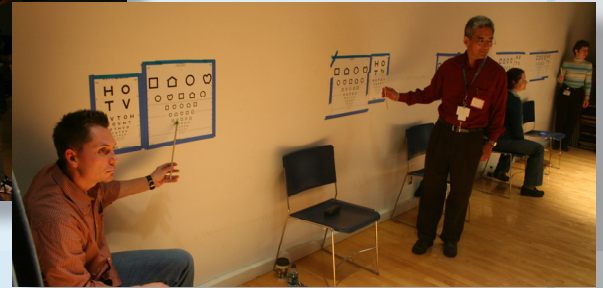


Portland Public Schools Board of Education



2009-2010

Agenda

Regular Meeting
October 26, 2009

School Calendars Audit • Hiring, Assignment and Transfer Update

BOARD OF EDUCATION

Portland Public Schools
Regular Meeting
October 26, 2009

Board Auditorium

Blanchard Education Service Center
501 North Dixon Street
Portland, Oregon 97227

Note: Those wishing to speak before the School Board should sign the citizen comment sheet prior to the start of the regular meeting. No additional speakers will be accepted after the sign-in sheet is removed, but citizens are welcome to sign up for the next meeting. While the School Board wants to hear from the public, comments must be limited to three minutes. All citizens must abide by the Board's Rules of Conduct for Board meetings.

Citizen comment related to an action item on the agenda will be heard immediately following staff presentation on that issue. Citizen comment on all other matters will be heard during the "Remaining Citizen Comment" time.

This meeting may be taped and televised by the media.

AGENDA

1. **STUDENT PERFORMANCE** 7:00 pm
 - Jazz Ambassadors - Beaumont Middle School
2. **STUDENT TESTIMONY** 7:15 pm
3. **STUDENT REPRESENTATIVE'S REPORT** 7:25 pm
4. **SUPERINTENDENT'S REPORT** 7:30 pm
5. **EXCELLENCE IN TEACHING AND LEARNING** 7:35 pm
 - Calendar Audit Report (*information item*)
 - Hiring, Assignment and Transfer Update (*information item*)
6. **COMMITTEE REPORT** 9:15 pm
 - Charter Schools Committee
7. **BUSINESS AGENDA** 9:30 pm
8. **OTHER BUSINESS** 9:35 pm
9. **CITIZEN COMMENT** 9:45 pm
10. **ADJOURN** 10:00 pm

The next regular meeting of the Board will be held on **November 9, 2009** at 7:00pm at the Blanchard Education Service Center.

NOTE: The Board's agendas are focused on the five strategic operatives of the District as found in the 2005-2010 Strategic Plan: Excellence in Teaching and Learning; Excellence in Operations and Services; Strong Partnerships with Families and Community; Leadership for Results; and Continuous Learning Ethic.

Portland Public Schools Nondiscrimination Statement

Portland Public Schools recognizes the diversity and worth of all individuals and groups and their roles in society. All individuals and groups shall be treated with fairness in all activities, programs and operations, without regard to age, color, creed, disability, marital status, national origin, race, religion, sex, or sexual orientation.

Board of Education Policy 1.80.020-P

STUDENT REPRESENTATIVE REPORT
OCTOBER 26, 2009
SUBMITTED BY: HENRY JOHNSON

SuperSAC met on October 5 and October 20 at the Productions Studio in BESC. Representatives from Grant, Franklin, Lincoln, BizTech at Marshall, Beaumont Middle School and Jackson Middle School were present at the October 5 meeting. All of those representatives and new ones from Wilson, Cleveland, and Renaissance Arts Academy at Marshall were present at the October 20 meeting.

At both meetings, we discussed the High School Redesign plan. Representatives expressed their aspirations and anxieties as well as some suggestions regarding the drastic changes being proposed for our high school system. People were uniformly excited about the equal educational opportunity students may receive without having to make compromises. We all agreed that the disparity problem present in our high schools is very serious and should be addressed as a community.

