

SIERRA SANDS UNIFIED SCHOOL DISTRICT

**Board of Education
Special Meeting**

**JANUARY 6, 2016
District Office
113 W. Felspar Ave.
www.ssusd.org**

We, the members of the Board of Education of the Sierra Sands Unified School District, are committed to providing the highest quality education in a safe environment to all K-12 students. We believe the school shares with the family, church, and community the responsibility for developing life-long learners who are responsible, productive citizens.

A G E N D A

CALL TO ORDER AND PLEDGE TO THE FLAG

12:00 P.M.

Amy Castillo-Covert
Bill Farris
Tim Johnson, Vice President/Clerk
Kurt Rockwell
Michael Scott, President

Ernest M. Bell, Jr., Superintendent

MOMENT OF SILENCE

1. ADOPTION OF AGENDA

2. GENERAL ADMINISTRATION

2.1 Uniform Complaint Appeal

3. CONSTRUCTION ADMINISTRATION

3.1 Approval of Agreements for Construction with Various Prime Trade Contractors for Multiple Trades for the Burroughs High School Modernization Project

4. ADJOURNMENT

2. GENERAL ADMINISTRATION

2.1 Uniform Complaint Appeal



SIERRA SANDS UNIFIED SCHOOL DISTRICT

Ernest M. Bell, Jr.
Superintendent

113 W. Felspar Avenue • Ridgecrest, CA • 93555 • 760 499-1600 •
Website: www.ssusdschools.org

UNIFORM COMPLAINT PROCEDURES COMPLAINT FORM

COMPLAINANT CONTACT INFORMATION

Name* Barbara Walls - Desert Area Teachers Association

Student Name (if applicable) _____ Date of Birth _____

Address 170 Gemstone

City Ridgecrest Zip Code 93555

Home Phone Ø Cell or Work Phone 760 985 8414 cell

I am filing this complaint on behalf of:

☒ myself ☐ my child or a student ☐ another child or student ☒ a group

BASIS OF COMPLAINT

Discrimination, harassment, intimidation, or bullying** in district programs or activities on the basis of the following actual or perceived protected class or characteristic (check all that apply):

- | | | |
|--|---|---|
| <input type="checkbox"/> Sex | <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Gender |
| <input type="checkbox"/> Gender Identity | <input type="checkbox"/> Gender Expression | <input type="checkbox"/> Ancestry |
| <input type="checkbox"/> Ethnic Group Identification | <input type="checkbox"/> Race or Ethnicity | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Nationality | <input type="checkbox"/> National Origin | <input type="checkbox"/> Age |
| <input type="checkbox"/> Marital or Parental Status | <input type="checkbox"/> Physical or Mental Disability | <input type="checkbox"/> Color |
| <input type="checkbox"/> Genetic Information | <input type="checkbox"/> Association with a person or group with one or more of the Actual or perceived categories listed above | <input checked="" type="checkbox"/> LCAP/LCFF |

*For complaints alleging noncompliance with the legal prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities, the complaint can be filed anonymously if the complaint provides enough evidence or information leading to evidence to support an allegation of noncompliance and to allow an appropriate investigation. However, if the complainant wishes to receive a copy of the District's decision in response to the complaint, the complainant's contact information requested above must be provided.

** For complaints of bullying that are not based on the above listed protected classes or characteristics, please contact your school site principal for further investigation and response.

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Noncompliance with state or federal laws regarding the following (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Adult Education Programs | <input type="checkbox"/> Consolidated Categorical Aid Programs |
| <input type="checkbox"/> Migrant Education | <input type="checkbox"/> Career/Technical Education Programs |
| <input type="checkbox"/> Child Care and Development Programs | <input type="checkbox"/> Child Nutrition Programs |
| <input type="checkbox"/> Special Education Programs | <input type="checkbox"/> Pupil Fees, Charges, or Deposits for Educational Activities |
| <input type="checkbox"/> Development and Adoption of School Safety Plan | <input checked="" type="checkbox"/> LCAP/LCFF |

DETAILS OF COMPLAINT

Date of Alleged Violation 11/9/2015 Location of Alleged Violation District Office

Name of Person(s) Being Complained About Shirley Kennedy, Ernie Bell

Please complete the following to the best of your ability. (Attach additional sheets of paper if you need more space and attach any supporting or relevant documentation.)

