole source procurement was advertised in the Daily Journal of Commerce on September 9, 2017. In the advertisement, the administration directed that "written protests must be in accordance with OAR 137-047-0710(3) and shall include a detailed statement of the legal and factual grounds for the protest, a description of the resulting harm to the affected person, and the relief requested."

A protest was submitted in a timely manner by Convergent Technologies. An analysis by the administration is as follows:

Convergent Technologies suggests "the reason for our protest is that there are several qualified, UL Listed fire alarm system manufacturer's that can meet and/or exceed the fire alarm system requirements for any school district facility." Also "by sole sourcing "Gamewell-FCI" it will limit the amount of competition and several local fire alarm system providers' ability to respond to new projects, retrofits and services."

District Response. ORS 279C.345 states the following:

**279C.345 Specifications for contracts; exemptions. (1)**  
Specifications for public improvement contracts may not expressly or implicitly require any product by any brand name or mark, nor the product of any particular manufacturer or seller unless the product is exempt under subsection (2) of this section.

(2) The Director of the Oregon Department of Administrative Services, a **local contract review board** or, for contracts described in ORS 279A.050 (3)(b), the Director of Transportation **may exempt certain products or classes of products from subsection (1) of this section upon any of the following findings:**

(a) It is unlikely that the exemption will encourage favoritism in the awarding of public improvement contracts or substantially diminish competition for public improvement contracts;

(b) The specification of a product by brand name or mark, or the product of a particular manufacturer or seller, would result in substantial cost savings to the contracting agency;

(c) There is only one manufacturer or seller of the product of the quality required; or

(d) Efficient utilization of existing equipment or supplies requires the acquisition of compatible equipment or supplies. [2003 c.794 §107; 2007 c.764 §19]

The administration agrees there are a number of fire alarm systems on the market. However, since the district uses Gamewell-FCI in 8 of 19 schools currently, the administration believes there is significant cost savings and efficient utilization of existing equipment by specifying Gamewell-FCI. Factors like standardized parts, maintenance, training and technology interface contribute to the cost savings. Additionally, there are multiple installers of Gamewell-FCI to encourage, not diminish competition or favoritism.

PRESENTER:

Mike Schofield

SUPPLEMENTARY  
MATERIALS:

1. Findings of Fact dated September 28, 2017.
2. Protest from Convergent Technologies dated September 20, 2017

RECOMMENDATION:

Authorize the administration to specify particular products or systems for select projects identified in the findings of fact and included in the 2016 capital improvement bond approved by voters.

REQUESTED ACTION:

BE IT RESOLVED the Board of Directors acting in the capacity of the Local Contract Review Board adopts the Findings of Fact reviewed at the September 28, 2017 Local Contract Review Board Hearing and grants a specific exemption from competitive bidding requirements as allowed under ORS 279C.345 to specify particular products or systems including fire alarm systems and public address systems for these procurement items identified by the administration to be in the best interest of the Gresham-Barlow School District and deny the protest dated September 20, 2017 regarding Gamewell-FCI protest.

**GRESHAM-BARLOW SCHOOL DISTRICT  
LOCAL CONTRACT REVIEW BOARD HEARING  
September 28, 2017  
REVIEW FINDINGS OF FACT FOR SPECIAL PROCUREMENTS and  
EXCEPTION from COMPETITIVE BIDDING AUTHORIZING A SPECIFIC  
PRODUCT SPECIFICATION**

**SITUATION**

The design work on many projects approved by voters in November 2016 is well underway. The management team has reviewed a number of systems and has some specific recommendations regarding the following:

1. Fire Alarm Systems
2. Public Address Systems

Historically, public improvement contracts are competitively bid and awarded to the responsible low bidder and such solicitation may not specify particular products or equipment. During recent project coordination meetings, the financial and operational benefits to purchase and install specific types Fire Alarm and Public Address Systems have been discussed. This process involves the selection of the type and Fire Alarm and Public Address systems during the design phase and specifies the selected product and systems in construction documents, which are publicly advertised, for all District buildings. In all cases listed above, use of the same systems throughout the district will make repairs, upgrades, installation of new systems, maintenance, replacement, training and operation much more efficient. The Projects will require tight schedule adherence to resolve issues that could impact timely completion.

Public Agencies that have used this process include:

- Beaverton School District
- Salem-Keizer School District
- Oregon State University

ORS 279C.345 permits the Local Contract Review Board, which for Gresham-Barlow School District is the Board of Directors, to specify particular products or systems upon making certain findings. In doing so, the statute specifically says that the Local Contract Review Board shall: “where appropriate, allow the purchase of products or systems from a particular manufacturer or seller.”