On one hand, a representative from one of the smaller high school campuses asserted that a personalized experience outweighs the negative aspects of restricted course options that are unavoidable in smaller-sized schools. On the other, a rep from a larger high school campus claimed that as many electives as possible is ideal. However, another rep from a large school argued that there is not enough time to take all the electives offered at his school.

Our concerns were numbered. Reps contemplated how to reconcile immersion programs that are strong under the current system (such as Mandarin, Japanese and Spanish). Will immersion programs be offered at all high schools or only in particular focus schools? If they are held at focus schools, how does this reduce diversity at other schools?

Some reps had trouble envisioning absolute equity. Because a student's experience is based on the quality of their teacher, how are exceptional teachers fairly dispersed? Reps were also apprehensive to the potential continuation of private funding that has historically bought the best education for certain schools.

After posing the question, 'what allows schools to fundraise effectively?' we decided the answer rests in the socio-economics of a neighborhood, which we are afraid will persist to be stratified.

Lastly, we wondered if changing enrollment boundaries would upset homebuyers with kids who bought houses in a certain neighborhood because of its inclusion in the perceived district of good schools. And how do we place a check on possible gerrymandering of school boundaries, or a potential development of districts into contorted shapes?

We are still looking at the possibility of a PPS SuperSAC page. Reps seemed to most approve of a Facebook page with links to more information about a given topic being addressed by the Board or in SuperSAC meetings. Our middle schools reps advocated we also appeal to middle school students, whatever the design of the webpage might be. While a PPS ordained webpage might not appeal to a typical high school or middle school student, it could to special interest groups such as student leadership organizations or student councils.

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

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October 26, 2009

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Personnel

The Superintendent RECOMMENDS adoption of the following items:

Numbers 4159 through 4164

RESOLUTION No. 4159

Election of First-Year Probationary Teachers (Full-Time)

RECITAL

The Superintendent recommends to the Board of Education (“Board”) the following named persons for election as First-Year Probationary Teachers.

RESOLUTION

The Board accepts the recommendation and by this resolution hereby elects as First-Year Probationary Teachers for the school year 2009-10, upon the terms and conditions for employment contained in the standard form contract approved by the legal counsel for the District, the following persons, with all to be placed on the applicable Salary Guide that now exists or is hereafter amended:

Full-time

First	Last	ID
Serene	Bertram	012459
Russell	Braman	018939
Alana	Burny	018994
David	Holm	018436
Kathleen	Lloyd	017938
Kimiko	Lupfer	018903
Heidi	Masunaga	005454
Elizabeth	Middleton	015617
Angela	Sandino	009045
Rachel	Stagner	018931
Ann	Stevenson	018932
Ellen	Whatmore	018998

H. Harris

RESOLUTION No. 4160

Election of Second-Year Probationary Teachers (Full-Time)

RECITAL

The Superintendent recommends to the Board of Education ("Board") the following named persons for election as Second-Year Probationary Teachers.

RESOLUTION

The Board accepts the recommendation and by this resolution hereby elects as Second-Year Probationary Teachers for the school year 2009-10, upon the terms and conditions for employment contained in the standard form contract approved by the legal counsel for the District, the following persons, with all to be placed on the applicable Salary Guide that now exists or is hereafter amended:

Full-Time

First	Last	ID
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E. Michelle Schardt 007738

H. Harris

RESOLUTION No. 4161

Election of First-Year Probationary Teachers (Part-Time)

RECITAL

The Superintendent recommends to the Board of Education ("Board") the following named persons for election as First-Year Probationary Teachers.

RESOLUTION

The Board accepts the recommendation and by this resolution hereby elects as First-Year Probationary Teachers for the school year 2009-10, upon the terms and conditions for employment contained in the standard form contract approved by the legal counsel for the District, the following persons, with all to be placed on the applicable Salary Guide that now exists or is hereafter amended:

Part-Time

First	Last	ID
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Alton Kingsbury Jr 004014
Kristina Larson 018933
Angela LeVan 011834
Tara West 011258
Carol Zosel 012331

H. Harris

RESOLUTION No. 4162

Election of Second-Year Probationary Teachers (Part-Time)

RECITAL

The Superintendent recommends to the Board of Education (“Board”) the following named persons for election as Second-Year Probationary Teachers.

