

BOARD OF EDUCATION
SCHOOL DISTRICT NO. 1J, MULTNOMAH COUNTY, OREGON

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June 14, 2016

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Purchases, Bids, Contracts

The Superintendent RECOMMENDS adoption of the following item:

Resolution 5278

RESOLUTION No. 5278

Expenditure Contracts that Exceed \$150,000 for Delegation of Authority

RECITAL

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) enter into contracts and approve payment for products, materials, supplies, capital outlay, equipment, and services whenever the total amount exceeds \$150,000 per contract, excepting settlement or real property agreements. Contracts meeting this criterion are listed below.

RESOLUTION

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into agreements in a form approved by General Counsel for the District.

NEW CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
Pro-View Foods	7/1/2016 through 6/30/2017 Option to renew annually through 6/30/2021	Material Requirements MR 63069	Provide District nutrition services program with USDA foods processing on a requirements basis. Maximum contract term through 6/30/2021. RFP 2015-2048	Original Term \$310,000 \$1,550,000 over maximum contract term	Y. Awwad Fund 202 Dept. 5570
Bongard's Creameries	7/1/2016 through 6/30/2017 Option to renew annually through 6/30/2021	Material Requirements MR 63070	Provide District nutrition services program with USDA foods processing on a requirements basis. Maximum contract term through 6/30/2021. RFP 2015-2048	Original Term \$175,000 \$875,000 over maximum contract term	Y. Awwad Fund 202 Dept. 5570
Jennie-O Turkey Store Sales, LLC	7/1/2016 through 6/30/2017 Option to renew annually through 6/30/2021	Material Requirements MR 63074	Provide District nutrition services program with USDA foods processing on a requirements basis. Maximum contract term through 6/30/2021. RFP 2015-2048	Original Term \$310,000 \$1,550,000 over maximum contract term	Y. Awwad Fund 202 Dept. 5570
Cargill Kitchen Solutions	7/1/2016 through 6/30/2017 Option to renew annually through 6/30/2021	Material Requirements MR 63075	Provide District nutrition services program with USDA foods processing on a requirements basis. Maximum contract term through 6/30/2021. RFP 2015-2048	Original Term \$150,000 \$750,000 over maximum contract term	Y. Awwad Fund 202 Dept. 5570
Ling's	7/1/2016 through 6/30/2017 Option to renew annually through 6/30/2021	Material Requirements MR 63081	Provide District nutrition services program with USDA foods processing on a requirements basis. Maximum contract term through 6/30/2021. RFP 2015-2048	Original Term \$70,000 \$350,000 over maximum contract term	Y. Awwad Fund 202 Dept. 5570

Trident Seafoods Corporation	7/1/2016 through 6/30/2017 Option to renew annually through 6/30/2021	Material Requirements MR 63082	Provide District nutrition services program with USDA foods processing on a requirements basis. Maximum contract term through 6/30/2021. RFP 2015-2048	Original Term \$45,000 \$225,000 over maximum contract term	Y. Awwad Fund 202 Dept. 5570
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NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)

No New IGA's

AMENDMENTS TO EXISTING CONTRACTS

No New Amendments

Y. Awwad

Other Matters Requiring Board Approval

The Superintendent RECOMMENDS adoption of the following items:

Resolutions 5279 through 5287

RESOLUTION No. 5279

Memorandum of Agreement (MOA) between Portland Public Schools (District) and the Portland Association of Teachers (PAT) regarding Chief Joseph/ Ockley Green, Beach, Woodlawn, Peninsula, Odyssey and Chapman

RECITALS

- A. For the 2016/17 school year, Ockley Green will be converted to a Middle School; Beach, Woodlawn, and Peninsula will operate in a K-5 configuration; and Chief Joseph will operate in a K-4 configuration. Additionally, for the 2016/17 school year, the Odyssey Program will be relocated from the Hayhurst campus to the East Sylvan campus and the Chapman School Kindergarten classes will be moved to the Ramona Early Learners site.
- B. The District and PAT have conferred on the impact of these changes on PAT staff and have come to mutual agreement. The details of that agreement were reflected in an MOA.

RESOLUTION

It is agreed that the District will accept the MOA as ratified by the PAT membership and will implement the terms of such MOA.