Oregon law and duly adopted resolution of the Gresham-Barlow School District permits the Gresham-Barlow School District Board of Directors, acting as the Local Contract Review Board, to consider and approve specific findings that allow Special Procurements and Exemptions from Competitive Bidding.

The Oregon Public Contracting Rules requires Gresham-Barlow School District to hold a public hearing of the Local Contract Review Board to allow comments and make a final decision on the Gresham-Barlow School District draft findings. Notice of this public hearing must be advertised in at least one trade newspaper of general statewide circulation not less than 14 days prior to the hearing.

Notice of public hearing was advertised in the Daily Journal of Commerce on September 9, 2016.

## **FINDINGS OF FACT**

### **Project Descriptions**

Install new, upgrade, renovate or expand fire alarm systems in new and existing buildings.

Install new, upgrade, renovate or expand public address systems in new and existing buildings.

### **Rationale**

Based upon the above analysis, selection of a particular product or system for fire alarm and public address in new or existing buildings and then specifying the same product or system for all district buildings, qualifies for an exemption from competitive bidding based upon the following findings under ORS 279C.345(2):

Efficient utilization of existing equipment requires acquisition of compatible equipment. By acquiring compatible equipment the district will realize similar training and maintenance for school and district staff, fewer parts to stock and better integration.

The specification of a product by brand name or mark, or the product of a particular manufacturer or seller, could result in a substantial cost savings.

It is unlikely that the exemption will encourage favoritism in awarding public improvement contracts. There are multiple vendors who can install the equipment.

## **RECOMMENDATION**

The Superintendent recommends the Board of Directors, acting in the capacity of the Local Contract Review Board, review and approve the Findings of Fact allowing Special Procurements and Exemptions from Competitive Bidding fire alarm and public address systems when the administrative project management team believes it is in the best interest of Gresham-Barlow School District and to deny the protest brought forward by Convergent Technologies.

Board action will occur during the regular board business meeting.



7678 SW Mohawk Street, Tualatin, OR 97062  
phone 503-228-8522 fax 503-228-8521  
lindsay.tyler@convergent.com

Date: 9/20/2017

RE: "Gamewell-FCI Protest"

To Whom It May Concern:

We are responding to the public notice that indicated that "Gamewell-FCI" will be the sole source selection for fire alarm systems for the Gresham-Barlow School District. The reason for our protest is that there are several qualified, UL Listed fire alarm system manufacturer's that can meet and/or exceed the fire alarm system requirements for any school district facility. By sole sourcing "Gamewell-FCI" it will limit the amount of competition and several local fire alarm system providers' ability to respond to new projects, retrofits and services. In accordance to the sole-source OAR 137-047-0275 the goods and services must be available from only one source. When it comes to fire alarm building systems this is just not the case. Below is a list of other products that can be used in lieu of Gamewell-FCI. By allowing multiple system manufacturer's it will lower the cost to the district by increasing competition for these systems.

EST – Edwards by United Technologies

Silent Knight by Honeywell

Several others that were included in the current North Gresham Elementary School and Gresham Highschool project RFP's.

Thanks for your attention to this matter.

Best Regards,

*Lindsay Tyler*

Lindsay Tyler

[lindsay.tyler@convergent.com](mailto:lindsay.tyler@convergent.com)

971-281-1864

Account Executive



**GRESHAM-BARLOW SCHOOL DISTRICT**  
**1331 NW Eastman Parkway**  
**Gresham, OR 97030-3825**

TO: Board of Directors  
FROM: A. Katrise Perera  
Karina Bruzzese  
DATE: September 28, 2017  
RE: No. 2 – English Language Learner (ELL) Annual Report

EXPLANATION: ORS 327.016 requires the publication of an annual Oregon English Language Learner (ELL) Report. This report includes a review of financial information for ELL programs, the objectives and needs of students eligible for and enrolled in an ELL program, and information on the demographics of students in ELL programs in each school district across the state.

The Oregon English Language Learner (ELL) Report makes data on English language learners accessible to researchers, media, students, and parents. This year, the report is also available in Spanish. As required by the Oregon Department of Education (ODE), a link to this report can be found on the district website. Pursuant to ORS 327.016, an overview of this ELL Report is to be presented to each district's school board in September.

PRESENTER: Karina Bruzzese

SUPPLEMENTARY  
MATERIALS: None

RECOMMENDATION: This report is being provided as information only.

REQUESTED ACTION: No action is required.

