



EdenAreaROP

GOVERNING BOARD MEETING AGENDA

26316 Hesperian Blvd. Hayward, CA 94545 • (510) 293-2971 • www.edenrop.org

Wednesday, October 2, 2019
5:45 pm

GOVERNING BOARD MEMBERS

Peter Oshinski, President	San Leandro Unified School District
Marilyn Stewart, Vice President	San Lorenzo Unified School District
Jo A.S. Loss, Member	Castro Valley Unified School District
Dr. Robert Carlson, Member	Hayward Unified School District

MISSION STATEMENT

The mission of the Eden Area Regional Occupational Program is to prepare students for careers and further education as well as to instill workplace skills and ethics that enable them to compete successfully in the economy of today and the future.



Regular Meeting of the ROP Governing Board
Eden Area ROP Board Room
26316 Hesperian Blvd., Hayward, CA 94545

Date: Wednesday, October 2, 2019
Time: 5:45 p.m.

AGENDA

Welcome to the Eden Area Regional Occupational Program Governing Board Meeting. The purpose of the meeting is to consider matters of policy and business necessary for the operation of the Regional Occupational Program.

Visitors wishing to address the Governing Board are asked to complete a "Request to Address ROP Governing Board" card, available at the entrance to the meeting room, and submit it to the Governing Board's Administrative Secretary. Any member of the audience may speak on any agenda item by following this process, or upon recognition by the Chairperson by identifying him/herself and his/her organization affiliation prior to any action taken by the Governing Board. Such presentations may be limited. If there is a desire to address the Governing Board on a matter relating to the Eden Area ROP that does not appear on the agenda, this may be done during the "Other Business" section.

State law prohibits the ROP Governing Board from taking any action on or discussing items that are not on the posted agenda except to A) briefly respond to statements made or questions posed by the public in attendance; B) ask questions for clarification; C) provide a reference to a staff member or other resource for factual information in response to the inquiry; or D) ask a staff member to report back on the matter at the next meeting and/or place it on a future agenda. (Government Code Section 54954.2 (a))

This meeting is being recorded. These recordings are maintained by the Eden Area ROP for 30 days and are available for review to the public upon request.

I. Call to Order

II. Roll Call

III. Pledge of Allegiance

IV. Mission Statement

V. Approval of Agenda

VI. Student of the Month

- A. Presentation of ROP Student of the Month Awards (page 3)

VII. Consent Calendar

Action by the ROP Governing Board of the Eden Area Regional Occupational Program means that all items listed under the Consent Calendar are adopted by one single motion, unless a member of the Governing Board, the Superintendent, or a member of the public requests that any such item be removed from the Consent Calendar and voted upon separately.

- A. Request the Governing Board to approve the Minutes of the Regular Governing Board Meeting of September 5, 2019 (pages 4-7)
- B. Request the Governing Board to approve the Bill Warrants (pages 8-12)
- C. Request the Governing Board to approve the Personnel Action Items (pages 13-14)

- D. Request the Governing Board to approve the Quarterly Report on Williams Act Complaints and Resolutions (pages 15-16)
- E. Request the Governing Board to approve the California ProStart Cup Overnight Field Trip for the 2019-2020 School Year (page 17)
- F. Request the Governing Board to approve the Agreement with NFTE to Provide Curriculum, Program Support and Teacher Training for the 2019-2020 School Year (pages 18-21)
- G. Request the Governing Board to approve the Change Orders for the Services Provided by Bay Point Control, Inc. DBA Marina Mechanical (pages 22-26)
- H. Request the Governing Board to approve the Change Orders for the Services Provided by State Roofing Systems, Inc. (pages 27-31)

VIII. Information Items

- A. ROP Pathway Review-Patient Care (pages 32-33)
- B. Back to School Night (page 34)
- C. Principals' Breakfast (page 35)

IX. Action Items

- A. Request the Governing Board to approve the Agreement with Stephen Small as an Auto Technology Program Teacher Consultant for the 2019-2020 School Year (pages 36-42)

X. Superintendent's Report

XI. Other Business/ Governing Board Reports

- A. Public
- B. ROP Governing Board

XII. Recess to Closed Session

- A. Public Employee Appointment/Employment (Pursuant Government Code section 54957): Superintendent's Contract

XIII. Reconvene to Open Session and Report Action Taken in Closed Session

- A. Public Employee Appointment/Employment (Pursuant Government Code section 54957): Superintendent's Contract

XIV. Adjournment



DATE: October 2, 2019
TO: ROP Governing Board
FROM: Linda Granger, Superintendent
PREPARED BY: Bernie Phelan, Director of Educational Services
SUBJECT: Presentation of ROP Student of the Month Awards

BACKGROUND

The Eden Area ROP has developed a student recognition program to acknowledge outstanding efforts and achievements of our students.

CURRENT SITUATION

The student recognition program has proven to be a successful, motivational tool in the classroom, among the staff and the students of the Eden Area ROP.

The following students were selected as ROP students of the month for October:

STUDENT NAME	HIGH SCHOOL	ROP PROGRAM	INSTRUCTOR
Natalie Epich	Castro Valley High School	Culinary Science	Terri Penn
Aritza Brown	San Leandro High School	Medical Careers II	Heather Bystrom
Geremi Escobar	San Leandro High School	Medical Careers I	Angelica Peters
Reyna Solis	Arroyo High School	Medical Careers I	Alysa Machado
Diego Almeyda	Mt. Eden High School	Medical Careers I	Charles Bunbury

RECOMMENDATION

Information only

CONSENT CALENDAR

CONSENT CALENDAR



Minutes of the Regular Meeting of the ROP Governing Board September 5, 2019

I. Call to Order

Trustee Peter Oshinski, President, called the meeting to order at 5:45 p.m. on Thursday, September 5, 2019 at the Eden Area Regional Occupational Program Board Room, 26316 Hesperian Blvd., Hayward, CA 94545.

II. Roll Call

Roll was called by Gabriela Juarez, Superintendent's Executive Assistant.