RESOLUTION

The Board accepts the recommendation and by this resolution hereby elects as Second-Year Probationary Teachers for the school year 2009-10, upon the terms and conditions for employment contained in the standard form contract approved by the legal counsel for the District, the following persons, with all to be placed on the applicable Salary Guide that now exists or is hereafter amended:

Part-Time

First	Last	ID
Timothy	Swinehart	017787
Mary	Tillery	009316

H. Harris

RESOLUTION No. 4163

Appointment of Temporary Teachers and Notice of Nonrenewal

RESOLUTION

The Board of Education accepts the recommendation to designate the following persons as temporary teachers for the term listed below. These temporary contracts will not be renewed beyond their respective termination dates because the assignments are temporary and District does not require the teachers' services beyond completion of their respective temporary assignments.

Full Name	Location	Job Title	FTE	Start Date	End Date
	Laurelhurst				
Arrington, Sarah E	K-8	Teacher-K8 Gr 8 LA/SS	0.50	9/1/2009	6/18/2010
Braun, Steven		Teacher-SPED LC Ed			
Matthew	BESC	Options	0.50	9/21/2009	6/18/2010
		Teacher-HS ESL/B/Int			
Bullock, Treothe J	Benson HS	Sci/LA	1.00	9/1/2009	11/13/2009
	Stephenson				
Cleary, Jennifer L	K-5	Teacher-ES Gr 2	0.50	9/23/2009	6/18/2010

Gadway, Mitzi M	James John K-5	Counselor-ES	0.80	10/5/2009	1/15/2010
Henry, Amy	Rice Site Peninsula K-	ISS-Pathways	1.00	10/7/2009	6/18/2010
Hobby, Holly	8	Teacher-K8 ESL/Bilingual	0.50	9/9/2009	6/18/2010
Johnston, Louise K	Wilson HS	Teacher-HS LA	1.00	9/1/2009	2/1/2010
Landis, Kali E	Lee K-8	Teacher-K8 Gr K Teacher-HS Advanced	0.50	9/28/2009	6/18/2010
Maczik, Adam	Lincoln HS	Math/IB Instr Spec-HS Lit Coach	1.00	9/1/2009	6/18/2010
McNulty, Erin C	Madison HS Harrison Park	Striv	1.00	9/28/2009	6/18/2010
Nicholl, Alicia S	K-8 Boise-Eliot	Teacher-K8 Gr 4	1.00	9/1/2009	6/18/2010
Ramage, Faith A	PK-8 Roosevelt HS	Teacher-K8 Gr 4 Teacher-SPED Learning	1.00	9/22/2009	12/8/2009
Rees, Mark C	Campus	Center	0.50	10/5/2009	1/13/2010
Reinholt, Jeremy F	Grant HS	Teacher-HS SS	1.00	9/1/2009	10/31/2009
Ross, Summer D	Llewellyn K-5 da Vinci Arts	Teacher-ES Gr 1 Basic Skill	0.50	9/21/2009	6/18/2010
Torres, Julana R	MS	Teacher-MS Dance Teacher-MS Gr 8	0.50	9/10/2009	6/18/2010
Winn, Randolph T	George MS	Math/Algebra	0.20	9/11/2009	6/18/2010

H. Harris

RESOLUTION No. 4164

Recommended Grievance Decision
Regarding Employee ID #005562

RECITAL

A Step 2 grievance hearing was held pursuant to the grievance provisions of the PPS PAT 2006-2008 Agreement and the hearing officer has issued a decision, and the Superintendent recommends adoption of that decision, therefore be it

RESOLUTION

The decision dated February 6, 2009 in the Employee ID #005562 grievance is hereby adopted as the decision of the Board.