S. Murray/ C. Cusimano

RESOLUTION No.5280

Memorandum of Agreement (MOA) between Portland Public Schools (District) and the Portland Association of Teachers (PAT) regarding Fall Parent/Teacher Conferences in the 2016/17 school year

RECITALS

- A. Article 5 of the District/PAT CBA provides the ability of the District to schedule one parent/teacher conference in the evening. The District approached PAT concerning its ability to schedule two evening parent/teacher conferences in the 2016/17 school year.
- B. The 2016/17 Rosa Parks Elementary School calendar does not afford PAT staff time to prepare for the parent/teacher conferences scheduled in August. The District approached PAT to discuss this matter.
- C. The District and PAT have conferred on the matter of parent/teacher conferences in the 2016/17 school year and have come to mutual agreement. The details of that agreement were reflected in an MOA that was presented to PAT membership for ratification.
- D. On June 13, 2016, PAT notified the District that its members ratified the terms of this MOA

RESOLUTION

It is agreed that the District will accept the MOA as ratified by the PAT membership and will implement the terms of such MOA.

S. Murray/ C. Cusimano

RESOLUTION No. 5281

Memorandum of Agreement (MOA) between Portland Public Schools (District) and the Portland Association of Teachers (PAT) regarding Rosa Parks Elementary School Balanced Calendar

RECITALS

- A. The District and PAT have previously entered into an agreement which allowed for a balanced (aka: year round) calendar for Rosa Parks Elementary School. The District approached PAT with respect to continuing the balanced (aka: year round) calendar for Rosa Parks Elementary School in the 2016/17 school year.
- B. The District and PAT have conferred on maintaining the balanced (aka: year round) calendar at Rosa Parks Elementary School for the 2016/17 school year and have come to mutual agreement. The details of that agreement were reflected in an MOA that was presented to PAT membership for ratification.
- C. On June 13, 2016, PAT notified the District that its members ratified the terms of this MOA

RESOLUTION

It is agreed that the District will accept the MOA as ratified by the PAT membership and will implement the terms of such MOA.

S. Murray/ C. Cusimano

RESOLUTION No. 5282

Memorandum of Agreement (MOA) between Portland Public Schools (District) and the Portland Association of Teachers (PAT) regarding Site Support Instructors for the 2016/17 School Year

RECITALS

- A. The District and PAT have previously entered into an agreement related to the establishment of a new classification, Site Support Instructor. The District approached PAT with respect to continuing its ability to utilize the Site Support Instruction classification in the 2016/17 school year.
- B. The District and PAT have conferred on the matter of Site Support Instructors in the 2016/17 school year and have come to mutual agreement. The details of that agreement were reflected in an MOA that was presented to PAT membership for ratification.
- C. On June 13, 2016, PAT notified the District that its members ratified the terms of this MOA

RESOLUTION

It is agreed that the District will accept the MOA as ratified by the PAT membership and will implement the terms of such MOA.

S. Murray/ C. Cusimano

RESOLUTION No. 5283

Memorandum of Agreement (MOA) between Portland Public Schools (District) and the Portland Association of Teachers (PAT) regarding the 2012-2016 Substitute Teachers' Collective Bargaining Agreement (CBA)

RECITALS

- A. Article 12 of the District/PAT Substitute Teachers' CBA stipulates the Agreement will be in effect through June 30, 2016.
- B. The District and PAT have conferred and have come to mutual agreement that the CBA shall remain in full force and effect through December 31, 2016.

RESOLUTION

It is agreed that the District will accept the MOA as presented and will implement the terms of such MOA.

S. Murray/ C. Cusimano

RESOLUTION No. 5284

Memorandum of Agreement (MOA) between Portland Public Schools (District) and the Portland Association of Teachers (PAT) regarding Vacancies near the Beginning of the 2016/17 School Year.

RECITALS

- A. Article 15 of the District/PAT CBA outlines the process by which the District is to fill vacancies.
- B. The District and PAT have conferred on the importance of completing the staffing process to insure that professional educators are hired and provided the opportunity to prepare for their assignment's before students report to school and have come to mutual agreement. The details of that agreement were reflected in an MOA that was presented to PAT membership for ratification.
- C. On June 13, 2016, PAT notified the District that its members ratified the terms of this MOA

RESOLUTION

It is agreed that the District will accept the MOA as presented and will implement the terms of such MOA.