Eden Area ROP Governing Board Present:

Peter Oshinski, President	San Leandro USD	
Penny Peck, Alternate	San Lorenzo USD	
Dr. Robert Carlson, Member	Hayward USD	
Jo A.S. Loss, Member	Castro Valley USD	arrived at 5:50 pm

Eden Area ROP Governing Board Absent:

Marilyn Stewart, Vice President	San Lorenzo USD
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Superintendent: Linda Granger- present

ROP Administrators in Attendance:

Craig Lang	Director of Adult Programs
Bernie Phelan	Director of Educational Services
Lauren Kelly	Assistant Director of Educational Services
Ariel Owen	Fiscal Services Administrator
Evan Goldberg	Grant Coordinator

ROP Staff in Attendance:

Diana Engel-Holmes	Accounts Receivable/Purchasing Technician
Gabriela Juarez	Superintendent's Executive Assistant
Deborah Maynard	TOSA
Lameisha Sherri	Graphics Program Instructor

III. Pledge of Allegiance

Craig Lang led the Pledge of Allegiance.

IV. Mission Statement

Evan Goldberg read the Eden Area ROP mission statement.

V. Approval of Agenda

Trustee Penny Peck moved to approve the agenda and Trustee Jo A.S. Loss, seconded the motion. By the following vote, the agenda was approved.

AYES:	3 (Loss, Oshinski, Peck)
NOES:	0
ABSTAIN:	0
ABSENT:	1 (Carlson, Stewart)

VI. Consent Calendar

Trustee Jo A.S. Loss moved to approve the consent calendar items as follows.

- A. Approve the Minutes of the Regular Governing Board Meeting of August 1, 2019
- B. Approve the Bill Warrants
- C. Approve the Personnel Action Items
- D. Approve the Listed Donation-St. Rose Hospital
- E. Approve the DECA Overnight Field Trips for the 2019-2020 School Year
- F. Approve the SkillsUSA Overnight Field Trips for the 2019-2020 School Year
- G. Approve the List of Charter Bus Companies for Transportation
- H. Approve the Agreements with the JPA Member Districts for CTE Programs for the 2019-2020 School Year
- I. Approve the Agreement with Karen Huff for Coaching and Support for the 2019-2020 School Year
- J. Approve the Lease Agreement with L&M Investments for the Use of Facilities for the Electrical Trainee Program that is Operated in Turlock, CA from October 2019 through September 2020
- K. Approve the Ongoing MOU with the JPA Member Districts for a Joint Powers Authority for Participation in the Career Technical Education Incentive Grant (CTEIG) Program
- L. Approve the MOU with Got Watts? for the Use of Facilities for the Electrical Trainee Program that is Operated in Concord, CA from September 2019 through September 2020
- M. Approve the MOU with the Hayward Unified School District for the Independent Study Teacher to Support the Hayward Promise Neighborhoods Program for the 2019-2020 School Year

Trustee Penny Peck seconded the motion.

AYES: 3 (Loss, Oshinski, Peck)
NOES: 0
ABSTAIN: 0
ABSENT: 1 (Carlson, Stewart)

VII. Information Items

A. ROP Pathway Review-Visual and Media Arts

Bernie Phelan, Director of Educational Services, introduced Lameisha Sherri, instructor, to report on the Graphics program. Ms. Sherri was happy to report that she has had a steady increase in enrollment, which she attributes to the sophomore tours. Ms. Sherri shared that the students have created graphics for the ROP including our course catalog, ambassador sweaters and custom t-shirts for our classes. The Graphics program curriculum has been restructured to a year one and year two model and both have been UC a-g approved. Currently, students are working on learning Adobe Illustrator tools, elements of design and image tracing. Looking to the future graphics will join a new CTSO, upgrade to creative cloud in the classroom, have more guest speakers from the advisory board and students will participate in internship opportunities provided by WIOA.

B. Dates for Sophomore Tours and the Student Award Ceremony

Bernie Phelan, Director of Educational Services, presented to the Governing Board the dates for the sophomore tours. He invited the Board members to attend their respective

high schools sophomore tours dates. He also shared the student award ceremony will be held on Wednesday, May 20, 2020 at San Leandro High School Arts Education Center. Mr. Phelan also extended an invitation to the Governing Board to attend the award ceremony.

Trustee Jo. A.S. Loss shared that Castro Valley High School's senior night is on the same evening as the ROP student award ceremony. Superintendent Granger thanked Trustee Jo A.S. Loss for bringing it to our attention and said she will have staff look into possibly changing the date to avoid any conflicts.

C. Eden Area ROP Service Awards

Linda Granger, Superintendent, highlighted the employees that were recognized and honored for their commitment and service to the ROP. She shared that annually service awards are presented to staff for their years of experience and dedication to the organization. These awards were presented to staff at the August 12, 2019 staff development day. Service awards were given to Evan Goldberg (5 years), Jayne Salinger (5 years), Linden Keiffer (10 years), Christina Charlton (15 years), David Espinoza (15 years) and Tammey Brown (35 years).

VIII. Action Items

A. Request the Governing Board to approve the 2018-2019 Unaudited Actual Income and Expenditure Report

Upon review of and a motion by Trustee Penny Peck and a second by Trustee Jo A.S. Loss, the Governing Board approved the 2018-2019 unaudited actual income and expenditure report.

AYES: 4 (Carlson, Loss, Oshinski, Peck)
NOES: 0
ABSTAIN: 0
ABSENT: 1 (Stewart)

B. Request the Governing Board to approve the Ongoing Agreement with Orbund for Student Information System Services for the Adult Education Program

Upon review of and a motion by Trustee Jo A.S. Loss and a second by Trustee Robert Carlson, the Governing Board approved the ongoing agreement with Orbund for student information system services for the adult education program.

AYES: 4 (Carlson, Loss, Oshinski, Peck)
NOES: 0
ABSTAIN: 0
ABSENT: 1 (Stewart)

IX. Superintendent's Report

Linda Granger reported that the roofing and HVAC project is still in progress. She also mentioned to the Board that she will be adding HVAC installation to the adult programs department as it would be the only location on campus that does not have air conditioning.

She also reported that we have filled the vacant Technology Coordinator position.

X. Other Business/Governing Board Reports

A. Public

None.

B. Governing Board Reports

None.

XI. Recess to Closed Session

The meeting was called into closed session at 6:20 p.m.

A. Public Employee Performance Evaluation: Superintendent's Goals (Government Code Sec. 54957)

XII. Reconvene to Open Session and Report Action Taken in Closed Session

The meeting resumed to open session at 6:26 p.m.

A. Public Employee Performance Evaluation: Superintendent's Goals (Government Code Sec. 54957)

Upon review of and a motion by Trustee Jo A.S. Loss and a second by Trustee Penny Peck, the Governing Board approved the Superintendent's goals for 2019-2020.

AYES: 4 (Carlson, Loss, Oshinski, Peck)
NOES: 0
ABSTAIN: 0
ABSENT: 1 (Stewart)

XIII. Adjournment

Upon a motion by Trustee Jo A.S. Loss and a second by Trustee Penny Peck, the Governing Board adjourned the meeting at 6:26 p.m.