1. Please describe with as much detail as possible the facts underlying your complaint. Provide details such as the names of those involved, the dates an incident or incidents occurred, whether witnesses were present and the names of any witnesses, etc. Please provide any details which you feel might be helpful to the complaint investigator.

The LCAP/LCFF Ed Code language stipulates that local bargaining units shall be consulted in developing a local control and accountability plan. Dist. Supt. Kennedy and Supt. Bell refuse to allow more than one DATA rep. on the leadership team. The leadership team is unbalanced - heavily weighted on the admin/school board side. Allowing one "token" person to convey the union's input is not in accordance with Ed. Code. The leadership team is the main venue for writing the plan, and it is essential that unions be represented in the development of the LCAP and in LCFF. If the District has 8 people and 2 school board members (10 total) and there are 7 parent representatives, 7 teachers (2 of them are TOSAs ^{rep} - selected by district) then DATA should have a comparable number.

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2. Please describe what steps, if any, you have taken to resolve this issue before filing this complaint. Have you attempted to discuss this issue with the person about whom you are complaining or with other District personnel? If so, with whom and what was the result?

I have communicated via email to both Kennedy, then Bill. They are satisfied as is and will not make changes. They did, however, reduce the number of TDSAs from 4 to 2.

3. Please describe your desired outcome or remedy so as to assist the complaint investigator in attempting to satisfactorily resolve your complaint.

The desired outcome is to allow DASA to select 7-8 of its members to serve on the Leadership Team. The District needs to follow Ed Code

Signature



Date

November 13, 2015

This complaint form must be submitted to the District Compliance Officer at the address listed below unless the complaint alleges noncompliance with the legal prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities. In such cases, this complaint form may be submitted to your school site principal. Complaints alleging unlawful discrimination, harassment, intimidation, or bullying must be initiated no later than six months from the date of the alleged discrimination, harassment, intimidation, or bullying, or six months from the date of the complainant first obtained knowledge of the facts of the discrimination, harassment, intimidation, or bullying. Complaints alleging noncompliance with the legal prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities must be filed no later than one year from the date the alleged violation occurred. Complaints will be investigated in a manner that protects the integrity of the process and the confidentiality of the parties to the extent that the investigation of the complaint is not obstructed. The District's governing board prohibits any form of retaliation against any person for the filing of a complaint or participation in the complaint process.

Once completed, please deliver your complaint and any attachments to:

Assistant Superintendent of Human Resources
113 W. Felspar Ave.
Ridgecrest, CA 93555
(760) 499-1620

The district will investigate and report its decision to the complainant within 60 calendar days of the District's receipt of the complaint per the District's Uniform Complaint Procedures found at Board Policy and Administrative Regulation 1312.3. The complainant has the right to appeal the district's final decision to the California Department of Education within 15 calendar days of receiving the decision.

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SIERRA SANDS

UNIFIED SCHOOL DISTRICT

Dave Ostash
Assistant Superintendent
Human Resources

113 W. Felspar Avenue • Ridgecrest, CA • 93555 • 760 499-1620 •
Website: www.ssusd.org

December 10, 2015

Barbara Walls, President
Desert Area Teachers Association
120 S. Gemstone Street
Ridgecrest, CA 93555

Dear Ms. Walls:

On November 13, 2015, you filed a uniform complaint pursuant to Sierra Sands Unified School District Board Policy ("BP") 1312.3 on behalf of both yourself and the Desert Area Teachers Association alleging that the District violated certain statutory requirements related to the Local Control and Accountability Plan ("LCAP") and Local Control Funding Formula ("LCFF"). In the uniform complaint, you specifically allege that Shirley Kennedy, Assistant Superintendent of Curriculum and Instruction, and Ernie Bell, Superintendent, unlawfully denied your request to add DATA-selected representatives to the LCAP leadership team. You request the District permit DATA to "select 7-8 of its members to serve on the Leadership Team. The District needs to follow Ed Code."