H. Harris

Purchases, Bids, Contracts

The Superintendent RECOMMENDS adoption of the following items:

Numbers 4165 through 4167

RESOLUTION No. 4165

Revenue Contracts that Exceed \$25,000 Limit for Delegation of Authority

RECITAL

Board Policy 8.90.010-P, "Contracts," requires the Board of Education ("Board") to enter into and approve contracts where the total revenue amount reaches \$25,000 or more per contractor. 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	Fund, Department, Grant/Project	Contract Amount	Responsible Administrator
Chess for Success Foundation	07/01/09 through 06/30/10	R 57115	Provide the cost of after-school chess clubs at 35 elementary & middle schools at PPS.	Fund 205 Dept. 5403 Grant G0148	\$47,436	C. Brush

INTERGOVERNMENTAL AGREEMENTS / REVENUE ("IGA/Rs")

Contractor	Contract Term	Contract Type	Description of Services	Fund, Department, Grant/Project	Contract Amount	Responsible Administrator
Reynolds School District	07/01/09 through 06/30/10	IGA/R 57116	Columbia Regional Program will provide deaf/hard of hearing classroom services	Fund 299 Dept. 5430 Grant S0031	\$194,500	J. Villano
University of Oregon	06/01/09 through 05/31/10	IGA/R 57127	First of a Three-year contract to prepare students in the K-12 Mandarin Immersion program to achieve an Advanced level of proficiency and high academic skills.	Fund 205 Dept. 5408 Grant G1059	\$438,350	D. Fernandez

CJ Sylvester / M Gunter

RESOLUTION No. 4166

Expenditure Contracts that Exceed \$25,000 Limit for Delegation of Authority

RECITAL

Board Policy 8.90.101-P, "Contracts," 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 reaches \$25,000 or more annually per contractor. 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	Fund, Department, Grant/Project	Contract Amount, Payment Total*	Responsible Administrator
Gaylen Brannon	08/01/09 through 06/30/10	Personal / Professional Services PS 57111	District-wide: Ratification of contract for new teacher mentor program funded with Title IIA funds.	Fund 205 Dept. 5447 Grant G0927	\$27,000 \$731	X. Botana
Mountain States Networking	10/13/09	Purchase Order PO 87997	District-wide: Routers for District VOIP project.	Fund 407 Dept. 5581 Project A1001	\$94,523 \$1,092,404	N. Jwayad
Mountain States Networking	10/13/09	Purchase Order PO 87998	District-wide: VOIP networking equipment and VOIP phones for District VOIP project. District will be seeking reimbursement from Contractor for this equipment.	Fund 407 Dept. 5581 Project A1001	\$316,317 \$1,092,404	N. Jwayad
Mountain States Networking	10/13/09	Purchase Order PO 87999	District-wide: VOIP networking equipment and VOIP phones for District VOIP project. District will not be seeking reimbursement from Contractor for this equipment.	Fund 407 Dept. 5581 Project A1001	\$761,770 \$1,092,404	N. Jwayad
To be determined – Pending award of informal request for proposal	10/27/09 through 10/26/10	Personal / Professional Services PS 57124	BESC: Consulting services, including future benefit cost calculations and consultation on future District benefits strategies.	To be determined	\$87,500 \$0	M. Riddell
Point B	09/01/09 through 03/31/10	Personal / Professional Services PS 56125	BESC: Executive staffing services to fill interim CFO position.	Fund 101 Dept. 5510	\$105,000 \$0	M. Riddell

AMENDMENTS TO EXISTING CONTRACTS

Contractor	Amendment Term	Contract Type	Description of Services	Fund, Department, Grant/Project	Amendment Amount, Contract Total, Payment Total*	Responsible Administrator
Teaching Strategies, Inc.	09/28/09 through 06/30/10	Personal / Professional Services PS 55886 Amendment 1	District-wide: One-year extension to provide training for educators in positive and proactive behavior management techniques.	Fund 205 Dept. 5424 Grant G0987	\$38,000 \$76,000 \$18,831	J. Mabbott
Night Movers, Inc.	10/27/09 through 2/28/10	Service Requirements SR 54194 Amendment 11	District-wide: Additional contract funding for continued moving and storage services, as needed.	Fund 191 Dept 5597 Project F0100	\$100,000 \$825,000 \$22,114	T. Magliano
Rose City Moving & Storage	10/27/09 through 2/28/10	Service Requirements SR 55994 Amendment 2	District-wide: Additional contract funding for continued moving and storage services, as needed.	Fund 191 Dept 5597 Project F0100	\$50,000 \$100,000 \$20,430	T. Magliano