AYES: 4 (Carlson, Loss, Oshinski, Peck)
NOES: 0
ABSTAIN: 0
ABSENT: 1 (Stewart)

Approved by the Eden Area ROP Governing Board _____.

Linda Granger, Superintendent
Clerk to the ROP Governing Board



DATE: October 2, 2019
TO: ROP Governing Board
FROM: Linda Granger, Superintendent
PREPARED BY: Sabrina Ubhoff, Accounting Technician
SUBJECT: Request the Governing Board to approve the Bill Warrants

CURRENT SITUATION

The bill warrants submitted for approval are for the period of August 21, 2019 through September 10, 2019 and include test warrant numbers and voided warrants.

CONSENT CALENDAR



DATE: October 2, 2019
TO: ROP Governing Board
FROM: Linda Granger, Superintendent
PREPARED BY: Mercedes Henderson, Personnel Coordinator
SUBJECT: Request the Governing Board to approve the Personnel Action Items

CURRENT SITUATION

The attached listing of personnel action items are the Eden Area ROP Superintendent's recommendations for approval.

CONSENT CALENDAR

DATE: October 2, 2019
TO: ROP Governing Board
FROM: Linda Granger, Superintendent
SUBJECT: Request the Governing Board to approve the Quarterly Report on Williams Act Complaints and Resolutions

BACKGROUND

Education Code 35186 (d) requires the following:

A school district shall report summarized data on the nature and resolution of all complaints concerning deficiencies related to instructional materials, emergency or urgent facilities conditions and teacher vacancy or misassignment on a quarterly basis to the county superintendent of schools and the Governing Board of the school district. The summaries shall be publicly reported at a regularly scheduled meeting of the Governing Board of the school district. The report shall include the number of complaints with the number of resolved and unresolved complaints. The complaints and written responses shall be available as public records.

CURRENT SITUATION

Attached is a report for the complaints and resolutions through October 1, 2019 as specified by Education Code 35186 (d).

CONSENT CALENDAR



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QUARTERLY REPORT ON WILLIAMS ACT COMPLAINTS

[Education Code 35186 (d)]

Report through: October 1, 2019

District: Eden Area Regional Occupational Program
Person completing this form: Gabriela Juarez
Title: Superintendent's Executive Assistant

Quarterly Report Submission (check one) →
Date: October 1, 2019

- ☐ January 2019
☐ April 2019
☐ July 2019
☒ October 2019

Date for information to be reported publicly at the Governing Board meeting: October 2, 2019

Please check the box that applies:

- ☒ No complaints were filed with any school in the district during the quarter indicated above.
- ☐ Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Number of Complaints	Number of Resolved Complaints	Number of Unresolved Complaints
Textbooks and Instructional Materials	0	0	0
Teacher Vacancy or Mis-assignment	0	0	0
Facilities Conditions	0	0	0
CAHSEE Intensive Instruction and Services	0	0	0
TOTALS	0	0	0

Publicly reported at the Governing Board meeting on: October 2, 2019

Linda Granger, Superintendent



DATE: October 2, 2019
TO: ROP Governing Board
FROM: Linda Granger, Superintendent
PREPARED BY: Lauren Kelly, Assistant Director of Educational Services
SUBJECT: Request the Governing Board to approve the California ProStart Cup Overnight Field Trip for the 2019-2020 School Year

BACKGROUND

The California Restaurant Association Foundation (CRAF) promotes the health and prosperity of the foodservice industry by investing in our youth and our workforce. CRAF supports the ProStart Program curriculum designed to prepare high school students for thriving careers in foodservice. Since 1981, CRAF has awarded more than \$1.7 million in scholarships and grants. Students from across the state can compete in three events: the Culinary Cup (3-course meal in 60 minutes), the Management Cup (pitch a new restaurant concept) and the Innovation Cup (new robot, app or software to improve restaurants). This competition serves over 250 students, and includes 40 industry experts serving as judges.

CURRENT SITUATION

Our Culinary Science program at the Eden Area ROP is establishing a leadership component that aligns with the 11 Elements of a high quality CTE program. This competition will serve as a stepping stone to strengthen our pathway and provide students an opportunity to test their culinary skills at the state level. Below for your approval is an overnight field trip for the 2019-2020 school year.

DATE	ACTIVITY	LOCATION
March 18-22, 2020	California ProStart Cup	Pomona, CA

CONSENT CALENDAR



DATE: October 2, 2019
TO: ROP Governing Board
FROM: Linda Granger, Superintendent
PREPARED BY: Bernie Phelan, Director of Educational Services
SUBJECT: Request the Governing Board to approve the Agreement with NFTE to Provide Curriculum, Program Support and Teacher Training for the 2019-2020 School Year

BACKGROUND

The Eden Area ROP has partnered with the Network for Teaching Entrepreneurship (NFTE) program. The Network for Teaching Entrepreneurship's mission is to provide programs that inspire young people from low-income communities to stay in school, to recognize business opportunities and to plan for successful futures.

CURRENT SITUATION

The Eden Area ROP has had a partnership with NFTE for 20 years. The program currently is being taught at Arroyo, Hayward, Mt. Eden, Tennyson and San Leandro High Schools. We are currently working to build capacity at each school site to offer a two year course sequence. Both Entrepreneurship I and II courses have been UC a-g approved.

The agreement before you is requesting that the partnership be continued for the 2019-2020 school year.

CONSENT CALENDAR



NETWORK FOR TEACHING ENTREPRENEURSHIP SCOPE OF SERVICES FORM

Name of School/District: Eden Area ROP/Bay Area

Name of NFTE Program: E1/E2

Start Date: July 1, 2019 ~ and ~ **End Date of Services:** June 30, 2020

I. Background or Scope of Work

NFTE aligns with CTE's focus on developing the skills and knowledge needed to succeed in postsecondary education, advanced career training or immediate entry into jobs with a meaningful career path. Like CTE, NFTE provides a curriculum that combines a rigorous academic curriculum with training in career and technical subjects and workplace competencies. NFTE students graduate from the program with an understanding of core business and operation knowledge as well as business communication and presentation skills that are transferable to both their post-secondary experiences and professional careers. NFTE's curriculum add to a student's post-secondary preparation by design unique activities that builds understanding and focus on essential skills needed to succeed in the workforce or any path they decide to pursue.