1. Findings of Fact Based on Evidence Gathered

The District Leadership Committee includes teachers, principals, administrators, local bargaining units, parents and community members. The purpose of this committee is to consult with stakeholders in the review and assessment of the Local Control Accountability Plan (LCAP). Careful consideration is made to create shared representation for this committee. The District Leadership Committee is comprised of nine DATA members, nine administrators, two CSEA members, two DAGA members, and ten parent/community members. DATA membership includes the DATA president and eight teachers who provide representation from all three grade spans and Pupil Support Services. Administration includes membership from the District and site levels. DAGA membership includes the DAGA president and an intervention counselor representing unduplicated pupil populations. CSEA membership includes the CSEA president and one unit member. Parent/community members include parents from all three grade spans, and community and board members.

The District Leadership Committee meets four times per year. The first committee meeting occurs in November. An overview, timeline, and draft needs assessment, which is developed from performance data and input from the field, is presented to committee members for review and input. Input from the field includes teacher feedback forms, data analysis reports, and input from various stakeholder groups such as School Site Councils, Superintendent's Council, Parent Coffees and Parent Nights, Leadership Team, English Learner Advisory and District English Learner Advisory Committees, District Advisory Council, and student surveys. This input is incorporated into a comprehensive draft needs assessment and presented to the District Leadership Committee for review and input. At the January meeting, the final draft of the District needs assessment is prioritized by committee members so that this information can be considered when reviewing and aligning LCAP goals, actions, and services to identified needs. In February, a first draft of the LCAP will be presented

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to the committee for review and input. In April, the final draft of the LCAP will be presented to committee members. The LCAP and the annual budget will be presented to the Board at a public hearing on June 16, 2016, with recommendation for board approval occurring on June 23, 2016.

2. Conclusions of Law

Starting in the 2013-14 school year, the State significantly changed its funding model for school districts by moving to LCFF, which eliminated revenue limits and most categorical programs. Relevant to the underlying uniform complaint, the new funding formula required all school districts to create and adopt an LCAP, which would describe how they intended to meet annual goals for all pupils. Each school district's LCAP must include eight priority areas: basic services; implementation of Common Core State Standards; parental involvement; student achievement; student engagement; school climate; course access; and other student outcomes. (Cal. Educ. Code § 52060(d).)

Importantly, before adopting the LCAP, school districts must first consult with parents, community members, pupils, local bargaining units, and other stakeholders. In particular, Education Code section 52060, subdivision (g), provides that "[a] governing board of a school district shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupil in developing a local control and accountability plan."

Also prior to adopting its LCAP, schools districts are required to: (1) present the LCAP to a parent advisory committee for review and comment; (2) present the LCAP to an English learner parent advisory committee for review and comment; (3) notify the public of the opportunity to comment on the LCAP; (4) hold at least one public hearing to solicit the recommendations and comments of the public regarding the specific actions and expenditures proposed to be included in the LCAP; and (5) adopt the LCAP at a public meeting. (Cal. Educ. Code § 52062(a)-(b).)

The District's development of its LCAP began in August 2015. As required by law, the District engaged with a variety of stakeholders in developing its LCAP throughout the year by providing progress reports, needs assessments, and data for review and input. The District has also formed the LCAP Leadership Committee described above. All members, including DATA's representatives and teachers, meaningfully participate in the development of the LCAP through several established procedures and systems that have been created the last two years.

In or around February 2016, the District will provide all stakeholder groups – including DATA – with a draft of its LCAP. The draft details the level of stakeholder involvement since the District started to develop its LCAP in August 2015 as well as the impact that each of the stakeholder groups had contributed to the development of the LCAP. This includes input received from DATA members. The District's Governing Board will hold the first public hearing on its LCAP on June 16, 2016 attaching the draft LCAP to the agenda. During the meeting, any stakeholders, including District teachers, have an opportunity to comment to the Board regarding the draft LCAP.

Based on input received by all stakeholders, including DATA, the District will hold a second public meeting on June 23, 2016 where it will adopt its LCAP. As in the draft LCAP, the adopted LCAP details the level of stakeholder involvement, including input provided by DATA. As a result, the District has complied and will continue to comply with its legal obligations related to the LCAP Leadership Committee.

3. Disposition of the Complaint and Rationale for such Disposition

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The District complied with all legal requirements related to the LCAP and the composition of the LCAP Leadership Committee. As a result, the uniform complaint is denied.

4. Corrective Actions, if any are warranted

No corrective action is warranted at this time.

5. Notice of Right to Appeal

If you are dissatisfied with the District's decision, you may appeal the decision to the Board of Education within five business days of receiving this decision. The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case this decision shall be final.