S. Murray/ C. Cusimano

RESOLUTION No. 5285

Resolution Appointing Presiding Officer for Pretermination Hearing

RECITALS

Board Policy 5.20.132 establishes that contract teachers recommended for dismissal may request a pretermination hearing prior to the Board of Education taking action on the Superintendent's recommendation for dismissal. The policy further establishes that the "hearing will occur before a presiding officer designated by the Board."

Two contract teachers have been recommended for dismissal and have requested pretermination hearings.

RESOLUTION

The Board of Education directs Human Resources to engage objective and qualified third party presiding officers, preferably from another local school district or other public entity, to hear the two teacher pretermination matters before the Board.

S. Murray

RESOLUTION No. 5286

A Resolution Regarding Depository Banks
for the Funds of the Portland Public School District (School District No. 1-J, Multnomah County Oregon)

RECITALS

- A. On January 26, 2016, the Board of Education (“Board”) passed Resolution No.5202, designating Wells Fargo Bank as the District’s depository institution. In addition, the Board adopted Cash Management Policy 8.020.010-P.
- B. The District desires to supplement and/or modify Resolution 5202 as provided below.

RESOLUTION

- 1. Any one of the following of the District’s officers [*designate titles only*]; and in their absence as the Superintendent designates

Chief Financial Officer _____,

Chief Operating Officer _____,

Deputy Chief Financial Officer

(each such designated officer an “Officer”), is individually authorized to: (a) open or close one or more deposit and/or securities accounts (the "Accounts") with any depository institution qualified by the Oregon State Treasurer under Oregon Revised Statutes (O.R.S.) 295 (herein after called "Bank") which account shall be in the name of the District; (b) execute and deliver in the District’s name such agreement(s) regarding the Accounts and the services related thereto as Bank may from time to time require; (c) authorize and execute transactions on the Accounts, including, without limitation, (i) signing checks and other instruments withdrawing funds from the Accounts, (ii) requesting funds transfers by Bank to and from the Accounts, (iii) entering into arrangements for the processing of automated clearing house (“ACH”) debit entries and/or ACH credit entries to and from the Accounts, and (iv) endorsing on behalf of the District, and otherwise negotiating, checks and other items payable to the District; (d) incur overdrafts and other obligations in the Accounts at Bank in connection with any of the products, services, or activities authorized by these resolutions;

- 2. Any one of the following of the District’s officers [*designate titles only*];

Director or Assistant Director of Financial Services _____,

Senior Manager/Financial Services/GL _____,

Senior Manager/Treasury _____,

_____.

(each such designated officer a “Limited Officer”), is authorized to: i) request funds transfers by Bank to and from the Accounts, (ii) enter into arrangements for the processing of automated clearing house (“ACH”) debit entries and/or ACH credit entries to and from the Accounts.

- 3. Each Officer and each Limited Officer is individually authorized to designate one or more District officials (each such designated official, an “Official”) to: (a) sign checks withdrawing funds from their respective school checking Accounts, including those payable to cash; and (b) issue and release stop payments on checks drawn on their respective school checking Accounts.
- 4. The District is authorized to enter into any other arrangements, agreements and documents with respect to any Bank's deposit and treasury management products and services, in such form and on such terms and conditions as may be agreed to by an Officer signing such agreements and documents, after appropriate Board of Education approval is obtained, if necessary;

5. Except to the extent provided otherwise in any agreement between the District and Bank, the District authorizes Bank to rely on any act or communication, including telephone, wire or electronic communication, purporting to be done by any Officer, Limited Officer or Official of the District if such reliance is in good faith, and the District shall be bound to Bank by any such act or communication relied on by Bank in good faith;
6. These resolutions are in addition to, and not by way of limitation on, other resolutions, if any, of the District in favor of Bank, and that the authority conferred by these resolutions shall be deemed retroactive and any and all acts authorized by these resolutions performed prior to the passage of these resolutions are hereby approved and ratified as the official acts and deeds of the District; and
7. Each of these resolutions shall continue in full force and effect until Bank has received express written notice of its rescission or modification by a resolution duly adopted by the District's Board of Education and certified by a Secretary or Deputy Clerk of the District."

Y. Awwad

RESOLUTION No. 5287

Minutes

The following minutes are offered for adoption:

May 24, 2016