II. Objectives (Purpose & Course of Action)

NFTE will focus on five goals/objectives:

- A. Engage youth in school by teaching math, reading, writing, and communication within the motivating context of creating a business idea that leads to business startup and operating a small business.
- B. Teach young people about the market economy and how ownership leads to wealth creation.
- C. Encourage an entrepreneurial mindset so they can be prepared for the future workforce whether they pursue higher education, enter the workforce, or become entrepreneurs.
- D. Make young people financially literate—able to save and invest to meet their life goals.
- E. Demonstrate outcomes of entrepreneurship education through research and evaluation.

III. Scheduled Activities

Includes but not limited to: Workshops, seminars, strategic planning, training, field trips, job-shadowing, internships, access to summer camps, etc.

A. Description of programs and scope and sequence (if requested) will be provided by NFTE to fulfill services required.

B. NFTE will work with the teacher or district contact to identify activity logistics

C NFTE will work with districts to define the breadth of strategic services based on number of schools being supported

D. Guest speakers – NFTE will work with classroom teachers to confirm at least one per semester (by teacher request

IV. Deliverables

Student Development and Support Services: As the centerpiece of the program, every student creates and presents an original business plan based on a NFTE template. The lean canvas model is the vehicle through which they learn and apply the business/financial concepts learned through classroom instruction, while developing business ideas based on their own special interests and talents. By presenting their ideas at business plan competitions, students also gain experience practicing their public-speaking skills. Experiential activities and field trips allow teachers to model business concepts and reinforce learning principles. Volunteers bring fresh perspectives to the classroom, an additional level of expertise in a business subject or industry, and provide a greater support network to students, giving them an expanded view of the world and the opportunities, they may have never before dreamed possible.

Teacher Development and Support: A key program standard for NFTE is to ensure that our entrepreneurship programs are taught by NFTE-certified teachers and that these teachers have access to ongoing professional development opportunities so that they continually improve their effectiveness in the classroom. To ensure that teachers use the curriculum effectively as well as stay current on all emerging business trends related to small business development, NFTE provides meaningful and continual professional learning opportunities and support both locally and nationally, through a variety of different avenues such as curriculum certification, professional development seminars, webcasts, local and national retreats, and awards and recognition programs. Teachers that attend NFTE professional learning experiences are provided with both a certificate of completion endorsed by NFTE as well as CE credit hours approved by the district.

Programmatic Support and Consulting: NFTE will provide consulting to certified teachers on structuring syllabi and programmatic elements as well as on-site support (when requested) to assess classroom needs and areas of volunteer engagement. In addition to the above, NFTE will assist CTE administration to consult on approaches for bringing our entrepreneurship curriculum to more content areas within CTE's broader programming in order for more students to recognize the power of entrepreneurship and ownership in their field of study.

V. Outcomes

Students:

When NFTE curriculum and instructional resources are implemented with fidelity students will experience content knowledge growth during the course of the year, as measured by pre/post assessments.

Teachers:

Teacher participation in NFTE programs should improve student understanding of business startup, increase teacher instructional practice based on their participation in NFTE professional learning activities

VI. Status Meetings & Follow-up Services

- A. NFTE staff will work with the principal/district staff to identify implementation check points to discuss progress
- B. NFTE staff will work with school/district leaders to all teachers to attend NFTE professional development during the year

VII. Investment

Annual Program Support:

5 teachers @ 750 per teacher

Total \$3,750

Teacher Training Costs:

3 teachers @\$500 per Refresher - waived

1 teacher @ \$750 a day for 3 days

1 teacher @ 750 a day for 4 days

Total \$5,250

Curriculum Costs:

Total \$8,600

Total Payable: \$17,600

Review enclosed invoice for details

Either party can terminate agreement with written notice to the other.

It is the policy of the Network for Teaching Entrepreneurship that until the scope of services is approved, and a purchase order number has been generated, no services can be provided. Receipt of a district issued Purchase Order to NFTE is proof of agreement to Scope of Services.

Authorization name

Authorization signature

Date



DATE: October 2, 2019
TO: ROP Governing Board
FROM: Linda Granger, Superintendent
SUBJECT: Request the Governing Board to approve the Change Orders for the Services Provided by Bay Point Control, Inc. DBA Marina Mechanical

BACKGROUND

On May 2, 2019, the Governing Board approved the contract with Marina Mechanical to replace the Heating, Ventilation and Air Conditioning (HVAC) systems on the buildings at the ROP center in Hayward. The HVAC units have been failing throughout the campus, and last year, we were unable to obtain the necessary parts to repair the oldest units.

CURRENT SITUATION

Coordinating the replacement of the HVACs with the installation of the new roofs, is a cost effective approach to completing the HVAC installation. Once the old roofing material was removed, we were able to assess the underlying damage to the HVAC systems. The change orders attached reflect the cost of the materials and additional work required of Marina Mechanical to repair the damage so that new HVAC systems could be installed. There are a total of 20 Proposed Change Orders (PCO) from Marina Mechanical, two of which have been rejected by Eden Area ROP staff and one is a deduction from the original contract. The remaining PCOs are necessary for the completion of the roofing project.

Total net cost of the changes results in an additional \$232,590 paid out of our Facilities Fund.

CONSENT CALENDAR

CHANGE ORDER FORM

EDEN AREA REGIONAL OCCUPATIONAL PROGRAM
26316 Hesperian BLVD
Hayward, CA 94545

**CHANG
E
ORDER
NO.:**

1

CHANGE ORDER

Project: HVAC Replacement Project
Bid No.: 18/19-02

Date: August 19, 2019
DSA File No.: N/A
DSA Appl. No.: N/A

The following parties agree to the terms of this Change Order:

Owner: EDEN AREA ROP
26316 HESPERIAN BLVD
HAYWARD, CA 94545

Contractor: Bay Point Control, Inc. DBA Marina Mechanical
799 Thornton Street
San Leandro, CA. 94577

Architect:
_____ N/A _____

Project Inspector: James Bombaci
2015 H Street
Sacramento, CA. 95811

Reference	Description	Cost	Days Ext.
PCO #1	Additional HVAC Equipment Requested \$164,800.00 Marina Mechanical SELF REJECTED	\$0	0
PCO #2	Install New Split System Bldg. F AC-1 Marina Mechanical SELF District Directed	\$31,833.00	0
PCO #3	Flu Repairs on Bldg. F (time and materials) Marina Mechanical SELF Unforeseen	\$1,577.00	0
PCO #4	Provide and install 12-new duct penetrations for Bldg. C Marina Mechanical. SELF District Directed	\$ 7,201.00	0
PCO #5	T&M to safe off along with demo electrical on Bldg. A rooftop Marina Mechanical SELF Unforeseen	\$ 8,899.00	0
PCO #6	T&M to re-secure all the ceiling grilles within Bldg. A Marina Mechanical SELF / Unforeseen	\$ 4,461.00	0