In closing, thank you for brining your concern to the District. The District appreciates your willingness to notify us of your concerns. As always, if you have any questions or concerns regarding this or any other matter, please do not hesitate to call.

Sincerely,



Dave Ostash
Assistant Superintendent, Human Resources
Sierra Sands Unified School District

Uniform Complaint Procedures

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal process, the Board shall adopt a uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs (5 CCR 4610)

(cf. 3553 - Free and Reduced Price Meals)
(cf. 3555 - Nutrition Program Compliance)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5148 - Child Care and Development)
(cf. 6159 - Individualized Education Program)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Language Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6178.2 - Regional Occupational Center/Program)
(cf. 6200 - Adult Education)

2. Any complaint alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against any person based on his/her actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics. (5 CCR 4610) In any program or activity conducted by the LEA, which is funded directly by, or that receives or benefits from any state financial assistance. (GC§11135, EC§200, 220, 234.1, 5 CCR 4610, PC§422.56)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4030 - Nondiscrimination in Employment)

Uniform Complaint Procedures

(cf. 4031 - Complaints Concerning Discrimination in Employment)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging harassment, intimidation and/or bullying in district programs and activities, regardless of whether the bullying is based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics

(cf. 5131.2 - Bullying)

4. Any complaint alleging district violation of the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions Against the District)

5. Any complaint alleging that the district has not complied with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

6. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

7. Any other complaint as specified in a district policy

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is agreeable to all parties. One type of ADR is mediation, which shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

In filing and investigating complaints, the confidentiality of the parties involved shall be protected as required by law. As appropriate for any complaint alleging retaliation, unlawful

Uniform Complaint Procedures

discrimination, harassment, intimidation and/or bullying, the Superintendent or designee shall keep confidential the identity of the complainant and/or the subject of the complaint, if he/she is different from the complainant, as long as the integrity of the complaint process is maintained. Complainants are protected from retaliation and the identity of the complainant alleging discrimination, harassment, intimidation or bullying will remain confidential as appropriate. (EC§234.1, 5 CCR 4621)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints. All such records shall be destroyed in accordance with applicable state law and district policy.

(cf. 3580 - District Records)

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.

Community Relations

BP 1312.3 (d)

Uniform Complaint Procedures

3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.

4. Any complaint alleging fraud shall be referred to the California Department of Education.

In addition, the district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments. (Education Code 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32289 School safety plan, uniform complaint procedures

35186 Williams uniform complaint procedures

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49490-49590 Child nutrition programs

52060-52077 Local control and accountability plan, especially

52075 Complaint for lack of compliance with local control and accountability plan requirements

52160-52178 Bilingual education programs

52300-52490 Career technical education

52500-52616.24 Adult schools

52800-52870 School-based program coordination

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

56000-56867 Special education programs

59000-59300 Special schools and centers

64000-64001 Consolidated application process

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

Uniform Complaint Procedures

PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

6301-6577 Title I basic programs

6801-6871 Title III language instruction for limited English proficient and immigrant students

7101-7184 Safe and Drug-Free Schools and Communities Act

7201-7283g Title V promoting informed parental choice and innovative programs

7301-7372 Title V rural and low-income school programs

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

110.25 Notification of nondiscrimination on the basis of age

Management Resources:

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Sexual Violence, April 2011

Dear Colleague Letter: Harassment and Bullying, October 2010

Community Relations

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other

Community Relations

BP 1312.3 (f)

Uniform Complaint Procedures

Students, or Third Parties, January 2001

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy

adopted: April 16, 2015

SIERRA SANDS UNIFIED SCHOOL DISTRICT
Ridgecrest, California

Uniform Complaint Procedures

Except as the Governing Board may otherwise specifically provide in other Board policies, the general uniform complaint procedures (UCP) shall be used only to investigate and resolve only the complaints specified in BP 1312.3.