KB:sa

**GRESHAM-BARLOW SCHOOL DISTRICT**  
**1331 NW Eastman Parkway**  
**Gresham, OR 97030-3825**

TO: Board of Directors  
FROM: A. Katrise Perera  
Mike Schofield  
DATE: September 28, 2017  
RE: No. 3 – Bond: 2017 Project Status Updates

EXPLANATION: As the board may recall, the administration initiated a number of projects during the spring and summer of 2017. These projects included the following:

Dexter McCarty Middle School Track Replacement  
Gordon Russell Middle School Track Replacement  
West Orient Indoor Air Quality in select classrooms  
Deep Creek Campus Partial Roof Replacement  
Clear Creek Middle School Field Drainage

Additionally, a significant amount of technology purchases, infrastructure, etc. occurred during the spring and summer. An update on the progress and projects completed will be included in the annual technology report to the board at a future meeting.

An update on furniture purchases will also be provided at a future meeting.

PRESENTER: Mike Schofield

**SUPPLEMENTARY  
MATERIALS:**

1. Dexter McCarty Middle School Track Replacement Status Report
2. Gordon Russell Middle School Track Replacement Status Report
3. West Orient Indoor Air Quality in select classrooms Status Report
4. Deep Creek Campus Partial Roof Replacement Status Report
5. Clear Creek Middle School Field Drainage Status Report

RECOMMENDATION: This report is being provided as information only.

REQUESTED ACTION: No action is required at this time.

MS:mh:sa



## Gresham-Barlow School District Bond Project Status Report

### Dexter McCarty Middle School

<b>Project Title:</b> Dexter McCarty Middle School Track	<b>Project Manager:</b> District Direct
<b>Reporting Status Date:</b> September 28, 2017	<b>Project Manager Phone:</b> 503-261-4567
<b>Project Description:</b> Replace/resurface track.	

#### Status at a Glance

Status Item	On Track	Caution	Off Track
Budget	X		
Schedule	X		
Construction	X		

#### LEGEND:

	Moving along well, no significant concerns at this time..
	Without resolution, may impact cost or schedule.
	Requires attention and resolution.

#### Design and Construction Schedule

Design Phase		Construction Phase	
START	FINISH	START	FINISH
03/2017	05/2017	06/2017	08/2017

ORIGINAL ESTIMATE	APPROVED BUDGET	COST TO DATE	ESTIMATED BUDGET VARIANCE
<b>\$230,000</b>	<b>\$230,000</b>	<b>\$224,468</b>	<b>\$5,532</b>

#### Critical Issues

None. This project is complete.

#### Summary Status

Project completed prior to start of school. Track is available for student and community use.



## Gresham-Barlow School District Bond Project Status Report

### Gordon Russell Middle School

<b>Project Title:</b> Gordon Russell Middle School Track	<b>Project Manager:</b> District Direct
<b>Reporting Status Date:</b> September 28, 2017	<b>Project Manager Phone:</b> 503-261-4567
<b>Project Description:</b> Replace/resurface track and asphalt improvement on play areas.	

#### Status at a Glance

Status Item	On Track	Caution	Off Track
Budget	X		
Schedule	X		
Construction	X		

#### LEGEND:

	Moving along well, no significant concerns at this time..
	Without resolution, may impact cost or schedule.
	Requires attention and resolution.

#### Design and Construction Schedule

Design Phase		Construction Phase	
ESTIMATED	CONTRACT	START	FINISH
03/2017	05/2017	06/2017	08/2017

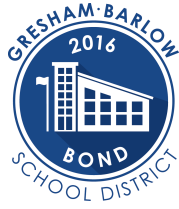
ORIGINAL ESTIMATE	APPROVED BUDGET	COST TO DATE	ESTIMATED BUDGET VARIANCE
<b>\$290,000</b>	<b>\$290,000</b>	<b>\$276,764</b>	<b>\$13,236</b>

#### Critical Issues

None. This project is complete.

#### Summary Status

Project completed prior to start of school. Track is available for student and community use.



## Gresham-Barlow School District Bond Project Status Report

### West Orient Middle School

<b>Project Title:</b> West Orient Middle School Field Drainage	<b>Project Manager:</b> District Direct
<b>Reporting Status Date:</b> September 28, 2017	<b>Project Manager Phone:</b> 503-261-4567
<b>Project Description:</b> Improve indoor air quality in 10 classrooms at West Orient Middle School.	

#### Status at a Glance

Status Item	On Track	Caution	Off Track
Budget	X		
Schedule	X		
Construction	X		

#### LEGEND:

	Moving along well, no significant concerns at this time..
	Without resolution, may impact cost or schedule.
	Requires attention and resolution.