EDEN AREA ROP

CHANGE ORDER FORM

	District Directed		
PCO #7	Provide and install 48-new duct penetrations for Bldg. A Marina Mechanical. SELF Unforeseen	\$ 28,808.00	
PCO #8	T&M gas line removal Marina Mechanical SELF Unforeseen	\$324.00	0
PCO #9	Deductive for Bryant Substitution Marina Mechanical SELF Submittal	(\$3,185.00)	0
PCO #10	Provide all new rooftop electrical service to Bldg. A HVAC equipment Marina Mechanical RECO / Robert's Electrical Company Unforeseen	\$37,507.00	0
PCO #11	Provide & Install 6-new curb cap flashings for Bldg. G Marina Mechanical SELF Unforeseen	\$3,805.00	0
PCO #12	Provide all new rooftop gas piping service for Bldg. A Marina Mechanical DLI Mechanical Unforeseen	\$29,071.00	0
PCO #13	Provide all new rooftop condensate line for Bldg. A (49 each) \$19,355.00 Marina Mechanical SELF REJECTED	\$0	0
PCO #14	Provide an alternate condensate option for Bldg. A Marina Mechanical SELF Not in original contract documents	\$2,345.00	0
PCO #15	Replace Bldg. G Kitchen Exhaust Fan assembly Marina Mechanical SELF Not in original contract documents	\$2,550.00	0
PCO #16	Replace Indoor Blower Motor on Existing York Unit Bldg. H Marina Mechanical SELF Not in original contract documents	\$1,958.00	0
PCO #17	Replace Condensing Unit Motor on Existing York Unit on Bldg. H Marina Mechanical SELF Not in original contract documents	\$1,568.00	0
PCO #18	Building G – Demo Furnace and Duct in Building-G • Marina Mechanical Not in original contract documents	\$ 6,887.00	0

EDEN AREA ROP

CHANGE ORDER FORM

PCO #19	Building C – Mini-VRF for Building-C Offices Marina Mechanical Self District Directed	\$57,186.00	0
PCO #20	Electrical Work on Bldg. C, H and G T&M Marina Mechanical RECO / Robert's Electrical Company Unforeseen	\$9,795.00	0
Contract time will be adjusted as follows: Previous Completion Date: <u>8/1/19</u> <u>0</u> Calendar Days Extension (zero unless otherwise indicated) Current Completion Date: <u>8/1/19</u>		Original Contract Amount:	\$ 615,000.00
		Amount of Previously Approved Change Order(s):	\$0
		Amount of this Change Order:	\$232,590.00
		Contract Amount:	\$.847,590.00

The undersigned Contractor approves the foregoing as to the changes, if any, to the Contract Price specified for each item, and as to the extension of time allowed, if any, for completion of the entire work as stated therein, and agrees to furnish all labor, materials and services and perform all work necessary to complete any additional work specified for the consideration stated therein. Submission of sums which have no basis in fact or which Contractor knows are false are at the sole risk of Contractor and may be a violation of the False Claims Act set forth under Government Code section 12650, et seq.

This change order is subject to approval by the governing board of this District and must be signed by the District. Until such time as this change order is approved by the District's governing board and executed by a duly authorized District representative, this change order is not effective and not binding.

It is expressly understood that the compensation and time, if any, granted herein represent a full accord and satisfaction for any and all time and cost impacts of the items herein, and Contractor waives any and all further compensation or time extension based on the items herein. The value of the extra work or changes expressly includes any and all of the Contractor's costs and expenses, and its subcontractors, both direct and indirect, resulting from additional time required on the project or resulting from delay to the project. Any costs, expenses, damages or time extensions not included are deemed waived.

Signatures:

District:

Contractor: *MARINA MECHANICAL*

[Name]

Date

[Signature]

[Name]

9/24/19

Date

Architect:

Project Inspector:

[Name]

Date

[Name]

Date

END OF DOCUMENT



DATE: October 2, 2019
TO: ROP Governing Board
FROM: Linda Granger, Superintendent
SUBJECT: Request the Governing Board to approve Change Orders for the Services Provided by State Roofing Systems, Inc.

BACKGROUND

On March 7, 2019, the Governing Board approved the contract with State Roofing Systems, Inc. to replace the roofs on the buildings at the ROP center in Hayward.

CURRENT SITUATION

Once the old roofing material was removed, we were able to assess the underlying damage to the buildings. The change orders attached reflect the cost of the materials and additional work required of State Roofing Systems, Inc. to repair the damage so that the new roof could be installed. There are a total of 21 Proposed Change Orders (PCO) from State Roofing Systems, Inc., three of which have been rejected by Eden Area ROP staff and one is a deduction from the original cost of the contract. The remaining PCOs are necessary for the completion of the roofing project.

Total net cost of the changes results in an additional \$62,934.71 paid out of our Facilities Fund.

CONSENT CALENDAR

CHANGE ORDER FORM

EDEN AREA REGIONAL OCCUPATIONAL PROGRAM
26316 Hesperian BLVD
Pleasanton , CA 94566

**CHANG
E
ORDER
NO.:**

1

CHANGE ORDER

Project: Roofing Project
Bid No.: 18/19-01

Date: August 19, 2019
DSA File No.: N/A
DSA Appl. No.:N/A

The following parties agree to the terms of this Change Order:

Owner: EDEN AREA ROP
26316 HESPERIAN BLVD
HAYWARD, CA 94545

Contractor: State Roofing Systems, Inc.
15444 Hesperian Boulevard
San Leandro, CA. 94578-3959

Architect:
_____ **N/A** _____

Project Inspector: James Bombaci
2015 H Street
Sacramento, CA. 95811

Reference	Description	Cost	Days Ext.
PCO #1	Unload Owner Garland materials State Roofing Systems, Inc. SELF In original contract documents (rejected)	\$ 0	0
PCO #2	Dry Rot Repair Plywood Bldg. F State Roofing Systems, Inc. SELF Unforeseen	\$6,983.00	0
PCO #3	Drain Bolts tap & rings State Roofing Systems, Inc. SELF Unforeseen	\$2,140.00	0
PCO #4	Cricket at low area Bldg. F Repair Low Spot. State Roofing Systems, Inc. SELF District Directed	\$1,046.71	0
PCO #5	Add Drain Bldg-F Lower SW State Roofing Systems, Inc. SELF Unforeseen	\$1,879.00	0
PCO #6	Replace Expansion Joint, 40 lf. State Roofing Systems, Inc. SELF District Directed	\$1,457.00	0
PCO #7	Dry Rot Repair Plywood Bldg. C State Roofing Systems, Inc. SELF Unforeseen	\$2,307.00	