- (cf. 1312.1 - Complaints Concerning District Employees)
- (cf. 1312.2 - Complaints Concerning Instructional Materials)
- (cf. 1312.4 - Williams Uniform Complaint Procedures)
- (cf. 4031 - Complaints Concerning Discrimination in Employment)

Compliance Officers

The Governing Board designates the following compliance officer identified below as the employee responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual also serve as the compliance officer specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee to handle complaints regarding sex discrimination, harassment, intimidation and/or bullying. The individual shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

- (cf. 5145.3 - Nondiscrimination/Harassment)
- (cf. 5145.7 - Sexual Harassment)

Assistant Superintendent of Human Resources
Sierra Sands Unified School District
113 W. Felspar Avenue
Ridgecrest, CA 93555
(760) 499-1620

The compliance officer who receives a complaint may assign another compliance officer to investigate the complaint. The compliance officer shall promptly notify the complainant if another compliance officer is designated to investigate the complaint.

In no instance shall a compliance officer be designated to investigate a complaint if he/she is mentioned in the complaint or has a conflict of interest that would prohibit him/her from fairly investigating the complaint. Any complaint filed against or implicating a compliance officer may be filed with the Superintendent or designee.

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs which they are assigned to investigate. Training provided to such designated employees shall include current state and federal laws and regulations governing the program, applicable processes for investigating complaints, including

Uniform Complaint Procedures

those involving alleged discrimination, harassment, intimidation and/or bullying and applicable standards for reaching decisions on complaints, and appropriate corrective measures. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)

(cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the results of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement, if possible, one or more of the interim measures. The interim measures may remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

The Superintendent or designee shall annually provide written notification of the district's uniform complaint procedures to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 49013, 52075;5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 3260 - Fees and Charges)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

Uniform Complaint Procedures

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination harassment, intimidation and/or bullying laws, if applicable.
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination, harassment, intimidation and/or bullying.
4. Include statements that:
 - a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
 - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
 - c. A complaint alleging retaliation, unlawful discrimination, harassment, intimidation and/or bullying must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation and/or bullying. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
 - d. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.
 - e. The Board is required to adopt and annually update a local control and accountability plan (LCAP), in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.

(cf. 0460 - Local Control and Accountability Plan)
 - f. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 days of receiving the district's decision.

Uniform Complaint Procedures

g. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.

h. Copies of the district's UCP are available free of charge.

District Responsibilities

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)

Compliance officers shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in allegations shall be notified when a complaint is filed, and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation, unlawful discrimination, harassment, intimidation and/or bullying confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)

Filing of Complaint

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in accordance with the following:

1. A written complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs may be filed by any individual, public agency, or organization. (5 CCR 4630)

2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. (Education Code 49013, 52075)

3. A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred. (5 CCR 4630 (c)(2))

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4. A complaint alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may be filed only by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation and/or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation and/or bullying occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation and/or bullying. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

5. When a complaint alleging unlawful discrimination harassment, intimidation and/or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

6. When the complainant or alleged victim of unlawful discrimination, harassment, intimidation and/or bullying requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

7. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Mediation

Within three business days after the compliance officer receives the complaint, he/she may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of asexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a alleging retaliation, unlawful discrimination, harassment, intimidation and/or bullying, the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

Uniform Complaint Procedures

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed to through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation, shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. To resolve a complaint alleging retaliation, unlawful discrimination, harassment, intimidation, and/or bullying, the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation of his/her engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a

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remedy in favor of the complainant. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

Report of Findings

Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 days of the district's initially receiving the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

Final Written Decision

The district's decision shall be in writing and sent to the complainant. (5 CCR 4631)

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties that may be involved in implementing the decision or affected by the complaint, as long as the privacy of the parties is protected.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In other all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include: (5 CCR 4631)

Uniform Complaint Procedures

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
 - a. Statements made by any witnesses
 - b. The relative credibility of the individuals involved
 - c. How the complaining individual reacted to the incident
 - d. Any documentary or other evidence relating to the alleged conduct
 - e. Past instances of similar conduct by any alleged offenders
 - f. Past false allegations made by the complainant
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination, including discriminatory harassment, intimidation, or bullying, the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination, harassment, intimidation and/or bullying has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. How the misconduct affected one or more students' education
 - b. The type, frequency, and duration of the misconduct
 - c. The relationship between the alleged victim(s) and offender(s)
 - d. The number of persons engaged in the conduct and at whom the conduct was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to

Uniform Complaint Procedures

Community Relations address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, the notice may, as required by law, include:

- a. The corrective actions imposed on the individual found to have engaged in the conduct that relate directly to the subject of the complaint
 - b. Individual remedies offered or provided to the subject of the complaint
 - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence.
6. Notice of the complainant's right to appeal the district's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

For complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, and bullying, based on state law, the decision shall also include a notice to the complainant that:

1. He/she may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination, harassment, intimidation and/or bullying complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination, harassment, intimidation and/or bullying based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination, harassment, intimidation and/or bullying.

Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district

Uniform Complaint Procedures

policies, training for faculty, staff, and students, updates to school policies, or school climate surveys.

For complaints involving retaliation, unlawful discrimination, harassment, intimidation and/or bullying, appropriate corrective actions that focus on the victim may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation
9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

For complaints involving retaliation, unlawful discrimination, harassment, intimidation and or bullying, appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team

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6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination, including discriminatory harassment, intimidation, or bullying, that the district does not tolerate it, and how to report and respond to it.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians. (Education Code 49013, 52075)

For complaints alleging noncompliance with the laws regarding student fees, such remedies, where applicable, shall include good faith and reasonable efforts to identify and fully reimburse all pupils, parents, and guardians who paid a pupil fee within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600(u))

Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision may file an appeal in writing with the CDE within 15 calendar days of receiving the district's decision. (Education Code 49013, 52075; 5 CCR 4632)

The complainant shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant has appealed the district's decision, the superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complain
2. A copy of the decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file, including but not limited to, all notes, interviews, and

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documents submitted by the parties and gathered by the investigator

5. A report of any action taken to resolve the complaint
6. A copy of the district's complaint procedures
7. Other relevant information requested by the CDE

Regulation
approved: April 16, 2015

SIERRA SANDS UNIFIED SCHOOL DISTRICT
Ridgecrest, California

December 18, 2015

Sierra Sands Unified School District Board Members:

I am appealing the District's decision concerning DATA's complaint about the LCFF leadership team.

I think a solution may be somewhere between the proposed 7-8 bargaining unit members, which would balance out the leadership committee, and my sole appointment.

Certainly having one person really isn't in the spirit of the education code that bargaining units be consulted. It's just as absurd as consulting one parent or one student or one administrator.

Getting input from teachers who belong to DATA is not the same thing as getting input from bargaining unit members. Mr. Ostash counts nine DATA members as being on leadership team. I wouldn't necessarily have selected those particular DATA members (Just as we don't have the District choose our negotiations team, or who represents DATA on calendar committee or the health benefits committee---The District doesn't get to choose who is representing DATA).

The law stipulates that bargaining unit members provide consultation for LCFF. We have DATA members who are much more knowledgeable about the contract and who know what our members' interests are from the surveys that have been done. I would add people who are knowledgeable about union issues, positions, and the budget.

I think as you read through the LCFF process per the UCP response, you can see that this District really doesn't fulfill the bargaining unit consultation part of the law.

Please reconsider, especially in light of the spirit of the law and that talking to teachers is not necessarily the same thing as getting bargaining unit input. There should be a few more seats open at that table.

Thank you,
Barb Walls
DATA President

3. CONSTRUCTION ADMINISTRATION

3.1 Approval of Agreements for Construction with Various Prime Trade Contractors for Multiple Trades for the Burroughs High School Modernization Project

BACKGROUND INFORMATION: In December of 2012, the district received a grant from the Department of Defense (DoD) - Office of Economic Adjustment (OEA) for approximately thirty-one million dollars for the modernization of the Sherman E. Burroughs High School (BHS). In response to that grant, the district initiated design and construction phase services to complete execution of the project. In preparation for construction commencement in mid-January, 2016, eighteen (18) prime trade bid packages were compiled for the project work.