INTERGOVERNMENTAL AGREEMENTS (“IGAS”)

Contractor	Contract Term	Contract Type	Description of Services	Fund, Department, Grant/Project	Contract Amount	Responsible Administrator
University of Oregon – School of Architecture and Allied Arts	10/27/09 through 11/01/10	IGA 57126	District-wide: Green Classroom Toolbox - Develop evidence-based design guidelines and performance metrics for the energy and environmental retrofits.	Fund 191 Dept 5597 Project F0158	\$30,417	T. Magliano

* “Payment Total” is the total amount actually paid to the vendor since July 1, 2009, and thus may be more or less than the “Contract / Amendment Amount” or “Contract Total.” Payment Total is not included for IGAs.

M. Gunter

RESOLUTION No. 4167

Expenditure Contracts that Exceed \$25,000 Limit for Delegation of Authority
Office of School Modernization Projects Fund

RECITAL

Board Policy 8.90.101-P, "Contracts," 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 reaches \$25,000 or more annually per contractor. 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 and execute agreements in a form approved by General Counsel for the District.

21st Century Program – Professional Services			Total Budget: \$1,050,000	
Contractor	Contract Terms	Project Number(s)	Description of Contract / Amendment	Previously Committed Amount / This Amendment Amount
Entrix, Inc.	10/27/09 through 12/31/09 PS-56714 Amendment 1	C0100	District-wide – Provide a historical assessment of District owned buildings. Prepare response to peer review, develop a presentation and attend public meetings.	\$150,000 \$8,194
			Total Project Budget	\$1,050,000
			This Resolution Request	\$8,194
			Previously Committed Amount	<u>\$934,984</u>
			Remaining Budget	\$106,822

CJ Sylvester/M. Gunter

Other Matters Requiring Board Action

The Superintendent RECOMMENDS adoption of the following items:

Numbers 4168 through 4171

RESOLUTION No. 4168

Technology Development, School Choice Lottery System Authorization for Special Procurement Process

RECITALS

- A. Portland Public Schools (“District”) engages in an open transfer policy for its students. In 2005, the District began development of an automated, randomized lottery system to ensure fair and equitable decisions were made in relation to school choice transfer applications. The Federal Voluntary Public School Choice grant has been, and will continue to be, the primary funding source of this work through September 2012 as long as requirements meet Federal guidelines for the grant. Additionally, up to \$35,000 in funding will be provided through the Information Technology Department for activities in support of a database migration for the system.
- B. The scope of work for this system is unique in nature, using a combination of JAVA and SQL code within an Oracle database.
- C. Due to the complex nature of the system and the specialized skill set required to support it, an exemption from a competitive solicitation process is required.
- D. ORS 279B.085 authorizes the local contract review board of the District to award a public contract by direct appointment as a special procurement. Such procurements allow the District to enter into a single contract or a series of contracts over time without using competitive sealed bidding or competitive sealed proposals or other competitive procedures as otherwise required by the District Contracting and Purchasing Rules upon certain findings.
- E. The District’s Board of Education (“Board”) has been designated as the local contract review board of the District under ORS 279A.060.
- F. Based upon the following findings pursuant to ORS 279B.085, the Board concludes that an exemption from competitive bidding is justified pursuant to the Public Contracting Code found in ORS 279B:
 - a. The Board finds that use of this special procurement process is unlikely to encourage favoritism in the awarding of this public contract nor substantially diminish competition for the public contract due to the fact that:
 - i. The work by Green Rhombus provides unique knowledge of the software and the business requirements it supports. In addition, the qualifications and credentials of at least 10 other candidates were reviewed prior to the award of the initial contract
 - ii. Green Rhombus has continued development and enhancement work under contract amendments and alternative procurement documentation, allowing the District to be responsive to feedback from parents and the community to improve the external functioning of the system, to incorporate software changes needed as a result of District Board of Education (“Board”) decisions regarding boundaries, and other relevant data, and to make enhancements to the system allowing school users and District staff to complete work more efficiently.
 - iii. The current system is an effective tool that supports the daily business of the Enrollment & Transfer Center, and is used to process nearly 6,000 applications each year for lottery transfers as well as hardship petitions, district placements, resident relocations, interdistrict agreements, pre-K applications, and appeals. There is a continued need to contract for ongoing technological leadership and