EDEN ROP

PCO #8	CAST DRAINS - Bldg. C lower State Roofing Systems, Inc. SELF Unforeseen	\$4,920.00	0
PCO #9	Drain inserts- Bldg C perimeter State Roofing Systems, Inc. SELF Unforeseen	\$8,986.00	0
PCO #10	INSTALL WOOD CURBS AT DUCT & BF (12 Each) State Roofing Systems, Inc. SELF Unforeseen	\$4,153.00	0
PCO #11	PROVIDE WOOD SLEEPERS Bldg. C (12ea) State Roofing Systems, Inc. SELF Unforeseen	\$1,115.00	0
PCO #12	Dry Rot & demo sleeper Bldg. A State Roofing Systems, Inc. SELF Unforeseen	\$4,160.00	0
PCO #13	INSTALL WOOD CURBS AT DUCT & BF Bldg. A (49 each) State Roofing Systems, Inc. SELF Unforeseen	\$14,834.00	0
PCO #14	Dry Rot & demo sleeper Bldg. H State Roofing Systems, Inc. SELF Not in original contract documents (rejected)	\$0	0
PCO #15	Bldg. G- PROVIDE WOOD SLEEPERS (2ea- 96"x4"x6" / 2ea-60"x4"x6") & walk Pads State Roofing Systems, Inc. SELF Unforeseen	\$2,696.00	0
PCO #16	Bldg H -INSTALL WOOD Sleepers (2ea- 40"Lx4" x 6") State Roofing Systems, Inc. SELF Unforeseen	\$542.00	0
PCO #17	Bldg F -INSTALL WOOD Sleepers (2ea- 48"L x4" x 6") State Roofing Systems, Inc. SELF Not in original contract documents	\$398.00	0
PCO #18	Credit - Ladder, roof ladder @ Bldg. G State Roofing Systems, Inc. SELF PCO #18 NOT USED	0	0
PCO #19	Bldg. F Down spouts x2@ gutter State Roofing Systems, Inc. SELF Not in original contract documents	\$958.00	0
PCO #20	Walking pads for roof HVAC units REJECTED State Roofing Systems, Inc. SELF In original contract documents	\$0	0

EDEN ROP

PCO #21	BLDG C - INSTALL SIDING AT LOW WALL, Z flashings, Paint State Roofing Systems, Inc. SELF Not in original contract documents	\$ 4,360.00	0
Contract time will be adjusted as follows:		Original Contract Amount:	\$ 916,367.00
Previous Completion Date: <u>8/1/19</u>		Amount of Previously Approved Change Order(s):	\$0
<u>0</u> Calendar Days Extension			
Current Completion Date: <u>8/1/19</u>		Amount of this Change Order:	\$62,934.71
		Contract Amount:	\$979,301.71

The undersigned Contractor approves the foregoing as to the changes, if any, to the Contract Price specified for each item, and as to the extension of time allowed, if any, for completion of the entire work as stated therein, and agrees to furnish all labor, materials and services and perform all work necessary to complete any additional work specified for the consideration stated therein. Submission of sums which have no basis in fact or which Contractor knows are false are at the sole risk of Contractor and may be a violation of the False Claims Act set forth under Government Code section 12650, et seq.

This change order is subject to approval by the governing board of this District and must be signed by the District. Until such time as this change order is approved by the District's governing board and executed by a duly authorized District representative, this change order is not effective and not binding.

It is expressly understood that the compensation and time, if any, granted herein represent a full accord and satisfaction for any and all time and cost impacts of the items herein, and Contractor waives any and all further compensation or time extension based on the items herein. The value of the extra work or changes expressly includes any and all of the Contractor's costs and expenses, and its subcontractors, both direct and indirect, resulting from additional time required on the project or resulting from delay to the project. Any costs, expenses, damages or time extensions not included are deemed waived.

Signatures:

District:

Contractor:

[Name] Date

[Name] Date

Architect:

Project Inspector:

[Name] Date

[Name] Date

EDEN ROP

END OF DOCUMENT

INFORMATION ITEMS

DATE: October 2, 2019
TO: ROP Governing Board
FROM: Linda Granger, Superintendent
PREPARED BY: Bernie Phelan, Director of Educational Services
SUBJECT: ROP Pathway Review-Patient Care

BACKGROUND

The state of California has identified 15 industry sectors. Each sector contains multiple career pathways in which to develop programs of study. It is up to individual school districts and the region's corresponding colleges and businesses to conduct research into the needs of the industry and determine which sectors and careers can best serve the students, industry and community. Pathways available vary by each district.

Formerly, the pathway reviews were presented to the Governing Board under the title "CDE Course Review." The Eden Area ROP has renamed the CDE Course Reviews to Pathway Reviews to more accurately reflect the information being shared with the Board and to align with the current terminology used by the state. Pathways reviews are presented to the Governing Board biennially.

CURRENT SITUATION

The Patient Care pathway is under the Health Science and Medical Technology sector. The standards for the Patient Care pathway apply to occupations or functions involved in the prevention, treatment, and management of illness and the preservation of mental and physical well-being through the services offered by the medical and allied health professions. The standards specify the knowledge and skills needed by professional and technical personnel pursuing careers in this pathway. The attached pathway review is for the following programs: Medical Careers (ROP Center) and Sports Medicine (Mt. Eden, Hayward, Arroyo). The statistics provided are derived from the 2018-2019 C101 follow-up study completed June 2019.