CURRENT CONSIDERATIONS: The project was bid on December 22, 2015 according to the formal procedures established by the district, the OEA, and the State of California. District staff conducted a competitive process in accordance with the district's established protocol:

1. Convened a district selection committee
2. Published an Invitation to Bid for Multiple Bid Packages by Prime Trade as follows:
 - District website
 - Public Plan Rooms:
 - IB Reprographics
 - iSfT
 - McGraw-Hill
 - Construction Market Data
 - News Publications
 - Press Enterprise on 11/19/2015 and 11/27/2015
 - Antelope Valley Press on 11/19/2015 and 11/27/2015
 - Bakersfield Californian on 11/19/2015 and 11/27/2015
 - Daily Independent on 11/19/2015 and 11/27/2015
 - News Review on 11/20/2015 and 11/27/2015
3. A local Contractors Outreach event was held on November 10, 2015 and a Job Walk was held on November 24, 2015.
4. A total of sixty-three (63) bid proposals were received. The summary identifying responses to each trade package is attached.
5. The District Selection Committee composed of district administrators and district program managers as non-voting observers, met to review and qualify the proposals the same work day.
6. Upon review of the various bid proposals and all accompanying documents required, Notices of Intent to responsive low bidders were issued on Wednesday, December 30, 2015, initiating a three day bid protest period.

It was the consensus of the committee that the following firms be selected, by trade package, as the responsive low bidding construction contractors to execute the trade work for the project:

- 03 – Earthwork & Site Demolition – Crew, Inc. – \$594,000.00
- 05 – Site Utilities – JDS Plumbing & Mechanical – \$184,998.00
- 06 – Site Concrete – Horizons Construction Co. International, Inc. – \$874,000.00
- 07 – Cabinets & Finish Carpentry – K & Z Cabinet Co. Inc. – \$388,950.00
- 09 – Flashing, Sheet Metal & Metal Roofing – RB Sheet Metal, Inc. –
\$295,800.00 Alternate 1 \$309,200.00
- 10 – Doors, Frames, Hardware & Installation – Hi Desert Construction –
\$731,000.00
- 12 – Acoustical Ceiling – C.G. Chaney Company, Inc. – \$153,200.00
- 13 – Painting – T & M Painting and Construction, Inc. – \$258,934.00
- 17 – HVAC & Controls – Circulating Air, Inc. – \$2,770,000.00

FINANCIAL IMPLICATIONS: The bid proposals received and to be made part of the construction documents are for the amounts identified above. Funding for this expense shall be 80% from the Burroughs High School grant funds and 20% from district matching funds including Fund 14.

SUPERINTENDENT'S RECOMMENDATION: It is recommended that the board approve the bid selection and allow the district to enter into agreements for construction for the identified BHS project bid packages as outlined above.