- iv. programming services to meet continued development, support, maintenance, and enhancement requirements for the system.
 - v. Continued improvement of the system and maintaining the ability to be responsive to necessary changes to the District's choice and transfer policies, such as those potentially resulting from high school redesign or other Board decisions regarding enrollment, is critical to ensure the District's initial investment.
 - vi. Development, maintenance, and enhancements are expected to be necessary as long as the District employs school choice. Up to this point, the District has contracted with Green Rhombus for an amount of \$532,565. At a minimum, Green Rhombus' services are anticipated to be required through September 30, 2012. Project development will be phased over the life of the contract. Green Rhombus is amenable to providing services on an as-needed basis. Estimated costs during the stated period are not expected to exceed \$285,000 for a total contract value for 2005-2012 of \$817,565.
- G. The Board finds that the use of this special procurement (1) is reasonably expected to result in substantial cost savings to the District and (2) will substantially promote the public interest in a manner that could not practicably be realized by complying with requirements that are applicable under ORS 279B.055, 279B.060, 279B.065 or 279B.070 or under any rules adopted thereunder due to the fact that:
- a. Allowing this special procurement will result in substantial cost savings to the District because the cost of bringing a new vendor up to speed at this stage of the project outweighs the benefits of a competitive bidding process. Other vendors would not be knowledgeable in the existing application rules and requirements, nor would they understand which areas of the application code have the most critical impact and greatest risk for negative consequences. The District's School Choice lottery technology is a unique, complex system, heralded as a model for other districts around the country. Effective programming requires understanding of multiple, complex technology structures and applications. If a new vendor is introduced to the project, resources will only be marginally productive for at least six weeks and will require internal staffing resources to describe, explain and provide training on the existing system.
 - b. Continued use of Green Rhombus will promote the public interest as it will allow uninterrupted implementation of the District's School Choice lottery system, which ensures fair and equitable opportunity for students to exercise choice in schools to best meet their needs.

RESOLUTION

1. The Board hereby exempts this contract as described in the Recitals from the competitive solicitation requirements of ORS Chapter 279B and the District Contracting and Purchasing Rules.
2. The Board hereby ratifies the direct appointment of Green Rhombus to perform services rendered pursuant to Contract PS 56325, PS 54771, PS 53874, PS 53783 and PS 53228 in the aggregate amount of \$532,565.
3. The Board directs that the contract be awarded by direct negotiation with Green Rhombus utilizing a form of personal services agreement in an aggregate amount not exceeding \$285,000 in conformance with the District Contracting and Purchasing Rules, The work will be performed under the direction of the Enrollment & Transfer Center in coordination with the Information Technology Department.

RESOLUTION No. 4169

PeopleSoft Time and Attendance System Authorization for Special Procurement Process