RECOMMENDATION

Information only

SCHOOL DISTRICT:	EDEN AREA ROP	LOCATION:	ROP Center, Mt. Eden, Hayward, Arroyo												
SECTOR/PATHWAY:	Patient Care	INSTRUCTORS:	Heather Bystrom, Charles Bunbury, Alysa Machado, Mikel Jackson, Kris Bernard, Quiana Porter-Wilson												
Course Name	Enrollment as of 18-19 Year to Date	Enrollment as of 17/18 Year to Date	Enrollment as of 16/17 Year to Date												
Medical Careers (ROP)	259	163	201												
Sports Medicine (MTE)	154	N/A	N/A												
Sports Medicine (HHS)	30	N/A	N/A												
Sports Medicine (ARR)	14	37	25												
Comments: <ul style="list-style-type: none"> Required enrollment: Class enrollment maintained to sustain agreed master schedule for onsite and staffing. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Retention rate (Active Enrollment divided by Year-to-date Enrollment): 															
Text Book: Medical Assisting, Administrative and Clinical Procedures w/ Anatomy and Physiology Author: K. Booth Edition: 5th															
NO.	YES	NO													
1.	X		ENROLLMENT – Course meets current or future labor market news. <table border="1"> <tr> <td>CLASS SCHEDULE: AM/PM</td> <td>SECTIONS PER YEAR:</td> <td>MINS PER SECTION:</td> <td colspan="2">EXPECTED MINIMUM STUDENTS PER SECTION:</td> </tr> <tr> <td>3 (Center) Varies for each site</td> <td>Varies for each site</td> <td>3hrs Center 60 min Offsite</td> <td colspan="2">25+</td> </tr> </table>			CLASS SCHEDULE: AM/PM	SECTIONS PER YEAR:	MINS PER SECTION:	EXPECTED MINIMUM STUDENTS PER SECTION:		3 (Center) Varies for each site	Varies for each site	3hrs Center 60 min Offsite	25+	
CLASS SCHEDULE: AM/PM	SECTIONS PER YEAR:	MINS PER SECTION:	EXPECTED MINIMUM STUDENTS PER SECTION:												
3 (Center) Varies for each site	Varies for each site	3hrs Center 60 min Offsite	25+												
2.	X		AVAILABILITY OF QUALIFIED INSTRUCTOR – Qualified/ Credentialed Instructor teaching course.												
3.	X		LEADERSHIP – Instructional leaders have sufficient time and resources to implement system improvements and work with their counterparts in other programs.												
4.	X		CURRICULUM and INSTRUCTION – Students are provided with a strong experience in and understanding of all aspects of industry.												
5.	X		SCHOOL-TO-CAREER AND CAREER PATHWAY DEVELOPMENT – Course is designed as part of a sequence of courses, career pathways, etc.												
6.	X		ADVISORY COMMITTEE – The course has been reviewed and recommended by a pre-established committee. <input checked="" type="checkbox"/> Yes, instructor was present at advisory meeting and minutes are on file at ROP <input type="checkbox"/> No, instructor was not present at advisory. Program was represented, at a joint industrial, by ROP personnel. Instructor MUST attend next advisory for program to meet compliance.												
7.	X		LABOR MARKET NEEDS – Course meets current or future labor market needs.												
8.	X		WORK BASED LEARNING – Course incorporates work based learning opportunities (i.e. guest speakers, field trips, mock interviews, or student organizations)												
9.	X		COMMUNITY CLASSROOM AND COOPERATIVE VOCATIONAL EDUCATION – Course incorporates community classroom and cooperative vocational education (i.e., job training, internships, or job shadowing)												
10.	X		JOB PLACEMENT/FURTHER EDUCATION OPTIONS – Course has potential for student job placement in entry-level positions or course prepares students for further training opportunities within the designed career pathway.												
11.	X		FACILITIES AND EQUIPMENT ACCOMMODATION <input checked="" type="checkbox"/> District will provide a facility which adequately accommodates the program. <input checked="" type="checkbox"/> EAROP will provide a facility which adequately accommodates the program. <input type="checkbox"/> District shares cost of equipment if program is cross utilized.												
OTHER CONSIDERATIONS:															
<input checked="" type="checkbox"/> A-G Credit for UC: G			<input checked="" type="checkbox"/> State and National Licensing or Certification												
<input checked="" type="checkbox"/> Community College Articulation: Chabot			<input checked="" type="checkbox"/> Strong Business or Industry Partnership												
<input type="checkbox"/> Dual Enrollment			<input type="checkbox"/> Emerging Technologies -												
COMPLIANCE CATEGORIES															
<input checked="" type="checkbox"/> R – Retain Program: Program meets all criteria.		<input type="checkbox"/> W - Watch Program: All criteria not met. See areas that need to be complied with.		<input type="checkbox"/> P - Probation: Criteria is not being met. Program in danger of suspension.											
				<input type="checkbox"/> R – Reduce Program: Downsizing program.											
				<input type="checkbox"/> S/T - Suspend/ Terminate program.											



DATE: October 2, 2019
TO: ROP Governing Board
FROM: Linda Granger, Superintendent
PREPARED BY: Bernie Phelan, Director of Educational Services
SUBJECT: Back to School Night

BACKGROUND

The Eden Area ROP has held an annual back to school night for parents, family and friends to explore our programs at the Hayward Center Campus. Teachers have students demonstrate and explain what they are learning in their program.

CURRENT SITUATION

Back to School Night was held on September 24, 2019.

RECOMMENDATION

Information only

DATE: October 2, 2019
TO: ROP Governing Board
FROM: Linda Granger, Superintendent
PREPARED BY: Bernie Phelan, Director of Educational Services
SUBJECT: Principals' Breakfast

BACKGROUND

It is the goal of the Eden Area ROP to continue to develop and implement Career Technical Education course offerings throughout the four districts we serve. We are working to build capacity through establishing strong pathways that encourage all students to enroll, and stay enrolled in a rigorous course of study.

The Eden Area ROP staff work with students, parents, counselors, district and school site administrators in designing a course of study to meet career, academic and employability standards.

CURRENT SITUATION

In a continuing effort, school site and ROP administrators meet to discuss goals, challenges and strategies for student success. On September 26, 2019, principals from 13 high schools were invited to collaborate around the current trends in CTE, enrollment, and funding as well as the services the Eden Area ROP can provide for all school sites.

RECOMMENDATION

Information only

ACTION ITEMS



DATE: October 2, 2019
TO: ROP Governing Board
FROM: Linda Granger, Superintendent
PREPARED BY: Bernie Phelan, Director of Educational Services
SUBJECT: Request the Governing Board to approve the Agreement with Stephen Small as an Auto Technology Program Teacher Consultant for the 2019-2020 School Year

BACKGROUND

The Eden Area ROP offers two Auto Technology courses at the center. Currently one instructor is out on temporary leave.

CURRENT SITUATION

We have a temporary need in the Auto Technology program at the center. We have a long-term substitute in the classroom, but have been unable to find a substitute with automotive experience. The addition of a professional expert that can provide content specific instruction will support the students learning until the permanent teacher returns.