BID PACKAGES			LOWEST RESPONSIBLE BIDDER	NUMBER OF BIDDERS	PROWEST VE ESTIMATE 8-28-15	PRORATA @ 17%	TOTAL VE ESTIMATE	LOW BID or PLUG	DELTA (under) over Estimate	COMMENTS / RECOMMENDATIONS
DIVISION 1 - GENERAL REQUIREMENTS										
Bid Form Allowance	Bid Package#	Bid Package								
	PSA	Surveying & Layout			\$69,340	\$12,349	\$81,689	\$81,689	(\$0)	PLUG (By District)
\$20,000	01 11 10.01	General Facilities	Hi Desert Construction	3	\$339,100	\$60,394	\$399,494	\$1,162,187	\$762,693	Low Bidder
\$100,000	01 11 10.02	General Trades	Inland Building Const. Co., Inc.	4	\$2,140,649	\$381,249	\$2,521,898	\$4,295,500	\$1,773,602	2nd Bidder, Low Bidder Withdrew
DIVISION 2 - SITEWORK										
\$25,000	01 11 10.03	Earthwork & Site Demolition	Crew, Inc.	5	\$768,500	\$136,870	\$905,370	\$594,000	(\$311,370)	Low Bidder
\$50,000	01 11 10.04	Selective Demolition & Abatement	Janus Corporation	2	\$530,021	\$94,397	\$624,418	\$722,000	\$97,582	Low Bidder
\$20,000	01 11 10.05	Site Utilities	JDS Plumbing & Mechanical	7	\$185,065	\$32,960	\$218,025	\$184,998	(\$33,027)	Low Bidder
\$40,000	01 11 10.06	Site Concrete	Horizons Const. Co. Int'l., Inc.	3	\$848,107	\$151,048	\$999,155	\$874,000	(\$125,155)	Low Bidder
		AC Paving, Striping & Signage (Phase II)		.	\$168,994	\$30,098	\$199,092	\$199,092	\$0	PLUG (Phase II)
DIVISION 6 - WOOD & PLASTICS										
\$25,000	01 11 10.07	Cabinets & Finish Carpentry	K & Z Cabinet Co., Inc.	2	\$500,810	\$89,194	\$590,004	\$388,950	(\$201,054)	Low Bidder
DIVISION 7 - THERMAL & MOISTURE PROTECTION										
\$50,000	01 11 10.08	Roofing		0	\$1,231,135	\$219,265	\$1,450,400	\$1,450,400	(\$0)	Plug, No Bids
\$30,000	01 11 10.09	Flashing, Sheet Metal & Metal Roofing	RB Sheetmetal, Inc.	2	\$224,586	\$39,999	\$264,585	\$295,800	\$31,215	Low Bidder
DIVISION 8 - DOORS, WINDOWS & GLASS										
\$35,000	01 11 10.10	Doors, Frames, Hardware & Installation	Hi Desert Construction	3	\$791,250	\$140,922	\$932,172	\$731,000	(\$201,172)	Low Bidder
DIVISION 9 - FINISHES										
\$40,000	01 11 10.11	Drywall, Framing & Insulation	Hi Desert Construction	4	\$428,162	\$76,256	\$504,418	\$728,807	\$224,389	Low Bidder
\$25,000	01 11 10.12	Acoustical Ceiling	C.G. Chaney Company, Inc.	4	\$310,643	\$55,326	\$365,969	\$153,200	(\$212,769)	Low Bidder
		Flooring (By District)			\$226,660	\$40,368	\$267,028	\$267,028	(\$0)	PLUG (By District)
\$20,000	01 11 10.13	Painting	T & M Painting & Construction, Inc.	4	\$275,370	\$49,043	\$324,413	\$258,934	(\$65,479)	Low Bidder
DIVISION 11 - EQUIPMENT										
\$10,000	01 11 10.14	Food Service Equipment	Angeles Contractor, Inc.	1	\$129,568	\$23,076	\$152,644	\$297,000	\$144,356	Low Bidder
DIVISION 15 - MECHANICAL										
\$10,000	01 11 10.15	Fire Protection	Angeles Contractor, Inc.	2	\$0	\$0	\$0	\$541,000	\$541,000	Low Bidder
\$50,000	01 11 10.16	Plumbing	Stanton Utilities, Inc.	7	\$601,004	\$107,039	\$708,043	\$906,000	\$197,957	2nd Bidder, Low Bidder Withdrew
\$150,000	01 11 10.17	HVAC & Controls	Circulating Air, Inc.	5	\$2,644,150	\$470,923	\$3,115,073	\$2,770,000	(\$345,073)	Low Bidder
DIVISION 16 - ELECTRICAL										
\$300,000	01 11 10.18	Electrical & Special Systems	USS Cal Builders, Inc.	5	\$4,140,295	\$737,386	\$4,877,681	\$5,788,000	\$910,319	2nd Bidder, Low Bidder Withdrew
\$1,000,000			TOTALS	63	\$16,553,409	\$2,948,161	\$19,501,570	\$22,689,585	\$3,188,015	

**EXECUTIVE SUMMARY
WITH BID WITHDRAWALS
DATE 12-28-15**

BID PACKAGES	LOWEST RESPONSIBLE BIDDER	NUMBER OF BIDDERS	PROWEST VE ESTIMATE 8-28-15	PRORATA @ 17%	TOTAL VE ESTIMATE	LOW BID or PLUG	DELTA (under) over Estimate	COMMENTS / RECOMMENDATIONS
Total Divisions 1 - 16			\$16,553,408	\$2,948,161	\$19,501,570	\$22,689,585	\$3,188,015	
Design / DSA Contingency @ 5%			\$827,670		\$0	\$0	\$0	
Escalation Through Bid Date of November @5%			\$827,670		\$0	\$0	\$0	
Subtotal			\$18,208,749		\$19,501,570	\$22,689,585	\$3,188,015	
Project Location Factor 5%			\$910,437		\$0	\$0	\$0	
Subtotal			\$19,119,186		\$19,501,570	\$22,689,585	\$3,188,015	
Prime Trade Contractor's Bond 2%			\$382,384		\$0	\$0	\$0	
TOTAL CONSTRUCTION:			\$19,501,570		\$19,501,570	\$22,689,585	\$3,188,015	
TOTAL BID FORM ALLOWANCE					\$1,000,000	Included		
					\$20,501,570	\$22,689,585	\$2,188,015	