#### Design and Construction Schedule

Design Phase		Construction Phase	
START	FINISH	START	FINISH
02/2017	05/2017	06/2017	10/2017

ORIGINAL ESTIMATE	APPROVED BUDGET	COST TODATE	ESTIMATED BUDGET VARIANCE
<b>\$294,500</b>	<b>\$294,500</b>	<b>\$293,376</b>	<b>\$4,408</b>

#### Critical Issues

None. Work inside the classrooms is complete. Some electrical/controls work (outside the classroom) is necessary for final completion.

#### Summary Status

Project work inside the classrooms was complete prior to staff returning to work. Closeout will occur once controls work is complete.



## Gresham-Barlow School District Bond Project Status Report

### Deep Creek Campus

<b>Project Title:</b> Deep Creek Elementary Partial Roof Replacement	<b>Project Manager:</b> District Direct
<b>Reporting Status Date:</b> September 28, 2017	<b>Project Manager Phone:</b> 503-261-4567
<b>Project Description:</b> Partial roof replacement on most urgent area	

#### Status at a Glance

Status Item	On Track	Caution	Off Track
Budget	X		
Schedule	X		
Construction	X		

#### LEGEND:

	Moving along well, no significant concerns at this time..
	Without resolution, may impact cost or schedule.
	Requires attention and resolution.

#### Design and Construction Schedule

Design Phase		Construction Phase	
START	FINISH	START	FINISH
02/2017	03/2017	06/2017	7/2017

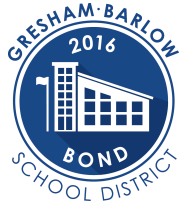
ORIGINAL ESTIMATE	APPROVED BUDGET	COST TODATE	ESTIMATED BUDGET VARIANCE
<b>\$40,000</b>	<b>\$30,000</b>	<b>\$28,200</b>	<b>\$1,800</b>

#### Critical Issues

None.

#### Summary Status

Project complete.



## Gresham-Barlow School District Bond Project Status Report

### Clear Creek Middle School

<b>Project Title:</b> Clear Creek Middle School Field Drainage	<b>Project Manager:</b> District Direct
<b>Reporting Status Date:</b> September 28, 2017	<b>Project Manager Phone:</b> 503-261-4567
<b>Project Description:</b> Repair drainage on the field inside the track to enable use.	

#### Status at a Glance

Status Item	On Track	Caution	Off Track
Budget	X		
Schedule	X		
Construction	X		

#### LEGEND:

	Moving along well, no significant concerns at this time..
	Without resolution, may impact cost or schedule.
	Requires attention and resolution.

#### Design and Construction Schedule

Design Phase		Construction Phase	
ESTIMATED	CONTRACT	START	FINISH
03/2017	05/2017	06/2017	08/2017

ORIGINAL ESTIMATE	APPROVED BUDGET	COST TODATE	ESTIMATED BUDGET VARIANCE
<b>\$90,000</b>	<b>\$85,000</b>	<b>\$81,538</b>	<b>\$3,462</b>

#### Critical Issues

None. This project is complete.

#### Summary Status

Project completed prior to start of school. Grass is growing where ditches were backfilled. Available for student use.

**GRESHAM-BARLOW SCHOOL DISTRICT**  
**1331 NW Eastman Parkway**  
**Gresham, OR 97030-3825**

TO: Board of Directors  
FROM: A. Katrise Perera  
Teresa Ketelsen  
DATE: September 28, 2017  
RE: No. 4 - Thursday Evening Events

EXPLANATION: It has been our district practice that schools not hold events on Thursday evenings that would conflict with school board business meetings or work sessions. With the increase in events at our schools involving the community, not scheduling meetings on Thursday evenings has become more challenging.

This evening we would like to have a discussion on the merits and challenges of restricting school events on Thursday evenings.

PRESENTER: Teresa Ketelsen

SUPPLEMENTARY  
MATERIALS: None

RECOMMENDATION: None

REQUESTED ACTION: This item is being provided as information for discussion; no formal action is required.

TK:pkh:sa



**GRESHAM-BARLOW SCHOOL DISTRICT**  
**1331 NW Eastman Parkway**  
**Gresham, OR 97030-3825**

EXECUTIVE SUMMARY

TO: Board of Directors  
FROM: A. Katrise Perera  
Kris Howatt  
DATE: September 28, 2017  
RE: No. 5 – Future Agenda Topics

EXPLANATION: Discussion of future board meeting agenda topics has been included on this evening's agenda as part of the district's on-going process for planning meetings, and to ensure that subjects being reviewed are timely and meet expectations of the board.

PRESENTER: Kris Howatt

SUPPLEMENTARY  
MATERIALS: None

RECOMMENDATION: The administration recommends board discussion regarding future board agenda topics.

REQUESTED ACTION: No formal action is required.

:sa