RECOMMENDATION

It is recommended that the Governing Board approve the agreement with Stephen Small as an Auto Technology program teacher consultant for the 2019-2020 school year.

AGREEMENT FOR SERVICE

THIS AGREEMENT FOR SERVICE (this "Agreement") for the 2019-20 school year

BETWEEN

Eden Area ROP of 26316 Hesperian Blvd, Hayward, California, 94545
(the "Customer")

OF THE FIRST PART

-AND-

Stephen Small
(the "Service Provider")

OF THE SECOND PART

BACKGROUND:

- A. The Customer is of the opinion that the Service Provider has the necessary qualifications, experience and abilities to provide services to the Customer.
- B. The Service Provider is agreeable to providing such services to the Customer on the terms and conditions set out in this Agreement.

IN CONSIDERATION OF the matters described above and of the mutual benefits and obligations set forth in this Agreement, the receipt and sufficiency of which consideration is hereby acknowledged, the parties to this Agreement agree as follows:

Services Provided

1. The Customer hereby agrees to engage the Service Provider to provide the Customer with services (the "Services") consisting of:
 - Classroom design conducive to automotive instruction
 - Providing instruction regarding automotive repair techniques.

Term of Agreement

2. The term of this Agreement will begin on the date of this Agreement and will remain in full force and effect until June 30, 2020, subject to earlier termination as provided in this Agreement, with the said term being capable of extension by mutual written agreement of the parties.

Performance

3. The parties agree to do everything necessary to ensure that the terms of this Agreement take effect.

Compensation

4. The service provider will be paid \$240 per day worked (40/per hour) for a maximum of 70 days. Days worked will be mutually agreed upon by both parties.
5. This compensation will be payable upon completion of the agreed to services on a monthly basis.
6. The Customer is entitled to deduct from the Service Provider's compensation any applicable deductions and remittances as required by law.

Additional Compensation

7. In addition to the above compensation, the Service Provider will be entitled to the following compensation for performing the Services: 1. Customer (Eden Area ROP) will pay in advance for required/mandated training, conference, etc. including out of pocket expenses such as lodging and transportation. 2. Customer (Eden Area ROP) will reimburse \$40 per hour for mandated instructional time.

Reimbursement of Expenses

8. The Service Provider will be reimbursed for attending required training. The Service Provider will furnish statements and vouchers to the Customer for all such expenses.

Confidentiality

9. The Service Provider agrees that they will not disclose, divulge, reveal, report or use, for any purpose, any confidential information with respect to the business of the Customer, which the Service Provider has obtained, except as may be necessary or desirable to further the business interests of the Customer. This obligation will survive indefinitely upon termination of this Agreement.

Non-Competition

10. Other than with the express written consent of the Customer, which will not be unreasonably withheld, the Service Provider will not, during the

continuance of this Agreement, be directly or indirectly involved with a business which is in direct competition with the particular business line of the Customer, divert or attempt to divert from the Customer any business the Customer has enjoyed, solicited, or attempted to solicit, from other individuals or corporations, prior to termination of this Agreement.

Ownership of Materials

11. All materials developed, produced, or in the process of being so under this Agreement will be the property of the Customer. The use of the mentioned materials by the Customer will not be restricted in any manner.
12. The Service Provider may retain use of the said materials and will not be responsible for damages resulting from their use for work other than services contracted for in this Agreement.

Return of Property

13. Upon the expiration or termination of this Agreement, the Service Provider will return to the Customer any property, documentation, records, or confidential information which is the property of the Customer.

Assignment

14. The Service Provider will not voluntarily or by operation of law assign or otherwise transfer its obligations under this Agreement without the prior written consent of the Customer.

Capacity/Independent Contractor

15. It is expressly agreed that the Service Provider is acting as an independent contractor and not as an employee in providing the Services under this Agreement. The Service Provider and the Customer acknowledge that this Agreement does not create a partnership or joint venture between them, and is exclusively a contract for service.

Modification of Agreement

16. Any amendment or modification of this Agreement or additional obligation assumed by either party in connection with this Agreement will only be binding if evidenced in writing signed by each party or an authorized representative of each party.

Notice

17. All notices, requests, demands or other communications required or permitted by the terms of this Agreement will be given in writing and delivered to the parties of this Agreement as follows:

- a. Eden Area ROP
26316 Hesperian Blvd, Hayward, California, 94545
Fax Number: 510-293-8325
- b. Stephen Small

or to such other address as to which any Party may from time to time notify the other.

Costs and Legal Expenses

18. In the event that legal action is brought to enforce or interpret any term of this Agreement, the prevailing party will be entitled to recover, in addition to any other damages or award, all reasonable legal costs and fees associated with the action.

Time of the Essence

19. Time is of the essence in this Agreement. No extension or variation of this Agreement will operate as a waiver of this provision.

Entire Agreement

20. It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement except as expressly provided in this Agreement.

Limitation of Liability

21. It is understood and agreed that the Service Provider will have no liability to the Customer or any other party for any loss or damage (whether direct, indirect, or consequential) which may arise from the provision of the Services.

Indemnification

22. The Service Provider will indemnify and hold the Customer harmless from any claims against the Customer by any other party, arising directly or indirectly out of the provision of the Services by the Service Provider.

Enurement

23. This Agreement will ensure to the benefit of and be binding on the parties and their respective heirs, executors, administrators, successors and permitted assigns.

Titles/Headings

24. Headings are inserted for the convenience of the parties only and are not to be considered when interpreting this Agreement.

Gender

25. Words in the singular mean and include the plural and vice versa. Words in the masculine mean and include the feminine and vice versa.

Governing Law

26. It is the intention of the parties to this Agreement that this Agreement and the performance under this Agreement, and all suits and special proceedings under this Agreement, be construed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of the State of California, without regard to the jurisdiction in which any action or special proceeding may be instituted.

Severability

27. In the event that any of the provisions of this Agreement are held to be invalid or unenforceable in whole or in part, all other provisions will nevertheless continue to be valid and enforceable with the invalid or unenforceable parts severed from the remainder of this Agreement.

Waiver

28. The waiver by either party of a breach, default, delay or omission of any of the provisions of this Agreement by the other party will not be construed as a waiver of any subsequent breach of the same or other provisions.

Additional Provisions

29. Service Provider is responsible to pay their own taxes. Customer (Eden Area ROP) will issue a 1099 at the end of the year.

Stephen Small

Date

Bernie Phelan, Director
Eden Area ROP

Date