RECITALS

- A. The overall scope of the PPS Time and Attendance project is to implement custom PeopleSoft time and attendance entry pages for school timekeepers, with appropriate configuration of the delivered Payroll and Time-and-Labor modules. Additionally, the project scope sets the foundation for future time and attendance services delivered broadly across the organization via PeopleSoft.
- B. Specialized PeopleSoft consulting services are required to complete Phase I of the Time and Attendance project. The amount needed to complete the work is \$119,704, in addition to the current project investment of \$225,000, for an aggregate total of \$344,704 for consulting services.
- C. Due to the complexity of the project work and the specialized skill set required as well as the timeline constraints for implementation, the District is requesting an exemption from a competitive solicitation process.
- D. ORS 279B.085 authorizes the local contract review board of the District to award a public contract by direct appointment as a special procurement. Such procurements allow the District to enter into a single contract or a series of contracts over time without using competitive sealed bidding or competitive sealed proposals or other competitive procedures as otherwise required by the District Contracting and Purchasing Rules upon certain findings.
- E. The District's Board of Education ("Board") has been designated as the local contract review board of the District under ORS 279A.060.
- F. Based upon the following findings pursuant to ORS 279B, the Board concludes that an exemption from competitive bidding is justified pursuant to the Public Contracting Code found in ORS 279B:
 - a. The Board finds that use of this special procurement process is unlikely to encourage favoritism in the awarding of this public contract nor substantially diminish competition for the public contract due to the fact that:
 - i. The skill set needed to execute this work is highly specific. It would be difficult to find another qualified resource.
 - ii. The District undertook several searches to find a qualified candidate to perform the work for this Project. Initially, a nationally recognized company was awarded a contract through an RFP but found to be unable to meet project requirements once the work commenced. The District subsequently conducted a consultant search through our qualified pool of IT staffing vendors which yielded three candidates with appropriate credentials and experience. One of the three candidates was selected for the work, but was unable to perform in compliance with the contract once the work commenced.
 - iii. Finally, the District expanded the search for a PeopleSoft consultant by searching outside of the qualified pool of IT staffing vendors. This search yielded two qualified candidates. Following interviews with both candidates, the District determined that only one of the two candidates was able to perform the work and entered into direct negotiations with DBW Consulting.

- b. The Board finds that the use of this special procurement (1) is reasonably expected to result in substantial cost savings to the District and (2) will substantially promote the public interest in a manner that could not practicably be realized by complying with requirements that are applicable under ORS 279B.055, 279B.060, 279B.065 or 279B.070 or under any rules adopted thereunder due to the fact that:
- i. The Time and Attendance project is in the final stages of completion and is scheduled to go “live” in the next few months. Undertaking a competitive solicitation process at this time to select a vendor to complete the final stages of the project would delay the current project completion date by at least a year due to school implementation constraints.
 - ii. The current consultant, DBW Consulting, has been involved in the scope gathering, planning, design, and development phases of the project from its inception. The continued participation of DBW Consulting is critical to the success of the project.
 - iii. The cost of engaging a new consultant will exceed the current amount being requested due to the time necessary to become familiar with the project and all the work that has been performed to date by DBW Consulting with respect to the project.
 - iv. Completion of this project will result in time savings in excess of 100 hours per month in school offices.
 - v. Timely implementation of this project will substantially decrease the District’s use of time document data entry services which currently costs approximately \$5,000 per month. A delay in the project implementation will delay these savings.

RESOLUTION

1. The Board hereby exempts this public contract as described in the Recitals from the competitive solicitation requirements of ORS Chapter 279B and the District Contracting and Purchasing Rules.
2. The Board hereby ratifies the direct appointment of DBW Consulting to perform services rendered pursuant to Contract PS 56872 and PS 56424 in the aggregate amount of \$225,000.
3. The Board directs that the contract be awarded by direct negotiation with DBW Consulting utilizing a form of personal services agreement in an aggregate amount not exceeding \$119,704, in conformance with the District Contracting and Purchasing Rules, with the work being performed under the joint direction of the Finance Department and the Information Technology Department.

CJ Sylvester/N. Jwayad

RESOLUTION No. 4170

Settlement Agreement

RESOLUTION

1. The authority to pay \$42,500 is granted in a settlement agreement for Employee C.T. to resolve claims brought under Workers' Compensation.
2. This expenditure will be charged to the District's self-insurance fund.

J. Patterson / B. Meyers

RESOLUTION No. 4171

Minutes

The following minutes are offered for adoption:
Regular Business Meeting Minutes of October 5, 2009